

Home Occupations – Proposed City Code Changes Chapter 30-4.D.3.i

August 1, 2022



- City Council asked that the Home Occupations Standards in the City Code be revised and that three new standards be added to Chapter 30-4.D.3.i
- Requested changes-
 - 1-Add limitations on the maximum number of customers permitted to be present at any time.
 - 2-Add limitations on the maximum number of customer vehicles that may be parked at the Home Occupation's location at any time.
 - 3-Add limitations on the hours of operation.



Add limitations on the maximum number of customers permitted to be present at any time

- 5 of 11 peer cities have limitations on the number of students or customers.
 - **Durham**- Tutoring or instructional services shall have no more than five students at one time.
 - **Gastonia**- Instruction in music, dancing, and similar subjects shall be limited to a maximum of two (2) students at a time (including the number of persons waiting on the property to receive such instruction).
 - **Greensboro**- Instructions in music, dancing, art, or similar subjects may have up to 5 students at a time.
 - **Raleigh**- No specialty service such as, but not limited to, dance instruction, crafts, or music lessons shall be provided for a group larger than 5 persons. No more than 5 customers are permitted on the premises at any one time.
 - **Winston-Salem**- Lodging, or boarding and lodging, of not more than three (3) residents, where the owner is an occupant of the property. All lodging or boarding of residents under the home occupation provisions must be registered with the Director of Inspections when established.
- Fayetteville (Proposed)- A maximum of ___?___ patrons, clients or customers of the home occupations are permitted to be present at any one time.
[maximum of six would be proposed]

Add limitations on the maximum number of customer vehicles that may be parked at the Home Occupation's location at any time

- Only 1 of 11 peer cities with this type of limitation
 - **Charlotte**- The number of vehicles used by clients or business related visitors to any home occupation shall be limited to two (2) at any given time.
- Fayetteville (Proposed)- A maximum of ___?___ customer vehicles are permitted to be present at any one time.
[maximum of three would be proposed]



Add limitations on the hours of operation

- Only 2 of 11 peer cities with this type of limitation
 - **Charlotte**- Hours of operation for deliveries, clients, and operation of mechanical or electrical equipment shall be limited to 7:00 a.m. to 8:00 p.m.
 - **Gastonia**- Hours of operation shall be anywhere from 7:00 a.m. to 9:00 p.m. only.
- Fayetteville (Proposed)- Customers visiting, conducting business or receiving services at the location of the home occupations may do so only between the hours of ___?__am and ___?__pm.
[8am thru 8pm would be proposed]



- **Current #1-** The business or service is located within the dwelling or an associated accessory building which may include an accessory dwelling unit, and does not exceed 20 percent of the heated floor area of the principal structure or 600 square feet, whichever is less. **In no instance shall more than one home occupation use be conducted on a single lot.**
- **-Proposed #1-** All activities related to the businesses or services are conducted inside the principle structure or an associated accessory structure which may include an accessory dwelling unit.
- **-Proposed #2-** Area used for the businesses or services is limited to 20 percent of the principal structure's total living area as listed in the Cumberland County Tax Administration's records up to a maximum of 600 square feet

- **Current #2-** The principal person or persons providing the business or service resides in the dwelling on the premises.
- **-Proposed #3-** The principal person or persons providing the businesses or services must reside in the dwelling on the premises.



- **Current #3-** The home occupation employs no more than one person on the premises who does not reside on the premises.
- **Proposed #4-** The home occupations employ no more than one person on the premises who does not reside on the premises.



- **Current #4-** The home occupation causes no change in the external appearance of the existing dwelling and structures on the property.
- **Proposed #5-** The home occupations causes no **temporary or permanent** changes in the external appearance of the existing dwelling and structures on the property.



- **Current #5-** All vehicles used in connection with the home occupation are of a size, and located on the premises in such a manner, so as to not disrupt the quiet nature and visual quality of the neighborhood, and there are no more than two vehicles per home occupation. In no instance shall any vehicle with a gross vehicle weight rating exceeding 10,000 pounds be parked, stored, or otherwise maintained at the site of a home occupation.
- **Proposed #6-** All vehicles used in connection with the home occupation are of a size, and located on the premises in such a manner, so as to not disrupt the quiet nature and visual quality of the neighborhood, and there are no more than two vehicles associated with the home occupations. Vehicles located on the premises must conform with the Parking Standards for Residential Development found in Article 30-5.A.5 of the city code.

- **Current #6-** Home occupations shall not result in regular and on-going vehicular traffic to the home where located.
- **Proposed –** This standard removed as “regular” and “on-going” are subjective standards. Vehicle parking and number of vehicles permitted to be present at any time are addressed in proposed standards 6, 7 and 8.



- **Current #7-** There is sufficient off-street parking for patrons of the home occupation, with the number of off-street parking spaces required for the home occupation to be provided and maintained in addition to the space or spaces required for the dwelling itself.
- **Proposed #7-** Off-street parking that complies with Article 30-5.A.5 of the city code shall be provided and must be utilized for all patrons of, employees of and vehicles associated with the home occupations. The number of off-street parking spaces utilized for the home occupations must be provided and maintained in addition to the space or spaces required in Article 30-5.A.4.b of the city code for the dwelling itself

- **Current #8-** Except as may be provided for in Table 30-5.L.6, there are no advertising devices on the property, or other signs of the home occupation, which are visible from outside the dwelling or accessory building..
- **Proposed #10-** As specified in Table 30-5.L.6, only one sign with a maximum size of two square feet may be displayed for the home occupations.



- **Current #9-** The property contains no outdoor display or storage of goods, equipment, or services that are associated with the home occupation.
- **Proposed #11-** The property contains no outdoor display or storage of goods, equipment, or services that are associated with the home occupations.
- **Current #10-** Wholesale or retail sales of goods do not occur on the premises.
- **Proposed #12-** Wholesale or retail sales of goods do not occur on the premises.
- **No Changes**



- **Current #11-** The home occupation does not create **traffic or parking congestion**, noise, vibration, odor, glare, fumes, or electrical or communications interference which can be detected by the normal senses off the premises, including visual or audible interference with radio or television reception.
- **Proposed #14-** The home occupation does not create , noise, vibration, odor, glare, fumes, or electrical or communications interference which can be detected by the normal senses off the premises, including visual or audible interference with radio or television reception.

- Proposed #8- A maximum of ___?___ customer vehicles are permitted to be present at any one time. [maximum of three would be proposed]
- Proposed #9- A maximum of ___?___ patrons, clients or customers of the home occupations are permitted to be present at any one time. [maximum of six would be proposed]
- Proposed #13- Customers visiting, conducting business or receiving services at the location of the home occupations may do so only between the hours of ___?___am and ___?___pm. [suggested 8am thru 8pm]
- New standards

- Option 1- City Council moves to accept the proposed code text amendments, directs staff to present the changes at the next available Planning Commission meeting and return recommendations to City Council.
- Option 2- City Council moves to modify the proposed code text amendments, directs staff to present the changes at the next available Planning Commission meeting and return recommendations to City Council.
- Option 3- City Council moves to take no action and continue enforcement of current Home Occupation standards.
- Option 4- City Council moves to table the action for more discussion on the position and policies.

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