

**Proposed text amendment #34-11-05. The language below would replace the current language in Section 6.9: Home Occupations of the Township Zoning Ordinance.**

**6.9 HOME OCCUPATIONS**

Home occupations are a permitted uses the residential zoning districts. If the home occupation requires an employee, whose primary address is elsewhere, the proposed or current home occupation is required to apply for a conditional use permit. All home occupations shall meet the following requirements.

1. **Uses Allowed:** Uses that comply with all of the standards of this subsection and those provided for under conditional uses, unless specifically prohibited elsewhere in the zoning ordinance.
2. **Prohibited Uses:** The following uses are prohibited as home occupations in the R1, R2, MFR and WFR districts:
  - a. Restaurants are prohibited as home occupation in all zoning districts.
  - b. Any type of repair, assembly or storage, sale or manufacture of vehicles, or any other work related to motor vehicles and their parts.
  - c. Animal boarding facilities including kennels, commercial stables and all other similar uses.
3. **Location:** All work areas and activities associated with home occupation must be conducted either inside the principal dwelling unit, or in accessory building or garage.
4. **Exterior Appearance:** There shall be no evidence of the conduct of a home occupation when viewed from the street right-of-way or from an adjacent lot. There may be no change in the exterior appearance of the dwelling unit that houses a home occupation. Uses no heavy equipment, power tools or power sources not common to a residence; and
5. **Operational Impacts:** No home occupation or equipment used in conjunction with a home occupation may cause odor, vibration, noise, electrical interference or fluctuation in voltage or the use of hazardous substances or materials; and
6. **Traffic:** No traffic shall be generated by any home occupation in greater volume that would normally be expected in a residential neighborhood. Deliveries are only permitted by public or private delivery services that customarily make residential deliveries; and
7. **Sales:** No retail sales or services, other than goods grown, produced or assembled on the premises, shall be conducted on the premises. Any retail operation to be conducted on the premises should be restricted to those type of operations where customers can be scheduled for appointments, rather than just being open generally to the public as walk-in traffic; and
8. **Registration:** Any person conducting a home occupation shall notify and register with the Zoning Administrator, within thirty days of the beginning use, or within sixty days of the effective date of this Ordinance, whichever is later.  
(34-08-01)

### Conditional Use Home Occupations

Home occupations which have the potential for generating a noticeable increase in traffic, require additional parking, involve one (1) employee, not residing the home shall require a conditional use permit. The home occupation, must meet the following conditions and any that the Planning Commission makes during the permit.

1. There will be no exterior evidence, other than a permitted sign, to indicate that the building is being used for any purpose other than that of a dwelling or an accessory structure; and
2. The home occupation applicant and other person(s) who use the dwelling as their primary residence may be involved in the home occupation use. Only, one (1) nonresident (a person with a primary residence elsewhere), whether paid or not for their services, may be involved in the home occupation use on the property. Planning Commission may allow more than one person outside the home to be engaged in the business if it is shown that the engagement of the additional individuals in the operation will not adversely affect the surrounding neighborhood and if there is adequate on-site parking;
3. No more than eight business-related vehicle visits per day and no more than forty visits per week at the premises, excluding delivery vehicles; and
4. Deliveries are only permitted by public or private delivery services that customarily make residential deliveries; and
5. Parking for the Home Occupation should be adequate and contained on the site of the proposed use. On-street parking shall not be counted toward meeting any parking requirement.

### **COMPLIANCE / REVOCATION**

The revocation will be considered by the Planning Commission in all cases upon the request of the Township Zoning Administrator. The Planning Commission shall hold a public hearing in accordance with the requirements set forth in Section 1.6 Administrative Standards.

The Planning Commission shall consider all evidence presented to it as part of the public hearing and proceedings related to the revocation. The Commission may revoke the permit upon a finding that the operation is not in compliance with the requirements set forth herein, noncompliance with any other applicable law. Any expansion, enlargement, or extension of the conditional use, beyond any Planning Commission approval shall be considered a violation also subject to revocation. The Commission may also sustain the previous approval as granted or sustain the previous approval with additional conditions.