

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-122

Petitioner: Charlotte Mecklenburg Planning Commission

Request: Text amendment to revise the customary home occupation standards.

Background

The numbers of home occupations continue to grow in Charlotte. From an enforcement perspective, customary home occupation standards should be limited to those occupations that do not significantly impact residential neighborhoods. However, often individuals wish to undertake customary home occupations that involve activities currently not allowed, such as utilizing accessory structures, storage or outdoor display of goods, having more clients, more vehicles, or non-resident employees.

As a result, staff initiated a comprehensive review of these standards, involving zoning inspectors in an interdepartmental review process. This text amendment is the result of those meetings and it seeks to clarify any gray areas. It also provides a list of permitted and prohibited home occupations to provide the public with a better understanding of what occupations would be permitted under these regulations.

Summary

The current standards for customary home occupations are summarized below:

- Home occupation clearly incidental to residential use of the dwelling
- No changes to the essential residential character of the structure
- Floor area for home occupation limited to 25% of one floor of the dwelling
- No accessory building or outside storage permitted in connection with occupation.
- No chemical, mechanical, electrical equipment not normally part of a domestic household can be used, except for medical, dental, and office equipment.
- No machinery that causes noise or other interference in radio or television reception is prohibited.
- Only residents of the dwelling can be engaged in the home occupation
- No display of products can be visible from the street.
- Only articles made on the premises can be sold on the premise.
- Number of vehicles used by clients, visitors, etc., is limited to 3 at any time.
- Vehicles used in conjunction with home occupation have to comply with Section 12.218, "Commercial vehicle parking in residential areas".
- Signs are subject to Chapter 13.

Staff initiated a review of the above provisions to determine if they were adequate in relation to the actual types of customary home occupations in Charlotte. An interdepartmental team, including zoning inspectors worked on these revisions to cover a number of situations that have arisen, and to clarify a number of gray areas.

The changes proposed by the team, and reflected in this text amendment are:

- A limit has been placed on the total square footage area of the customary home occupation, so that it can not be more than 25% of the principal building (not just of one floor), or 500 square feet, whichever is less. If a portion of a room is used, then the entire room will be measured, not just the portion.
- No detached signs or wall signs are permitted.
- Clients shall be by appointment only.
- Machinery that causes vibration, glare, fumes, odors or dust are also prohibited.

Because the question frequently arises what are examples of customary home occupations that are permitted, and those that are not, this text amendment adds several paragraphs describing permitted and prohibited occupations, which will clarify to the public what types of occupations are acceptable.

Consistency and Conclusion

This text amendment is appropriate for approval and consistent with local zoning authority and in the public interest.