

Sec. 130.40.160 Home Occupations.

- A. Contents. This Section provides opportunities for home-based businesses compatible with surrounding residential and agricultural uses in order to encourage home workplace alternatives, promote economic self-sufficiency of county residents, reduce commuting on U.S. Highway 50, while minimizing conflicts with adjacent property owners, maintaining the residential character of neighborhoods, and protecting the public health, safety, and welfare.
- B. Applicability. A home occupation, as defined in Article 8 (Glossary: see "Home Occupation") of this Title, shall be allowed in any zone that allows single- or multi-unit residential use in compliance with the standards and permitting requirements of this Section as shown in Table 130.40.160.1 (Home Occupation Use Matrix) below in this Section.

Table 130.40.160.1—Home Occupation Use Matrix

	RM	R1	R20K	R1A/R2A	R3A	RE	Rural Lands, Agricultural and Resource Zones
Home Occupations (including Student Instruction) in compliance with standards in 130.40.160.C.	P	P	P	P	P	P	P
Student Instruction exceeding standards in 130.40.160.C. but in compliance with standards of 130.40.160D.	A	A	A	A	A	A	A
Home Occupations or Student Instructions not in compliance with standards in 130.40.160.C. or D.	CUP	CUP	CUP	CUP	CUP	CUP	CUP

- C. Standards. A home occupation shall be allowed in compliance with the following standards and Title 5 (Business Taxes, Licenses and Regulations) in the County Code of Ordinances:
 1. All business is conducted within permitted structures on the lot or outdoors provided the business is screened from a right-of-way or road easement. The appearance of the structure shall not be altered nor shall the occupation be conducted in a manner that would cause the structure to differ from its residential character either by the use of colors, materials, construction, lighting, or signs, except where required under Subsection C.5 below in this Section.
 2. For home occupations conducted in any part of a garage or a detached building, the activity shall not be visible from a right-of-way or road easement, nor shall it require vehicles of the property owner to be routinely parked on the street.

3. The business shall be owned and operated by a person or persons residing on the premises. The business owner may have on-site meetings with other business personnel who provide support service to the home occupation, such as accountants and transcribers. Full or part-time employees under the direct payroll and supervision of the business owner, or an independent contractor shall be allowed to work at the site of the home occupation subject to Subsection C.5 below in this Section, and as shown in Table 130.40.160.2 (Home Occupation Employee Limits) below:

Table 130.40.160.2—Home Occupation Employee Limits

	RM	R1	R20K	R1A/R2A	R3A	RE	Rural Lands, Agricultural and Resource Zones
< 1 acres	1	1	1	1	1	1	1
1—5 acres	1	1	2	2	2	2	2
> 5 but less than 10 acres	1	1	2	2	2	2	2
> 10 acres	1	1	2	2	2	2	2

4. Retail sales may occur on the premises by appointment, only, or when conducted by telephone, mail, or internet, with delivery occurring off-site.
5. A change of use for that portion of a structure utilized as an office, workroom, sales area, or restroom facilities for employees or commercial customers may require a building permit.
6. As part of the home occupation, no equipment or process shall be used that creates noise, vibration, dust, glare, fumes, odors, or electrical interference detectable to the normal senses off-site. In the case of electrical interference, no equipment or process shall be used that creates visual or audible interference in any radio or television receivers, or that causes fluctuations in line voltage off-site. Businesses that do not meet these standards may be subject to a Conditional Use Permit in compliance with Section 130.52.021 (Conditional Use Permits) in Article 5 (Planning Permit Processing) of this Title.
7. Commercial delivery vehicles that are normally associated with residential uses may be utilized for the pick up or delivery of materials related to the home occupation.
8. Heavy Commercial Vehicles, as defined in Article 8 (Glossary: See "Vehicle, Heavy Commercial") of this Title are allowed as follows:
 - a. Agricultural, Rural Lands (RL), and Resource zones (See Chapter 130.21: Agricultural, Rural, and Resources Zones) in Article 2 (Zones, Allowed Uses, and Zoning Standards), may be stored on-site.
 - b. On lots five acres or larger and in Residential Estate (RE) may be stored on-site providing they are not visible from a right-of-way or road easement, except when in use.
 - c. On lots larger than or equal to one acre but less than five acres and are zoned R2A or R3A, commercial vehicles are allowed provided that the vehicle is stored or parked on-site within an enclosed structure or screened from public view when not in use.
 - d. On lots less than one acre or lots zoned RM, R1, R20K and R1A, no heavy commercial vehicles used as part of the home occupation shall be stored or parked on-site or on the road frontage.
9. Goods or materials used or manufactured as part of the home occupation shall not be visible from a right of way or road easement.

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10. Any materials used or manufactured as part of the home occupation may be subject to the review and approval of Environmental Management and the applicable fire department prior to business license sign off by the Department.
 11. The total acreage of contiguous lots under same ownership shall be used to determine the number of employees, customers and clients allowed for a home occupation.
 12. Student instruction shall be provided by appointment only, subject to the following standards:
 - a. Group lessons shall be limited to a maximum of six students per group lesson at any one time, once per day, on parcels less than one acre, or twice per day on parcels one acre or greater, provided adequate parking is available. Parking space that meets on-site residential requirements, as well as available parking space along the road frontage may be used.
 - b. No concerts, recitals, performance events, or showings shall be held on the site unless in compliance with Subsection D (Student Instruction—Administrative Permit Required) below in this Section.
 - c. Student instruction shall be allowed between the hours of 7:00 a.m. and 9:00 p.m.
 13. The following home occupations shall be allowed by right in Agricultural, Rural Lands and Resource zones, and Residential Estate (RE) zones (See Chapters 130.21: Agricultural, Rural, and Resources Zones, and 130.24: Residential Zones) in Article 2 (Zones, Allowed Uses, and Zoning Standards) of this Title, on lots with a minimum size of ten acres, in compliance with the standards under Subsection C.12 (Standards) above in this Section:
 - a. Horseback riding lessons or similar instruction involving animal husbandry.
 - b. Horse boarding providing the use or training of the horse(s) is limited to their owners or lessees.
- D. Student Instruction—Administrative Permit Required. An Administrative Permit shall be required when a home occupation exceeds the standards under Subsections C.12 or C.13 (Standards) above in this Section. An Administrative Permit for a home occupation under this Subsection shall only be approved when the Director finds that the standards being exceeded will not change the residential character of the neighborhood based on the attendance numbers, frequency or duration of the event, and nature of the use. If applicable, the location of an accessory structure relative to adjacent residential uses shall be considered, as well. In addition to all other standards under Subsection C (Standards) above in this Section, permit approval shall be subject to compliance with the following standards:
1. The site of the home occupation either has direct access to a public or private road that conforms to Standard Plan 101C, or the property owner participates in a road maintenance association.
 2. The total number of vehicle round trips to the site generated by students receiving group lessons shall not exceed 12 per day.
 3. There shall be adequate parking on the site to accommodate recitals or concerts, in addition to the required residential parking spaces. Added parking areas shall be located outside of any setback areas for the zone, in compliance with Chapter 130.35 (Parking and Loading) in Article 3 (Site Planning and Project Design Standards) of this Title. Available parking along the road frontage may also be used.
 4. A proposed accessory structure for the purpose of conducting recitals or concerts shall be allowed as follows:
 - a. For lots less than one acre, one structure of 600 square feet, maximum.
 - b. For lots one acre or larger, one structure of 1,600 square feet, maximum.
- E. Signs. Signs identifying authorized home business activities on the site shall be subject to the standards in Table 130.36.070.3 (Sign Standards for Home Occupation Signs) in Chapter 130.36 (Signs) in Article 3 (Site

Planning and Project Design Standards) of this Title. All signs shall be compatible in design with the residential structures on-site and shall not be illuminated.

- F. Limitations on Home Occupations. The following uses occurring on the site are not compatible with residential activities on parcels less than one acre, and shall not be allowed as home occupations. For parcels one acre or greater, the following uses occurring on the site as indicated below are subject to a Use Permit as specified in Table 130.40.160.1 (Home Occupation Use Matrix) above in this Section:
1. Motor vehicle and other vehicle repair or maintenance (body or mechanical) including, but not limited to the repair of engine, muffler, or drive train components of the vehicle; and upholstering, painting, or detailing work, except as provided in Section 130.40.380 (Vehicle Maintenance, Repair, and Storage Accessory to a Residential Use) below in this Chapter.
 2. Storage of motor vehicles, including but not limited to automobiles, motorcycles, heavy commercial vehicles, recreational vehicles, trailers, and boats(motorized or not), except as provided in Section 130.40.380 (Vehicle Maintenance, Repair, and Storage Accessory to a Residential Use) below in this Chapter.
 3. Carpentry and cabinet making, with the exception of woodworking that results in the creation of small wood products or single orders of furniture where delivery occurs off-site or on-site by appointment only.
 4. Food preparation and food sales, except as part of a catering business where prepared food will be delivered off-site, subject to Environmental Health permit requirements.
 5. Commercial kennels or catteries.
 6. Medical and dental offices, clinics, and medical laboratories.
 7. Veterinary services, with the exception of those considered an 'agricultural support service', as defined in Article 8 (Glossary) of this Title and subject to the standards in Section 130.40.070 (Agricultural Support Services) above in this Chapter.
 8. Repair shops or service establishments, with the exception of repairing small electrical appliances, cameras, or other similar items where pick-up and delivery occurs off-site or on-site by appointment only.
 9. Commercial stables, as defined in Article 8 (Glossary: See "Stables: Commercial") of this Title, which shall be subject to Subsection 130.40.210.C (Outdoor Recreation Facilities) below in this Chapter.
 10. Large-scale upholstering service, with the exception of upholstering single orders of furniture or other objects where pick-up and delivery occurs off-site.
 11. Welding and machining, except when incidental to small scale production or parts assembly; or work or craft that is the activity of creative artists.
- G. Conditional Use Permit. Where a proposed home occupation exceeds the standards under Subsections C.1 through C.11 (Standards), or Subsection D (Student Instruction—Administrative Permit Required) above in this Section, a Conditional Use Permit shall be required in compliance with Section 130.52.021 (Conditional Use Permits) in Article 5 (Planning Permit Processing) of this Title.

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