

17.12.140 Home Occupations.

A home occupation is a business/commercial use conducted primarily within the dwelling unit.

A home occupation is allowed as a permitted accessory use in any residential district, provided said home occupation complies with the requirements set forth in this section.

A. A use conducted primarily within a dwelling unit in which no person other than members of the family residing on the premises is engaged; which is incidental and secondary to residential occupancy; which causes no change in the outside appearance of the building or premises; that provides off-street parking as set forth in Section 17.12.080; that does not employ equipment or a process creating dust, smoke glare, smoke, traffic attraction or excessive noise, as set forth in Chapter 8.20 of this code. Specifically prohibited is the outside storage and display of merchandise, any activity involving any external building alteration, window display, construction equipment, machinery or outside storage, parking of large vehicles such as wreckers, trucks, transporting semi-trucks and trailers, or other disturbing influences greater than those of other residential properties in the neighborhood. A garage sale that does not exceed three consecutive days or a total of three days in a ninety day period shall not be considered a home occupation.

1. The total area primarily used for such purposes shall not exceed twenty-five percent of the floor area of the user's dwelling unit, including accessory buildings.
2. There shall be no exterior advertising other than identification of the home occupation by a sign, which shall be attached flush with the dwelling and shall not exceed one foot square in area and which shall not be illuminated.
3. A home occupation shall not be interpreted to include, but not limited to, the following: veterinary uses including boarding of animals, nursing home, ambulance service, body repair and painting, restaurants which do not include bed and breakfast, and taverns.

B. If an oral or written complaint is filed with the planning director, and the alleged violation is substantiated by the zoning enforcement officer, a public hearing before the commission shall be required to determine the continuation of the home occupation. Upon receipt of the written complaint, the commission shall follow the procedures set forth in Section 17.12.220. The complaint should contain the following minimum information:

1. Name and address of the person or persons filing the complaint;
2. Documentation of the alleged violation;
3. Date the alleged violation started;
4. Problems that the alleged violation has generated.

C. Upon hearing the home occupation complaint, the commission may order the use:

1. Discontinued, if the commission finds that the use is in violation of this title, or is injurious to the health, safety, and welfare of the neighborhood;
2. Continued with reasonable conditions on the use;
3. Continued with no conditions on the use in the event it finds that the use complies with this title; or
4. Continued without change after showing that a home occupation has existed and been in use for a period of at least five years in violation of this title and the city has not taken steps toward enforcement subject to the procedure set forth in Section 17.12.220(H)(1)--(4).

(Ord. 15-93 (part), 1993; Ord. 5-91 (part), 1991)