

**TEXT AMENDMENT CASE NO. 2019- 0835
HOME OCCUPATION- TAXI BUSINESS
CITY OF SAN LUIS CODE- CHAPTER 152: ZONING REGULATIONS
PROPOSED AMENDMENT BY STAFF**

Subsection 152.221 of the San Luis City Code entitled “Home Occupations” is proposed read as follows:

(A) A home occupation shall be considered a permitted accessory use in all residential districts provided that they are operated and maintained to not interfere with the peace, quiet, and dignity of the property owners or neighbors (defined as those who live nearby where the occupation can be seen or heard or other nuisance impacts detected), if it complies with the following regulations:

- (1) All home occupations shall be clearly incidental and subordinate to the use of the property and dwelling unit for dwelling purposes. A valid city business license shall be maintained for the home occupation use;
- (2) Is conducted entirely from within the principal residence, garage, or accessory building and shall not change the residential character thereof. Carports and yards may not be used for home occupations. Exceptions to this provision shall be made for swimming lessons or in-home day care;
- (3) No more than 25% of the gross floor area of the dwelling shall be devoted to the home occupation. Areas devoted to the home occupation use shall maintain a residential appearance;
- (4) There shall be no employees other than members of the immediate family residing in the dwelling unit where the home occupation is being operated;
- (5) Deliveries and pickups shall not block traffic circulation and shall occur only between 8:00 a.m. and 8:00 p.m. Monday through Saturday;
- (6) There shall be no external evidence of the activity such as outdoor storage, displays, noise, dust, odors, fumes, vibration, electrical interference or fluctuation, or other nuisances discernible beyond the property lines;
- (7) No signs signifying the business or any commercial product or service are allowed;
- (8) Customer/patron and shipping/receiving trip generation shall not exceed five trips a day. Exceptions to this shall be allowed for music and swim lessons and home child care providers provided traffic does not disturb residential tranquility;
- (9) No vehicle, used in conjunction with the home occupation, with a payload rating of more than one ton, shall be stored on the site. Outside storage of heavy equipment or material shall be prohibited;
- (10) Storage of goods and materials necessary for the home occupation shall not include flammable, combustible or explosive materials; and
- (11) The home occupation shall not use or create hazardous waste.

(B) The following are some examples of uses, which would be acceptable as home occupations, provided they comply with the above regulations:

- (1) Home offices with no client visits to the home permitted;
 - (2) Artists, sculptors, composers not selling their artistic product to the public on the premises;
 - (3) Craftwork, such as jewelry making, pottery, woodworking, and metal working with no sales permitted on the premises;
 - (4) Music lessons, swim lessons, and tutoring;
 - (5) Personal services such as: catering, seamstress services and beauty or barber services with not more than two persons at any one time;
 - (6) Telephone answering, message services, word processing and other computer applications;
 - (7) Child care as specified in §§ 152.075 through 152.078 and §§ 152.090 through 152.092;
 - (8) Door to door sales or party sales not on the premise of the home occupation; and
 - (9) Personal dog kennels in a single family home in accordance with Chapter 95 Animals of the City of San Luis City Code.
- (C) A home occupation shall not include the following uses (this list is not all inclusive):
- (1) Medical, dental, or physical therapy;
 - (2) Motor vehicle repair, painting, storage, restoration or conversion, engine repair or similar uses; except on a vehicle personally owned by the resident;
 - (3) A permanent motor vehicle display for purposes of sale or lease;
 - (4) Veterinarian office, animal grooming facilities, and animal care, kennels or boarding facilities;
 - (5) Machine shop;
 - (6) Retail sales;
 - (7) Contractors' shops or storage yards; or
 - (8) Body piercing and/or painting and tattoos.
- (D) A home occupation of a taxicab or livery business in a residential district shall be limited to a business operating no more than two taxicabs or liveries. Any taxicab or livery business operating more than two taxicab or livery vehicles shall not be considered eligible to be a home occupation in any residential district.
- ~~(D)~~ (E) Complaints by citizens or local residents may be cause for immediate termination of the home occupation use if appropriate measures cannot be undertaken to mitigate the complaint or violations. All complaints or violation of the above conditions shall be registered with, and reviewed by, the Zoning Administrator.