



## Legislation Text

---

File #: 22-2841, Version: 1

---

**TO:** Mayor and Members of City Council

**THRU:** Telly C. Whitfield, Ph.D. - Assistant City Manager  
Dr. Gerald Newton, AICP - Development Services Director  
David Steinmetz, - Development Services Assistant Director

**FROM:** James Rutherford - Housing & Code Enforcement Division Manager

**DATE:** August 1, 2022

**RE:**  
Home Occupations Standards - Proposed City Code Changes Chapter 30-4.D.3.i

**COUNCIL DISTRICT(S):**  
All

### **Relationship To Strategic Plan:**

Goal 2 - Responsive City Government Supporting a Diverse and Viable Economy  
Objectives 2.1 - To ensure a diverse City tax base  
Objective 2.3 - To leverage partnerships for job creation and retention, with a focus on the local and regional workforce to increase per capita income.  
Objective 2.4- To sustain a favorable development climate to encourage business growth  
Goal 3 - City Investment in Today and Tomorrow  
Objective 3.4 - To revitalize neighborhoods with effective code enforcement and violation abatement.

### **Executive Summary:**

After review of Peer City Home Occupations standards, City Council directed staff to provide changes to the city code as it relates to the operation of businesses in residential developments. The requested adjustments were made and placed on the City Council Work Session for further discussion and policy direction.

### **Background:**

At the September 7, 2021 City Council Work Session, City Council directed the staff to research and bring back findings to the City Council as an Administrative Report. The item was placed on the agenda for the November 1, 2021 City Council work session for review however, City Council postponed the item.

City Council heard the report in the March 7, 2022 work session and after discussion directed staff to

come back with proposed changes to the Home Occupations standards. The requested adjustments were made and placed on the City Council Work Session of May 2, 2022. As the presentation began, the City Council asked that it be pushed back until August for consideration of how to proceed. The material is the same as was in that May 2, 2022 City Council packet.

### **Issues/Analysis:**

The consensus of the City Council was for staff to develop text amendments that would address three standards not currently in the City's Home Occupations code. Requested changes included:

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.

### **Budget Impact:**

No direct impacts to budget have been identified.

### **Options:**

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.

### **Recommended Action:**

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.

### **Attachments:**

- Home Occupation Power Point presentation
- Home Occupation Code Text current version
- Home Occupation Code Text with changes marked

- Home Occupation Code Text with changes
- CCAM from March 7, 2022 City Council Work Session
- Home Occupation Standards - Peer City Comparison Chart
- Home Occupation Code Text for the cities of:
  - Asheville
  - Cary
  - Charlotte
  - Durham
  - Gastonia
  - Greensboro
  - Hickory
  - Raleigh
  - Wilmington
  - Winston-Salem