

Draft Accessory Home Occupation Ordinance Amendments

Subd. 3 Home Occupations. Home occupations are allowed as either accessory uses or conditional uses depending on the characteristics of the operation.

A. All home occupations shall comply with the following conditions:

1. It shall not result in traffic, parking, noise, light, fumes and odors to such an extent that it is noticeable that the property is being used for non-residential purposes.
2. It shall be conducted **entirely** within the dwelling or detached accessory building.
3. There is no exterior evidence of the home occupation from the right-of-way or adjacent properties.
4. It does not require any special entrances to the dwelling.

B. Class I Accessory Home Occupations.

1. Home Occupations will be permitted as accessory uses if they meet the conditions stipulated in the home occupation definition and following conditions:

- a) The business is engaged only by the occupants of the premises;
- b) The business activity does not occupy more than twenty-five (25) percent of the gross floor area of the dwelling;
- c) There will be no patrons visiting the premises;
- d) It requires no delivery of products other than those delivered by private passenger vehicle;
- e) There shall be no portion of the business activity including storage that is occurring within a detached accessory structure or exterior of a building.

2. Applicants for Class I Accessory Home Occupations shall be required to obtain an Accessory Home Occupation Permit from the City prior to engaging the activity. Review by the Planning Commission and City Council is not required. Application forms as prescribed by the Administrator shall be accompanied by the following information:

- a) A photograph of the residence;
- b) A floor plan indicating the floor area to be used by the home occupation along with a tabulation of the total floor area and the floor area to be used for the home occupation;
- c) A statement describing the home occupation and the compliance with the required conditions; and,
- d) A copy of the state or county license or permit if such a license or permit is required by the state or county for the proposed home occupation.

C. Class II Conditional Accessory Home Occupations.

1. Home occupations may be allowed by Conditional Use Permit as regulated in Section 1355.04 Subd 3 if they meet the conditions stipulated above for all Home Occupations and the following conditions:

- a) The primary business activity shall be conducted by an occupant of the residence;
- b) One person not residing in the residence may be employed to assist in the business activity;
- c) It does not occupy more than thirty-three (33) percent of the floor area of the dwelling or accessory building;
- d) It has a limited number of patrons visiting the premises;
- e) Off-street parking for no more than two (2) additional vehicles other than those required by the occupants shall be permitted. On-street parking shall not be used to satisfy required parking; and,
- f) It requires delivery of products to the premises no more than once per day.

g) The accessory home occupation includes a supplemental exterior display or storage of products and/or materials area that will be located behind the front building line of the dwelling and does not exceed a total of 1,500 square feet.

h) A screening plan is required for a Class II Accessory Home Occupation that includes an exterior display area or storage of products and/or materials. Acceptable forms of screening are a six (6) foot tall solid wood, composite, or vinyl fence or vegetation that shall consist of plantings that shall provide for a year round screening and installed at a minimum of six (6) feet tall. Screening shall be installed around the perimeter of the home occupation display/storage area or encompasses a portion of the property to achieve adequate screening. Fencing shall be subject to the regulations in Section 1325.05, Subd. 4.D.

i) The area exterior of the dwelling or detached accessory building identified on the approved CUP site plan may not be utilized for outdoor sales of products.

2. Applicants for Class II Conditional Accessory Home Occupations shall follow the procedures prescribed in the Conditional Use Permit section of Appendix A, Procedure Manual. The application shall be accompanied by the information required for Class I Home Occupations in Section [1325.02](#) above and a site plan showing any additional parking or other modifications to the site required to accommodate the home occupation. A copy of any required State or County license or permit as discussed in Class I Home Occupations shall be submitted prior to the issuance of a Conditional Use Permit, however, evidence that the proposed Home Occupation meets all the requirements for State or County licenses or permits shall be submitted with the Conditional Use Permit application.

3. In reviewing applications for Class II Conditional Accessory Use Permits for Home Occupations the City shall consider criteria which affect the appropriateness of a particular use in the location proposed, as discussed in Section [1355.04](#) Subd 3 and Appendix A, Procedural Manual.

D. Prohibited Uses. The following Accessory Home Occupations are prohibited without limitation: motor vehicle service, recreational vehicle service, small engine repair, or manufacturing.