

8-3-9: HOME OCCUPATIONS, STANDARDS FOR APPROVAL:

The following standards apply to home occupations:

- A. Home Occupations within Subdivisions:** Home occupations within dwellings in subdivisions are a permitted use if all of the following provisions are met:
1. **Where Located:** The home occupation shall be located wholly within the dwelling and shall be incidental and subordinate to the residential use of the property.
 2. **Size Limited:** The area of the dwelling where the home occupation is located shall not exceed twenty-five percent (25%) of the main floor area, but not including basement or garage floor space.
 3. **Structural Changes:** Structural changes shall not be made in the dwelling.
 4. **Employees:** Employees shall be limited to person(s) residing in the dwelling and immediate family members.
 5. **Sign:** One non-illuminated sign only of a maximum size of four (4) square feet and attached to the dwelling is allowed to advertise the home occupation on site. Such sign shall meet the setbacks for structures for the zoning district within which the home occupation is located.
 6. **Evidence of Occupation:** Evidence of the occupation such as outdoor storage shall not be visible from the road, except one sign that meets the provisions of subsection 5, immediately above.
 7. **Traffic:** No traffic shall be generated by the home occupation beyond that which is reasonable and normal for the area in which it is located.
 8. **Adverse Effect:** The occupation shall not adversely affect the character of the uses permitted in the district in which it is located.
 9. **Septic:** The septic system shall be adequate for the residential and home occupation use combined.
- B. Permitted Home Occupations Outside of Subdivisions:** Rural Home occupations operated on residential lots not located in platted subdivisions are a permitted use if all of the following provisions are met:
1. **Where Located:** Home occupations operated on residential lots not located in platted subdivisions may be located within the dwelling or in a separate nonresidential or farm building

and shall be incidental and subordinate to the residential use of the property.

2. **Size Limited within Dwelling:** If the home occupation is located within the dwelling, the area of the dwelling where the home occupation is located shall not exceed twenty-five percent (25%) of the main floor area, but not including basement or garage floor space. Structural additions may be made to a dwelling to accommodate a home occupation provided the alterations shall not exceed twenty-five percent (25%) of the main floor of the area of the dwelling, but not including basement or garage floor area.
 3. **Size Limited in Accessory structure:** Any accessory structure principally used for the home occupation shall not exceed twelve hundred (1200) square feet. Home occupations located in accessory structures may result in a split tax classification for the parcel where the structures are located. A commercial property tax rate may apply to home occupations in accessory structures.
 4. **Employees:** Employees shall be limited to person(s) residing in the dwelling, immediate family members and one additional non-family employee.
 5. **Sign:** One non-illuminated sign only of a maximum size of four (4) square feet and attached to the dwelling is allowed to advertise the home occupation on site. Such sign shall meet the setbacks for structures for the zoning district within which the home occupation is located.
 6. **Evidence of Occupation:** Evidence of the occupation such as outdoor storage shall not be visible from the road, except one sign that meets the provisions of subsection 5, immediately above.
 7. **Traffic:** No traffic shall be generated by the home occupation beyond that which is reasonable and normal for the area in which it is located.
 8. **Adverse Effect:** The occupation shall not adversely affect the character of the uses permitted in the district in which it is located.
 9. **Septic:** The septic system shall be adequate for the residential and home occupation use combined.
 10. **Parking:** One (1) additional parking space may be provided for the use of clients, deliveries, etc.
- C. **Conditional Home Occupations:** Conditional home occupations not located in subdivisions may exceed the provisions of subsection B, immediately above, if they meet all of the following provisions:
1. **Conditional Use:** Home occupations allowed under this section shall be processed as a conditional use permit meeting the requirements of this section in addition to the general requirements for a conditional use permit. A site plan shall be submitted with the conditional use permit application showing the location of all existing structures and describing the proposed use.
 2. **Review of Permit:** Conditional home occupation uses shall be reviewed and inspected by the planning department at least once every five years for compliance with conditions.
 3. **Where Located:** Conditional home occupations shall be located on lots not located in platted subdivisions. Conditional home occupations may be located within the dwelling or in a separate nonresidential or farm building.
 4. **Size Limited within Dwelling:** If the home occupation is located within the dwelling, the area of the dwelling where the home occupation is located shall not exceed twenty-five percent (25%) of the main floor area, but not including basement or garage floor space. Structural additions may be made to a dwelling to accommodate a home occupation provided the alterations shall not exceed twenty-five percent (25%) of the main floor of the area of the dwelling, but not including

basement or garage floor area.

5. **Size Limited in Accessory structures:** A new accessory structure or structures principally used for the home occupation shall not exceed ten thousand (10,000) square feet in total for all structures thus used. A new accessory structure shall mean any structure built at the time the conditional home occupation permit is applied for or a structure built within the immediately preceding five (5) years. If an existing accessory structure, or combination of structures, is proposed to be used for the home occupation, the structure or structures shall not exceed thirty thousand (30,000) square feet in total for all structures thus used. Existing accessory structures shall have been in existence for a period of more than five (5) years prior to the application for a conditional home occupation. If a combination of new and existing accessory structures is proposed to be used for the home occupation, only one new structure is allowed and shall not exceed ten thousand (10,000) square feet and the existing structures combined with the new structures shall not exceed thirty thousand (30,000) square feet in total. Proposed uses exceeding the size limits in this paragraph shall be located in ASC Agricultural Service Center Districts or other commercial districts because of associated traffic, parking, employee, utility and signage needs. Home occupations located in accessory structures may result in a split tax classification for the parcel where the structures are located. A commercial property tax rate may apply to home occupations in accessory structures.
6. **Minimum Lot Size:** The minimum lot size required for a lot on which a conditional home occupation is permitted shall be eighty thousand (80,000) square feet.
7. **Employees:** Employees shall be limited to person(s) residing in the dwelling, immediate family members and up to five (5) additional non-family employees. The Planning Commission may allow additional employees if traffic, parking, utility and impact on surrounding properties are addressed.
8. **Sign:** One non-illuminated sign only of a maximum size of thirty-two (32) square feet is allowed to advertise the home occupation on site. Such sign shall meet the setbacks for structures for the zoning district within which the home occupation is located.
9. **Traffic and Roads:** Traffic generated by the use shall be considered by the Planning Commission and traffic generated by the home occupation shall not exceed that which is reasonable for the area in which it is located and the road adjacent to the home occupation.
10. **Adverse Effect:** The occupation shall not adversely affect the character of the uses permitted in the district in which it is located.
11. **Performance Standard:** No equipment or processes used in the conditional home occupation shall create noise, vibration, glare, fumes, odors or electrical interference detectable off the premises.
12. **Buffering:** Buffering may be required by the Planning Commission to minimize adverse effects on adjacent properties and roadways.
13. **Utilities:** The home occupation shall not create usage exceeding the capacity of available on-site sewage treatment and drinking water.
14. **Parking:** Additional parking spaces may be required by the Planning Commission for the use of clients, deliveries, etc.