

Ord. 23-S-15

Amendments to Article 8 of the UDC,
Section 21.8.4 - Home Occupations

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Background

- Home Occupations occur frequently in Schertz
- Development Subcommittee discussions
- 8 other municipalities Home Occupation regulations were researched
- At the May 24th & June 28th Planning & Zoning Commission meeting the commission directed staff to make adjustments.

UDC 21.8.4 Existing vs Proposed Regulations

Existing	Proposed
	Added language permitting home occupations as an accessory use in all residential zoning districts provided they comply with all other restrictions
The area set aside for home occupations shall not exceed twenty percent (20%) of the total floor area of such residence.	Proposing home occupation not exceed 30% of combined floor area of main and accessory structures and cannot exceed 600 square feet
Retail sales prohibited	Retail sales permitted if item is produced on premise in conformance with Code.
	Added language clarifying home occupation business must have permanent resident of home involved.
	Added language stating only one home occupation business-related vehicle permitted
Home occupation must be within principle structure	Allowing for additional accessory structure use.
	Added language clarifying that no exterior storage or display may occur.
	Added language clarifying that home occupation is accessory use only.
No permitted use list currently exist	List of permitted home occupation uses.
No prohibited use list currently exist	List of prohibited home occupation uses.
	Added language clarifying unlisted uses considered prohibited until further amendments. Also, outlined appeal process.

Proposed Permitted Uses

- Office facility of an accountant, architect, landscape architect, attorney, engineer, consultant, insurance agent, mental health professional, realtor, broker, or similar profession.
- Author, artist, artisan, or sculptor.
- Dressmaker, seamstress or tailor.
- Music or dance teacher, or similar types of instruction
- Individual tutoring.
- Office facility of a minister, rabbi, priest or other cleric.
- Home crafts, such as rug weaving, model making, etc.
- Office facility of a salesman, sales or manufacturer's representative
- Repair shop for small electrical appliances, cameras, watches and clocks, and other small items
- Food preparation establishments such as cake making, decorating or catering
- Family homes
- Barber shop or beauty salon or health spa
- Swimming lessons and water safety instruction
- Contractor
- Pet grooming

Proposed Prohibited Uses

- Animal hospitals or clinics, commercial stables having more than two horses per acre or kennels.
- Restaurants or on-premises food or beverage, including private clubs, consumption of any kind
- Automobile, boat or trailer paint or repair shop; small engine or motorcycle repair shop; welding shop; large household appliance repair shop; or other similar type of business.
- On-premises retail or wholesale sales of any kind where multiple customers patronize the sales business onsite
- Commercial clothing laundering or cleaning.
- Mortuaries or funeral homes.
- Trailer, vehicle, tool or equipment rentals.
- Repair shops for any items having internal combustion engines.
- Any use that would be defined by the building code as an assembly, factory or industrial, hazardous, institutional or mercantile occupancy.

Staff Recommendation

- The amendments would provide added clarity and flexibility to Home Occupations.
- Adjustments have been made with following two Planning & Zoning Commission meetings, with the commission recommending approval with a 7-0 vote at the June 28th, 2023, meeting.
- Therefore, staff recommends approval of the amendments to the Unified Development Code (UDC) as proposed and discussed.

COMMENTS & QUESTIONS