

Attachment E

Section 9-4.3101 – The following criteria shall be determinative of a valid home occupation:

(i) It shall not unreasonably generate pedestrian or vehicular traffic beyond that normal to the zone in which it is located. No more than three (3) people per day, including customers and sales persons shall come to and from the dwelling in conjunction with the home occupation. Music teachers and other teachers may be permitted additional commercial clientele upon approval by the Planning Administrator and conformance with conditions limiting the number of hours of commercial activity. In such case, adjacent owners and resident shall be notified prior to approval of the home occupation.

(ii) It shall not involve the use of commercial vehicles for the delivery of materials to or from the premises (vehicles not over three-fourths (3/4) ton carrying capacity excepted). No vehicle over three-fourths (3/4) ton carrying capacity shall be used for home occupation purposes. All commercial vehicles associated with the home occupation shall be parked on site in accordance with all applicable parking regulations; such commercial vehicles shall not be parked or stored on the street. No more than two (2) commercial vehicles that are associated with the home occupation may be parked on the site.

(iii) It shall only allow signs as expressly permitted by Section 9-4.311 of this article.

(iv) It shall not involve more than two hundred (200') square feet of the dwelling unit floor area, whether the home occupation use is conducted within the dwelling, or in an accessory building, or a combination of both.

(v) Stock-in-trade may be used or kept within a home occupation permitted area provided the stock-in-trade or any commodity or product manufactured off the premises is not brought on the premises for resale purposes there. Not more than 100 square feet shall be used for storing stock-in-trade.

(vi) In no way shall the appearance of the structure or premises be so altered, or the conduct of the occupation within the structure or premises be such, that the structure or the premises may be reasonably recognized as serving a nonresidential use (either by color, materials, construction, lighting, noise, vibration, or the like). In particular, a home occupation shall not cause any adverse impacts such as offensive odors or excessive noise, lighting, or traffic which are incompatible with the residential area, or in violation of the provisions of any applicable laws or regulations.

(vii) No mechanical or electrical equipment shall be used or stored which causes undue noise or electrical interference.

(viii) A home occupation may be conducted only within an enclosed building, whether

the building constitutes part of the main building or is an accessory building. A home occupation may not be conducted within an accessory building which is located within a required setback area, unless storage is the only proposed use. The Zoning Administrator, after a notice to adjoining landowners located within two hundred (200') feet of the subject property, may authorize a home occupation in other than an enclosed building upon the determination that the home occupation will not damage neighboring properties.

(ix) A home occupation may be conducted in a garage provided the home occupation does not unreasonably conflict with the required parking for such residential structure.

(x) A home occupation shall not involve the employment of help other than resident members of the family within the residence. No provisions of this article shall be deemed to prohibit service occupations carried on off the premises, nor to prohibit the employment of persons off the premises. Where special conditions exist and are disclosed on the application, the Zoning Administrator may modify this requirement.

(xi) A home occupation which involves the handling, processing, packaging, or repackaging of food-stuff or involves other elements of food preparation may be permitted by the Planning Administrator; provided that all County Health Department permits, inspections, or approvals are obtained and the home occupation will not adversely affect surrounding residential uses.

(xii) A home occupation shall not involve the storage or sale of firearms, other weapons, explosives, or ammunition.

(xiii) It shall not involve a marijuana operation as that term is defined in Article 48 of this chapter or any activity involving marijuana or marijuana products.