



City of Danville
427 Patton Street, Suite 208
Danville VA, 24541
Phone: (434) 799-5260

City Planning Commission

FEBRUARY 11, 2019
3:00 P.M.
CITY COUNCIL CHAMBERS

AGENDA

- I. WELCOME AND CALL TO ORDER
- II. ROLL CALL
- III. ITEM FOR PUBLIC HEARINGS
 1. *Special use permit application PLSUP20190000022, filed by Gary M. Wasson, requesting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 17 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block, 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have a community building with a commercial kitchen, computer lab, and exercise room.*
 2. *Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more Article 2 entitled "General Regulations", Section T entitled "Home Occupations".*
- IV. OTHER BUSINESS
- V. APPROVAL OF MINUTES FROM JANUARY 7, 2019
- VI. ADJOURNMENT



City of Danville

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

City Planning Commission

City Planning Commission

Meeting of February 11, 2019

Subject:

Special use permit application PLSUP20190000022, filed by Gary M. Wasson, requesting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 15 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block, 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have a community building with a commercial kitchen, computer lab, and exercise room.

Background:

An application has been filed by Gary M. Wasson on behalf of the Danville Redevelopment and Housing Authority (DRHA), requesting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 17 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block, 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map.

The applicant is proposing to have a community facility with a commercial kitchen, computer lab, and exercise room. This use is considered a public use because the community facility, if approved, will be operated by DRHA, which Mr. Wasson represents. Construction will still need approval of any necessary building permits.

Currently, the site contains one residential structure which has been vacant for several years. In 2018, the property was consolidated with an adjacent vacant property (formerly Property ID# 22414). However, this recent consolidation does not yet appear in the City's maps. The consolidation provides additional space for the development of a community facility as proposed and shown on the applicant's application.

Twenty-four (24) notifications were sent to surrounding property owners within 300 feet of the subject property. A full report will be presented to Planning Commission on February 11, 2019.

Recommendation:

The Planning staff recommends approval of Special Use Permit application PLSUP20190000022, filed by Gary M. Wasson, requesting a Special Use Permit for a public use in accordance with Article 3.E, Section C, Item 17 of the Code of the City of Danville, Virginia 1986, as amended at 524 Chatham Avenue, otherwise known as Grid 1610, Block, 008, Parcel 000014, of the City of Danville, Virginia Zoning District Map subject to the following conditions:

1. Any scheduled events shall be limited to occur between 6am and 10pm Sunday through Thursday, and 6am and 11pm Friday and Saturday.
2. The community facility shall be primarily managed and owned by a government agency, unless any change in management or ownership complies with zoning regulations, which are current at the time of the change, for public uses compared to private community facilities.

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000022 as submitted.
2. Approval of Special Use Permit application PLSUP20190000022 subject to conditions by staff.
3. Approval of Special Use Permit application PLSUP20190000022 subject to conditions by the Planning Commission.
4. Denial of Special Use Permit application PLSUP20190000022 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000022 by Planning Commission.

Attachments:

- A. Application
- B. Property Ownership/Zoning Map
- C. Data Sheet
- D. Existing Land Use Map (2015 Aerial)

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

Application is hereby made for the Special Use Permit as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

APPLICATION IS HEREBY MADE FOR A SPECIAL USE PERMIT TO AUTHORIZE THE FOLLOWING

USE: ~~Private Community Facility~~ ^{Public use}, including a commercial kitchen, computer lab, and exercise room

CASE NUMBER: PLSOP2019000022

EXISTING ZONING: OT-R, Old Town Residential

PROPOSED ZONING: No change

TAX MAP NUMBER: 1610-008-000014

RECEIVED BY: Bryce Johnson

DATE FILED: 1/16/19

PLANNING COMMISSION DATE: Feb. 11

CITY COUNCIL DATE: 3/5/19

INFORMATION TO BE PROVIDED BY THE APPLICANT

(PLEASE TYPE OR PRINT)

Exact legal description of property (Attach if insufficient space).

Gross Area/Net Area: 6000 SF Property Address: 524 CHATHAM AVENUE

Property Location: N S E W Side of: CHATHAM AVENUE

Between: BONNER AVENUE and EDMONDS STREET

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

- Proposed use of the land: size and location of structures with dimensions to lot lines.
- Vehicular circulation system with points of ingress and egress.
- Existing on-site buildings, separation dimensions and paved areas.
- Location and dimensions of all parking and loading areas, including the number of off-street parking and loading spaces provided.
- Net acreage.
- Gross and net square footage of building (s) (proposed and existing).
- Required landscaping and buffer areas.

Please provide a brief description of the proposed development:

THE EXISTING BUILDING AT 524 CHATHAM AVENUE WILL BE DEMOLISHED.
A 6000 SF COMMUNITY BUILDING WITH A COMMERCIAL KITCHEN, COMPUTER
LAB, AND EXERCISE ROOM WILL BE TRADITIONALLY CONSTRUCTED.

PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):

1. NAME: DANVILLE REDEVELOPMENT AND HOUSING AUTHORITY TELEPHONE: (434) 792-5544

MAILING ADDRESS: 135 JONES CROSSING, DANVILLE, VA 24541

X SIGNATURE: Gary M. Wasson DATE: 1-15-19

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: gwasson@drhava.com

APPLICANT (PLEASE TYPE OR PRINT):

If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: DANVILLE REDEVELOPMENT AND HOUSING AUTHORITY TELEPHONE: (434) 792-5544

MAILING ADDRESS: 135 JONES CROSSING, DANVILLE, VA 24541

EMAIL ADDRESS: gwasson@drhava.com

X SIGNATURE: Gary M. Wasson DATE: 1-15-19

SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATE: February 11, 2019

LOCATION OF PROPERTY: 524 Chatham Ave

PRESENT ZONE: OT-R, Old Town Residential

PROPOSED ZONE: Unchanged

ACTION REQUESTED: Special Use Permit for a public use

PRESENT USE OF PROPERTY: Unused, although a vacant residential structure exists on the property

PROPOSED USE OF PROPERTY: Community facility, including a commercial kitchen, computer lab, and exercise room

PROPERTY OWNER (S): Danville Redevelopment and Housing Authority

NAME OF APPLICANT (S): Gary M. Wasson

PROPERTY BORDERED BY: Residential on all sides

ACREAGE: 0.51 acres (22,215.6 square feet)

CHARACTER OF VICINITY: Residential, with some college use to the East

INGRESS AND EGRESS: Chatham Ave

TRAFFIC VOLUME: Low



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
1/17/2019

Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



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City Planning Commission

City Planning Commission

Meeting of February 11, 2019

Subject:

Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more Article 2 entitled "General Regulations", Section T entitled "Home Occupations".

Background:

On January 7, 2019, the City Planning Commission requested staff to investigate home occupation regulations within the City of Danville, Virginia. Specifically, the Commission expressed interest regarding the area within a home in which a resident may conduct their business.

Currently, home occupations are permitted by right in all residential districts, the TO-C Transitional Office District, and the CB-C Central Business Commercial District. Home occupations are also permitted in the TW-C Tobacco Warehouse Commercial District by Special Use Permit, but with some different regulations.

The City enforces specific standards for home occupations under Article 2, Section T of the Zoning Ordinance. These standards are relatively consistent with the previous Zoning Ordinance, and those found in other Virginia Cities. For comparison, staff compared home occupation regulations to eleven (11) other cities in Virginia. Among the observed cities, staff observed the four following variations:

1. Permitted size of the home occupation;
2. Number and timing of visitors and deliveries;
3. Number of employees who may be nonresidents or not family members; and
4. Permitted on-street parking.

Regarding the area permitted for use by a home occupation among the observed cities, staff found the following:

- Four (4) cities have a 25% floor area limit for the home occupation;
- One (1) city has a 25% of floor area limit or 800 sq. ft., whichever is less, limit for the home occupation;
- One (1) city has a 25% floor area limit or 500 sq. ft., whichever is less, limit for the home occupation;
- One (1) city has a 250 sq. ft. floor area limit for the home occupation; and
- Three (3) cities have no floor area limit for the home occupation, as long as the primary use of the property remains residential.

Some concerns related to home occupations include:

1. Observable presence of commercial activity in a residential district;
2. Effects on traffic and parking;
3. Physical alterations to the property inconsistent with residential use;
4. Presence of nonresidents on the property and in the neighborhood; and
5. The continued primary use of the property as a residential dwelling.

Recommendation:

The Planning staff recommends that Article 2, Section T, Item 10 be amended to read as one of the following two options:

Option One:

No home occupation shall be permitted which comprises more than twenty-five (25) percent of the gross floor area of the dwelling or more than 400 square feet of the dwelling, whichever is ~~less~~ more (except for a licensed family day care home).

Option Two:

No home occupation shall be permitted which comprises more than ~~twenty-five (25)~~ forty-nine (49) percent of the gross floor area of the dwelling ~~or more than 400 square feet of the dwelling, whichever is less~~ (except for a licensed family day care home).

As recommended, either option would permit residents to use additional space in their homes for their occupations. Both options also maintain protections for the residential character of the property and surrounding neighborhood.

City Planning Commission Options:

1. Recommend approval of the requested code amendment option one.
2. Recommend approval of the requested code amendment option two.
3. Recommend approval of the requested code amendment with modifications by City Planning Commission.
4. Recommend denial of the requested code amendment.
5. Table the requested code amendment.

Attachments

- A. Current Local Home Occupation Regulations
- B. 1987 Local Home Occupation Regulations
- C. Chart Comparing Local Regulations to Other Virginia Cities
- D. Related Regulations from Other Virginia Cities

Current Local Home Occupation Regulations

Chapter 41 – ZONING ORDINANCE

ARTICLE 2. – GENERAL REGULATIONS

T. - Home Occupations.

1. A home occupation permit shall be approved by the Director of Planning/Zoning Administrator prior to commencement of business operations.
2. The home occupation shall be clearly incidental to the use of the premises for dwelling purposes.
3. The home occupation shall be conducted only by direct family members residing on the premises and not more than one person who is not a direct member of the family.
4. The home occupation shall not result in the alteration of the appearance of the residential dwelling unit or the lot on which it is located. There shall be no storage or display of goods outside of a completely enclosed structure (except for outside play equipment for a licensed family day care home).
5. The home occupation shall be conducted within the dwelling or fully enclosed accessory building, shall not require external alternative to the appearance of the dwelling, and shall involve no equipment which is deemed to be in conflict with the intent of the residential nature of the community (except for outside play equipment for a licensed family day care home).
6. The home occupation shall not involve the use or storage of explosives, flammable or hazardous materials and may not involve any process that produces smoke, dust, odor, noise, vibration, or electrical interference, which in the opinion of the Director of Planning/Zoning Administrator, is deteriorative or harmful to surrounding properties.
7. The home occupation shall not involve the delivery and storage of materials at a frequency beyond that which is reasonable to the residential use of the property (except for the transportation of children to and from a licensed family day care home).
8. Any use which generates traffic to and from the home in excess of what is normally associated with a single-family dwelling shall not be permitted as a home occupation (except for the transportation of children to and from a licensed family day care home).
9. There shall be no group instruction, assembly or activity, or no display that will indicate from the exterior that the dwelling is being utilized in part for any purpose other than that of a residential dwelling. There shall be no advertising on the premises.
10. No home occupation shall be permitted which comprises more than twenty-five (25) percent of the gross floor area of the dwelling or more than 400 square feet of the dwelling, whichever is less (except for a licensed family day care home).
11. A home occupation shall comply with all applicable City, State and Federal laws and regulations governing the intended use, including applicable business licenses and permits.
12. Home occupation applicants shall permit reasonable inspections of the premises by the Director of Planning/Zoning Administrator or other City official to determine compliance with this ordinance and the conditions attached to the granting of a home occupation permit.
13. Any home occupation, which in the opinion of the Director of Planning/Zoning Administrator, has violated the provisions of the home occupation permit or becomes a burden to the neighborhood due to excessive traffic, noise, hours of operation, lighting, or

Current Local Home Occupation Regulations

use intensity, shall have its permit revoked and the home occupation shall discontinue or correct operations within ten days upon notification.

14. Any person aggrieved by the action of the Director of Planning/Zoning Administrator in granting, denying or revoking a home occupation permit or in stipulating conditions or corrections thereto may appeal the decision to the Board of Zoning Appeals.
15. Within the context of the above requirements, home occupation uses include, but are not limited to, the following:
 - a. Artist, sculptor, graphic designer or photographer, limited to one employee.
 - b. Author or composer, limited to one employee.
 - c. Computer programmer, internet service provider or individual conducting a computer-oriented technology services, limited to one employee.
 - d. Home care provider (baby-sitting for not more than 5 non-related children or home care provided for not more than 5 non-related adults).
 - e. Tailor or seamstress, limited to one employee.
 - f. Professional office, limited to one employee with no client interaction on the site.
 - g. Tutoring, limited to two students at any one time.
 - h. Salesperson, provided that no retail or wholesale transactions occur on premises and limited to one employee.
 - i. Telephone answering service, limited to one employee.
 - j. Music teacher, limited to two students at any one time.
 - k. Caterer, limited to one employee.
 - l. Family day care home (baby-sitting for more than five (5) but not more than twelve (12) non-related children.
16. Specifically prohibited home occupation uses include, but are not limited to, the following:
 - a. Auto repair or auto paint shop.
 - b. Reserved.
 - c. Gift shops.
 - d. Adult entertainment businesses and massage parlors.
 - e. Medical and dental clinics.
 - f. Veterinary activities and kennels.
 - g. Wrecking and towing service.
 - h. Welding and machine shop.
 - i. Beauty parlors.
 - j. Barber shops.
 - k. Nursing homes, convalescent homes, and adult care facilities (6 adults or more).
 - l. Child day care provider.
 - m. Eating establishments.

Current Local Home Occupation Regulations

- n. Antique shops.
- o. Tourist homes.
- p. Fortune tellers.
- q. Small machinery repair shop.
- r. Other similar use.
- s. Commercial (non-charitable) door-to-door sales.

(Ord. No. 2004-02.04, Art. 2, § T, 2-17-04; Ord. No. 2012-12.07, 12-18-12)

ARTICLE 15. - DEFINITIONS

B. – Definitions

Home occupation. Any occupation or activity which is clearly incidental and secondary to use of the premises for dwelling and which is carried on wholly or in part within a main building or accessory building or on the premises by a member of the family that resides on the premises. Such use shall not change the the character of the dwelling unit nor have any exterior evidence other than a sign as provided for in Article 10 of this ordinance.

(Ord. No. 2004-02.04, Art. 15, § B, 2-17-04; Ord. No. 2005-01.03, 1-4-05; Ord. No. 2005-04.04, 4-5-05; Ord. No. 2008-03.02, 3-4-08; Ord. No. 2008-07.04, Art. 15, § B, 7-15-08; Ord. No. 2009-07.02, 7-7-09; Ord. No. 2009-11.07, 11-5-09; Ord. No. 2009-12.08, 12-15-09; Ord. No. 2012-08.02, 8-21-12; Ord. No. 2012-09.09, 9-18-12; Ord. No. 2012-12.07, 12-18-12; Ord. No. 2012-11.09, 11-20-12; Ord. No. 2013-02.03, 2-19-13; Ord. No. 2013-06.01, 6-4-13; Ord. No. 2013-10.06, 10-17-13; Ord. No. 2014-08.09, 8-19-14; Ord. No. 2015-07.05, 7-21-15; Ord. No. 2015-09.09, 9-15-15; Ord. No. 2016-04.03, 4-5-16; Ord. No. 2016-07.03, 7-5-16; Ord. No. 2017-08.01, 8-3-17)

1986 Ordinance

Sec. 41-55. HOME OCCUPATION.

A home occupation shall be permitted in any zoning district in which a private dwelling unit is permitted; provided that:

- (a) A home occupation shall be incidental and secondary to the use of a dwelling unit for residential purposes.
- (b) A home occupation shall not occupy more than 200 square feet or 20%, whichever is greater, of the finished floor area of the residence in which it is located.
- (c) A home occupation shall be conducted wholly within the principal building. No home occupation nor any storage of goods, materials, or products connected with a home occupation shall be permitted in accessory buildings or garages, attached or detached.
- (d) There shall be no exterior storage of materials to be used in connection with a home occupation.
- (e) There shall be no more than one separate entrance or exit to the residence solely for the purpose of the home occupation.
- (f) No more than one home occupation shall be permitted in any single residence.
- (g) There shall be permitted one (1) employee who does not reside on the premises where the home occupation is located.
- (h) On-premise sales shall be prohibited.
- (i) On-site customers or clients shall be prohibited, except individual instruction or tutoring shall be permitted.
- (j) There shall be no exterior signage or other indication of a home occupation.
- (k) Advertising of a home occupation may consist of the name, address, phone number and type of business.
- (l) Specifically prohibited uses shall include beauty parlors and barber shops; physician and dentist offices; appliance repair; automobile repair; upholstery service; and cabinet makers.
- (m) No home occupation shall involve the on-site use or storage of tractor trailers, semi-trucks, or heavy equipment such as construction equipment used in a business.

- (n) No home occupation shall produce noise, obnoxious odors, vibrations, glare, fumes, or electric interference detectable to normal sensory perception beyond the property line.
- (o) A home occupation shall comply with all local, state or federal regulations pertinent to the activity pursued, and the requirements of or authorization granted by the Zoning Code shall not be construed as an exemption from such regulations.

Sec. 41-56. SATELLITE DISHES.

A receiving or transmitting satellite dish shall be permitted as an accessory use in any zoning district; provided that it shall not be located in a front or side yard setback area and shall be subject to all other provisions of the Zoning Code regulating accessory buildings and structures.

Sec. 41-57. QUANTITY OF REAL ESTATE CHURCH TRUSTEES MAY HOLD.

- (a) Church trustees shall not take or hold at any time more than four (4) acres of land within the City. However, such trustees may take and hold within the City not more than fifty (50) acres of land at any one (1) time if such acreage is to be devoted exclusively, and is subsequently so devoted, to a church building, chapel, cemetery, offices exclusively used for administrative purposes of the church, a Sunday-school building and playgrounds therefor, and parking lots for the convenience of those attending any of the foregoing, and a church manse, parsonage or rectory.
- (b) Such trustees of a church diocese may take or hold not more than 250 acres in any one (1) county at any one (1) time.
- (c) Where two (2) or more religious organizations, churches or religious societies shall merge or consolidate, such religious congregation, church or religious society so merged or consolidated, shall have three (3) years' time within which to dispose of its land in excess of that which it is permitted to hold under this Article.

Chart Comparing Local Regulations to Other Virginia Cities

Table 1: Comparison of home occupation regulations to other cities in Virginia

City	Permitted Max Size	Other Comments*
Bristol	25% of total floor area	No on-street parking Client visitation restricted to between 9am and 8pm
Charlottesville	25% of total floor area	Allows one (1) non-resident employee No on-street parking Deliveries shall occur between 8am and 9pm Up to three (3) clients may visit at a time between 8am and 9pm
Colonial Heights	20% of total floor area	Allows one (1) non-resident employee No new parking, traffic, or deliveries inconsistent with the existing traffic patterns Operations which may potentially affect neighbors is not allowed between 10pm and 7am Use of an accessory building requires a special exception (special use) permit
Danville	25% of total floor area or 400 sq. ft., whichever is less (excluding licensed family day care home)	Allows one (1) non-family employee No new traffic or deliveries inconsistent with the existing traffic patterns
Hopewell	No limit as long as the occupation is not the primary use	No new traffic inconsistent with existing traffic patterns

**Unless otherwise noted, the listed cities share the following restrictions:*

- *Restricted to residents or family living on the property*
- *No outdoor commercial alterations or storage*
- *No noises, odors, vibrations, etc...affecting neighboring properties*

Chart Comparing Local Regulations to Other Virginia Cities

City	Permitted Max Size	Other Comments*
Manassas	25% of total floor area	No client, employee, or similar visitation
Martinsville	25% of total floor area or 800 sq. ft., whichever is less	No on-street parking or new traffic inconsistent with existing traffic patterns May not use an accessory building
Petersburg	No limit as long as the occupation is not the primary use	No new traffic inconsistent with existing traffic patterns
Richmond	25% of total floor area or 500 sq. ft., whichever is less	Clients, deliveries, and other visitation is limited to four (4) vehicles per day, two (2) people at any time, and between 8am and 6pm
Roanoke	250 sq. ft.	Restricted to family members living on the property only if the occupation is a personal services establishment No client visitation (personal service establishments are exempt if there is only one entrance/exist for clients, on the side or rear of the building) Deliveries are restricted to services typically associated with residential properties (USPS, FedEx, UPS, etc...)
Staunton	25% of total floor area (excluding in-home day cares)	Client visitation by appointment only No on-street parking or new traffic inconsistent with existing traffic patterns
Waynesboro	No limit as long as the occupation is not the primary use	Allows up to two (2) non-resident employee by conditional use (special use) permit No new traffic inconsistent with existing traffic patterns

Unless otherwise noted, the listed cities share the following restrictions:

- *Restricted to residents or family living on the property*
- *No outdoor commercial alterations or storage*
- *No noises, odors, vibrations, etc...affecting neighboring properties*

Related Regulations from Other Virginia Cities

Bristol, VA

Chapter 5 – LAND USE

ARTICLE II. – ZONING

DIVISION 1. – GENERALLY

Sec. 50-32. - Home occupations.

- a) It is the intent of this article to allow an occupation for gain or support in the dwelling unit, provided that the use does not adversely affect the immediate neighborhood by excessive traffic generation, parking, noise, appearance, or other incompatible characteristics. Home occupations shall be allowed in all residential zoning districts except the golf course residential (GCR) district, unless prohibited by deed restrictions or homeowner association restrictions.*
- b) General standards:*
 - 1) No person who is not a resident of the dwelling may be engaged or employed in the home occupation.*
 - 2) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25 percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.*
 - 3) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one non-illuminated sign, of dimensions no greater than two square feet. Any such sign must be attached to the exterior of the dwelling.*
 - 4) No home occupation nor any phase thereof, including storage, processing or other activity associated with such business, shall be conducted in any accessory building. There shall be no outside storage of goods, products, equipment, or other materials associated with the home occupation.*
 - 5) There shall be no goods or products sold or offered for or for pick-up by purchasers on-site, other than goods or products that are accessory to a service delivered on-premises to a customer or client of the business.*

Related Regulations from Other Virginia Cities

- 6) *All parking in connection with the home occupation (including parking of vehicles marked with advertising or signage for the home occupation) must be accommodated off the street, in driveway and garage areas on the premises. No parking in connection with the home occupation shall be allowed in the front yard.*
- 7) *No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, including transmittal through vertical or horizontal party walls. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers, or causes fluctuations in line voltage off the premises, including through vertical or horizontal party walls.*
- 8) *Customer or client visits to the home occupation may only take place between the hours of 9:00 a.m. and 8:00 p.m.*
- c) *Approval process. A business license from the office of the commissioner of the revenue is required in order to establish and operate a home occupation. To obtain a license, the applicant must first complete and sign a home occupation permit stating that the above general standards are understood and will be adhered to. The form of said permit is attached hereto as Exhibit A and incorporated herein by reference. Failure to comply with the general standards may result in revocation of the permit and the applicant's business license effective immediately. The home occupation permit is available at the office of community development and planning.*

Related Regulations from Other Virginia Cities

Charlottesville, VA

CHAPTER 34 – ZONING

ARTICLE IX. GENERALLY APPLICABLE REGULATIONS

DIVISION 9. – STANDARDS FOR PROVISIONAL USES

Sec. 34-1170. - General standards.

In addition to the standards set forth within this division for specific provisional uses, all uses authorized by a provisional use permit must satisfy the following general standards:

- 1) The proposed use, at the specified location, must be permitted as a provisional use within the applicable zoning district regulations, and must in all other aspects comply with the requirements of the city's zoning ordinance.*
- 2) The city's building code official must certify that the use of any building or structure as part of, or in connection with, the proposed provisional use is permitted by the Uniform Statewide Building Code.*
- 3) The proposed provisional use must be operated or conducted in accordance with all applicable federal, state, and local laws, regulations, ordinance, licenses, permits, and governmental requirements.*
- 4) Issuance of a provisional use permit shall be conditioned upon the applicant's consent to inspections initiated by the zoning administrator to verify compliance with the requirements of this division, and a right of access for the zoning administrator to make such inspections.*

[Note by staff: provisional uses includes accessory apartments, home occupations, outdoor storage, music halls and all-night restaurants, and mobile food units)

Sec. 34-1172. - Standards—Home occupations.

A home occupation authorized by a provisional use permit shall be subject to the following regulations:

- 1) A home occupation shall be permitted only where the character of such use is such that it is clearly subordinate and incidental to the principal residential use of a dwelling.*
- 2) In addition to the resident of the dwelling, not more than one (1) other individual may be engaged in the activities of the home occupation business on the*

Related Regulations from Other Virginia Cities

property at any given time. There must be off-street parking available for this other individual.

- 3) No more than three (3) customers or clients of a home occupation business shall be present on the premises at the same time; for homestays: no more than six (6) adult overnight guests are allowed, per tax map parcel, per day. No customers, clients or employees shall be allowed to visit the property on which a home occupation business is conducted earlier than 8:00 a.m. or later than 9:00 p.m.; these hours of operation shall not apply to a homestay.*
- 4) Deliveries of supplies associated with the home occupation business shall occur only between the hours of 8:00 a.m. and 9:00 p.m.*
- 5) No mechanical or electrical equipment shall be employed within or on the property, other than machinery or equipment customarily found in a home.*
- 6) No outside display of goods, and no outside storage of any equipment or materials used in the home occupation business shall be permitted.*
- 7) There shall be no audible noise, or any detectable vibration or odor from activities or equipment of the home occupation beyond the confines of the dwelling, or an accessory building, including transmittal through vertical or horizontal party walls.*
- 8) The storage of hazardous waste or materials not otherwise and customarily associated residential occupancy of a dwelling is prohibited.*
- 9) There shall be no sales of any goods, other than goods that are accessory to a service delivered on-premises to a customer or client of the home occupation business.*
- 10) With the exception of homestays: (i) a home occupation business must be conducted entirely within the dwelling, an accessory building or structure, or both and (ii) not more than 25% of the total floor area of the dwelling shall be used in the conduct of the home occupation business, including storage of stock-in-trade or supplies.*
- 11) For pet grooming services, all animals must be kept inside during the provision of services and no animals may be boarded or kept overnight.*
- 12) All parking in connection with the home occupation business (including, without limitation, parking of vehicles marked with advertising or signage for the home*

Related Regulations from Other Virginia Cities

business) must be in driveway and garage areas on the property, or in available on-street parking areas.

- 13) Homestays may not have any exterior signage. For other home occupation businesses: one (1) exterior sign, of dimensions no greater than two (2) square feet, may be placed on the exterior of the dwelling or an accessory structure to indicate the presence or conduct of the home business: and (i) this sign may not be lighted; and (ii) in all other respects the property from which a home occupation business is to be conducted must be in compliance with the sign regulations set forth within Division 4, section 34-1020, et seq.*
- 14) Except for a sign authorized by subparagraph (13) above, there shall be no evidence or indication visible from the exterior of the dwelling that the dwelling or any accessory building is being utilized in whole or in part for any purpose other than residential occupancy.*
- 15) Applicants for a provisional use permit authorizing a home occupation shall provide evidence of a city business license (or a statement from the commissioner of revenue that no city business license is required), proof of payment of taxes required by City Code, Chapter 30, if any, and a certificate of occupancy or other written indication from the city's building code official that use of the dwelling or accessory building for the home occupation business is in compliance with all applicable building code regulations.*
- 16) In addition to the provisions of subparagraphs (1)—(16), above, the following regulations shall apply to homestays:*
 - a. An individual who applies for a provisional use permit to authorize the operation of a homestay shall present proof of:*
 - (i) Such individual's ownership of, and permanent residence at, the property that is the subject of the application. Acceptable proof of permanent residence includes: applicant's driver's license, voter registration card or U.S. passport, showing the address of the property, or other document(s) which the zoning administrator determines provide equivalent proof of permanent residence by the applicant at the property that is the subject of the application.*
 - (ii) Contact information for a responsible party. If the owner is not the responsible party who will be available during the time of service, then the responsible party must be identified and must sign the application form.*

Related Regulations from Other Virginia Cities

- b. No food shall be prepared for or served to guests of the homestay by the owner or the owner's agent(s) or contractor(s).*
 - c. Every homestay shall have working smoke detectors, carbon monoxide detectors and fire extinguishers, and all such equipment shall be accessible to overnight guests of the homestay at all times. Every homestay shall comply with requirements of the applicable version of the Virginia Uniform Building Code, as determined by the City's Building Code Official.*
 - d. By his or her application for a provisional use permit for a homestay, an applicant authorizes city inspectors to enter the subject property, upon reasonable advance written notice to the applicant, at least one (1) time during the calendar year for which the permit is valid, to verify that the homestay is being operated in accordance with the regulations set forth within this section.*
 - e. Each provisional use permit for a homestay will be valid from January 1 (or such other date during a calendar year on which such permit is issued) through December 31 of the calendar year in which the permit is issued. During this period of validity, the owner of the homestay must occupy the dwelling as his or her residence for more than one hundred eighty (180) days.*
 - f. A provisional use permit for a homestay may be revoked by the zoning administrator (i) in the event that three (3) or more substantiated complaints are received by the city within a calendar year, or (ii) for failure to maintain compliance with any of the regulations set forth within this section. A property owner whose provisional use permit has been revoked pursuant to this paragraph shall not be eligible to receive any new provisional use permit for a homestay, for the remaining portion of the calendar year in which the permit is revoked, and for the entire succeeding calendar year.*
- 17) The following are specifically prohibited, and shall not be deemed or construed as activities constituting a home occupation:*
- a. Auto detailing, where more than two (2) vehicles being serviced are present on the property at any given time.*
 - b. Barber shops or beauty salons having more than two (2) chairs.*
 - c. Funeral home with or without chapel.*
 - d. Medical or dental clinic (other than psychiatric or psychological counseling services).*

Related Regulations from Other Virginia Cities

- e. Motor vehicle sales, repair, equipment installation, and similar activities.*
- f. Nursing homes and adult care facilities.*
- g. Offices or staging facilities for any non-professional service-oriented businesses (for example, maid services, landscaping and lawn maintenance services, construction services, etc.), except where the sole activity on the premises would be telephone order/dispatching functions and there would be no vehicles, equipment, workers, or customers on the premises at any time.*
- h. Repair or testing of machinery, including internal combustion engines.*
- i. Restaurants.*
- j. Retail or wholesale sales, where any goods or merchandise are (i) displayed or otherwise offered or available on-site for sale or purchase, or (ii) delivered to or picked-up by purchasers on-site, including, without limitation: antique shops, sales of firearms, computer sales, and similar activities.*
- k. Schools, nursery schools, and day care facilities.*
- l. Veterinary clinics and animal kennels.*

Related Regulations from Other Virginia Cities

Colonial Heights, VA

Chapter 286 Zoning

Article IV Use and Design Standards

§ 286-404.12. Home occupations.

A. Intent. These provisions recognize that certain small-scaled commercial activities may be appropriate accessory uses within residential dwellings. The character and scale of such commercial activities must be subordinate and incidental to the principal use of the premises for dwelling purposes, and must be consistent with the predominant residential character of the property and/or surrounding neighborhood. In addition, these provisions are intended to limit the size of such home occupations so as to not create an unfair competitive advantage over businesses located in commercially zoned areas.

B. General standards:

- 1) More than one home occupation shall be permitted provided the total floor area used for all home occupations does not exceed 20% of the principal dwellings gross floor area.*
- 2) No dwelling or structure shall be altered, occupied or used in a manner which would cause the premises to differ from a character consistent with a residential use. The use of colors, materials, construction, lighting, or other means inconsistent with a residential use shall be prohibited.*
- 3) There shall be no outside storage of goods, products, equipment, or other materials associated with the home occupation. No toxic, explosive, flammable, radioactive, or other hazardous materials used in conjunction with the home occupation shall be used, sold, or stored on the site.*
- 4) The type and volume of traffic generated by a home occupation shall be consistent with the traffic generation characteristics of other dwellings in the area. In addition, the lot or property on which the home occupation is conducted shall not have any parking spaces added to it during the time the home occupation is being conducted, nor shall any parking space be used that was not customarily or regularly used prior to that time.*
- 5) Notwithstanding delivery services such as UPS and FEDEX, the home occupation shall not involve the commercial delivery of materials or products to or from the premises.*

Related Regulations from Other Virginia Cities

- 6) *The home occupation shall not increase demand on water, sewer, or garbage collection services to the extent that the combined demand for the dwelling and home occupation is significantly more than is normal to the use of the property for residential purposes.*
- 7) *No equipment or process shall be used in a home occupation which can be heard at the property line, or vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the premises or through common walls. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or through common walls.*
- 8) *No activity in conjunction with a home occupation shall be conducted before 7:00 a.m. or after 10:00 p.m. that adversely impacts or disturbs adjoining property owners.*
- 9) *Home occupations shall be confined to the primary dwelling. To conduct a home occupation in an on-site accessory building, a special exception permit shall be obtained pursuant to § 286-622.*

[Staff note: the above special exception permit is the equivalent of a special use permit]

- 10) *No one other than permanent residents of the dwelling shall be engaged or employed in such home occupation, at the residential location.*
- 11) *The sale of goods or products produced on the premises, or providing services which involve the consumer coming to the premises shall be limited to no more than 10 customers or clients in any one-week period. Child care for five or less children shall be permitted.*
- 12) *Lessons in the applied arts shall be permitted, provided that no more than five students per day shall be provided such lessons.*
- 13) *One attached sign, not exceeding one square foot, may be placed on the property advertising the one or more home occupations located on site.*
- 14) *No advertising through local media, including telephone books, and flyers shall list the residential address of the home occupation.*

Related Regulations from Other Virginia Cities

Franklin, VA

Appendix D. ZONING ORDINANCE

ARTICLE XXIX. Definitions.

§ 29.1. Definitions.

HOME OCCUPATION

An accessory use of a dwelling unit for gainful employment involving the making, provision and sale of goods and/or services provided that;

- 1) No more than one person not residing in the dwelling shall be engaged in such occupation in the dwelling.*
- 2) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25 percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.*
- 3) The outside of the dwelling shall not show any visible evidence of the conduct of such occupation other than one sign, not exceeding one square foot in area, nonilluminated and mounted flat against the wall of the dwelling.*
- 4) No home occupation shall be conducted in any accessory building.*
- 5) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in the neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.*
- 6) A home occupation, or any equipment or process used in such occupation, shall not create any noise, hazard, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the home occupation is conducted in a detached single-family dwelling, or outside the dwelling unit if conducted in any other form of dwelling. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receiver off the premises or causes fluctuation in line voltage off the premises.*
- 7) Permitted home occupations not in violation of subsections (1) through (6) above.*
 - a. Dressmakers, seamstresses, tailors.*

Related Regulations from Other Virginia Cities

- b. Tutors, music teachers or dancing teachers limited to no more than two students at a time.*
 - c. Artists, craft persons, sculptors, authors, editors and photographers.*
 - d. Office of ministers, rabbis, priests and other religious leaders and teachers.*
 - e. Caterers.*
 - f. Office of architects, engineers and surveyors.*
 - g. Office of accountants, lawyers, physicians, dentists and other persons licensed by the Virginia Board of Health Professionals as independent practitioners.*
 - h. Office of computer programmers, consultants, bookkeepers, answering services, clerical or secretarial businesses, appraisers, sales representatives and manufacturers representatives.*
 - i. Persons in the business of repairing musical instruments, watches, clocks, small household appliances and other such items.*
 - j. The office of a contractor or other service business provided that (i) no more than one commercial vehicle with a gross vehicle weight of no more than 5,000 pounds shall be parked on the property or street adjacent to the property, (ii) no contracting equipment or materials shall be stored on the premises, except in a commercial vehicle used for transporting such equipment or materials between jobs, (iii) no unloading or loading shall be done on or in the vicinity of the premises and (iv) no work shall be done on the premises except clerical, administrative and bookkeeping work.*
 - k. Family day homes caring for no more than eight children, including children who reside in the home.*
 - l. One chair beauty or barber shops.*
- 8) Prohibited home occupations:*
- a. Realtors or insurance agents.*
 - b. Animal hospitals, stables or kennels.*

Related Regulations from Other Virginia Cities

- c. Tourist homes.*
 - d. Convalescent or nursing homes.*
 - e. Massage parlors.*
 - f. Restaurants.*
 - g. Mortuaries.*
 - h. Day care centers.*
 - i. Private clubs.*
 - j. Adult book store.*
- 9) *Any proposed home occupation not set forth in subsection (7) as a permitted use, and not prohibited under subsection (8) may be authorized as a special exception by the board of appeals taking into consideration the standards set forth hereinabove in subsections (1) through (6).*
- 10) *A permit must be obtained from the zoning administrator in order to operate a home occupation.*

Related Regulations from Other Virginia Cities

Hopewell, VA

APPENDIX A – ZONING ORDINANCE

ARTICLE I. – DEFINITIONS

B. – Definitions

Home occupation: Any occupation, profession, enterprise or activity carried on by the resident of the dwelling, with no one employed other than members of the family; who are also residing on the premises which is incidental and secondary to the use of the premises including but not limited to handicrafts, dressmaking, millinery, laundering, preserving, home cooking, personal service of beauty culture offered in a limited way by appointment and not to the general public, the home office of a member of a recognized or licensed profession such as attorney-at-law, physician, dentist, musician, artist, professional engineer, or real estate salesman; provided that such occupation shall not require external alterations or the use of equipment or machinery which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the premises; and provided that no traffic shall be generated by such home occupation in greater volume that would normally be expected in a residential neighborhood. Home occupations shall not be interpreted to include: Massage parlors, nursing homes, convalescent homes, rest homes, motels, motor courts, tourist homes, animal hospitals or kennels, day care centers, motor vehicle repairs and maintenance, or similar establishments offering services to the general public.

Related Regulations from Other Virginia Cities

Lynchburg, VA

Chapter 35.2 – ZONING ORDINANCE

ARTICLE VII. SPECIFIC LAND USE STANDARDS

Sec. 35.2-71.4. - Home occupations.

Home occupations may be established subject to the following requirements:

- a) Subject to the performance standards listed in paragraph 2 of this section, home occupations may include:*
 - 1. Professional offices for certified, ordained, licensed or registered professions, including, but not limited to offices for an architect, draftsman, attorney-at-law, conveyancer, dentist, surveyor, professional engineer (civil, electrical, mechanical or other), public accountant, minister or teacher residing in the dwelling or dwelling unit in which the office is located;*
 - 2. Personal or medical services offered by individuals licensed by the state, such as licensed massage therapists, physicians, osteopaths, healers, dentists, midwives, barbers and hairstylists; and*
 - 3. Artists, craftsmen and teachers.*
- b) Home occupations shall:*
 - 1. Be limited to visiting clients on an appointment basis and shall not offer services to the general public on a drop-by basis;*
 - 2. Be conducted by a member of the household residing on the premises except that, in connection with the practice of a profession listed under paragraph 1.a., one person not residing in such dwelling unit may be employed;*
 - 3. Not provide services to more than one client at a time for professions listed in paragraph (a) of this section;*
 - 4. Be allowed one sign not exceeding one square foot in area and fixed flat to the wall of the building shall be permitted for each street on which the lot abuts to identify the home occupation. No artificial lighting shall be used to illuminate the sign or exterior of the building, nor shall any display of products be made which will indicate from the exterior that the building is being used for any purpose other than that of a dwelling;*

Related Regulations from Other Virginia Cities

5. *Be limited to mechanical equipment that is customary for purely domestic or household purposes;*
6. *Not have any outside storage of goods or equipment other than one business vehicle and one trailer per lot, providing said trailer is located behind the building line of the main structure on the property and it is not over 22 feet in length or eight feet, nine inches in height;*
7. *Not use more than 20 percent of the principal dwelling's gross floor area for the home occupation, regardless of whether the home occupation is conducted in the principal dwelling or an accessory building; and*
8. *Be limited to incidental retail sales of goods to customers of the primary service provided.*

Related Regulations from Other Virginia Cities

Manassas, VA

Chapter 130 – ZONING

ARTICLE II. – GENERAL REGULATIONS

DIVISION 2. – USE STANDARDS.

Sec. 130-96. - Home occupations.

(a) A home occupation shall be permitted as an accessory use by right in any residential dwelling unit lawfully occupied by one family as defined in section 130-42. Such accessory use shall neither change the character of the dwelling unit nor exhibit any exterior evidence of a non-residential use. The city shall approve a home occupation permit, where permitted, subject to the following requirements.

(b) General requirements.

- (1) No employees shall be permitted, except for family members residing in the dwelling unit.*
- (2) No employee, agents, customers, or clients shall be permitted to come to the dwelling unit for business-related purposes.*
- (3) No business signs affixed to a mailbox, freestanding or otherwise, shall be permitted on-site.*
- (4) On-site storage of materials, merchandise, or equipment is limited to the following standards:*
 - a. Materials associated with the home occupation shall be limited to just-in-time delivery and storage practices. No bulk storage on-site is permitted.*
 - b. Exterior storage of equipment, trailers, other business related equipment, materials, or merchandise is prohibited.*
 - c. Interior use of equipment such as a telephone, fax, computer, or other typical light office equipment necessary to the business is permitted.*
 - d. All delivery of supplies shall be made just-in-time for its use.*

Related Regulations from Other Virginia Cities

- (5) *Any motor vehicle used in a home occupation shall conform to the following requirements:*
- a. No vehicle used in a home occupation and with a gross weight of more than 10,000 pounds, in excess of 21 feet in length, or wider than 102 inches shall be parked, garaged, or stored on the site or in a residential district for any reason.*
 - b. No more than one motor vehicle used for each home occupation shall be parked within the residential district.*
 - c. Any sign maintained on any vehicle used in a home occupation shall be covered or removed when the vehicle is parked in any residential district. Vehicles displaying a sign prior to enactment of this subsection shall be exempt from this provision until the vehicle is replaced.*
- (6) *In the event a vehicle, including trailers or other on/off road equipment, is required as part of the home occupation, the applicant shall provide the following as part of the application process:*
- a. A valid street address where the vehicle will be garaged.*
 - b. A copy of the current vehicle registration indicating the jurisdiction in which the vehicle is registered.*
 - c. At no time shall a trailer or other off road equipment associated with a home occupation be permitted to be stored in any residential district.*
- (7) *Not more than 25 percent of the gross floor area of a dwelling unit, inclusive of any attached garage, shall be used for a home occupation.*
- (8) *A permit for a home occupation shall only be valid for the original applicant and is not transferable to any other resident of the dwelling unit, address, or to any other home occupation use. Upon termination of the applicant's residency, the home occupation permit shall become null and void.*

Related Regulations from Other Virginia Cities

Martinsville, VA

APPENDIX B – ZONING ORDINANCE

SECTION II: - DEFINITIONS

Home occupation. An occupation that may be conducted in a dwelling unit provided that:

- A. No person other than members of the family residing on the premises shall be engaged in such occupation.*
- B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants; and not more than twenty-five (25) percent of the first floor area of the dwelling unit or eight hundred (800) square feet, whichever is the lesser, shall be used in the conduct of the home occupation.*
- C. There shall be no exterior evidence that the property is used in any way other than for a dwelling, except (that) one sign, not exceeding two (2) square feet in area, nonilluminated, and mounted flat against the wall of the residence, may be permitted.*
- D. No home occupation shall be conducted in any accessory building.*
- E. No outside display of goods or outside storage of equipment or materials used in the home occupation shall be permitted.*
- F. Except for articles produced on the premises, no stock in trade shall be stored, displayed or sold on the premises.*
- G. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, such as would cause congestion by encroachment on adjoining properties or block safe access to adjoining properties.*
- H. Any need for parking generated by the conduct of such home occupation shall be met on the premises, off the street and other than in a required front yard.*
- I. The use of the dwelling unit for home occupation shall be compatible with the neighborhood. Incompatible uses are those uses which have characteristics such as, but not limited to, odor, dust, noise, vibration, glare, fumes, or electrical*

Related Regulations from Other Virginia Cities

interference detectable to the normal senses off the lot and/or other qualities not compatible to the character of the neighborhood.

Related Regulations from Other Virginia Cities

Petersburg, VA

APPENDIX A ZONING ORDINANCE

ARTICLE 3. DEFINITIONS

SECTION 2. Definitions

Home occupation. Any occupation or activity which is clearly incidental and secondary to use of the premises for dwelling, and which is carried on wholly within a main building by a member of a family residing on the premises; in connection with which there is no advertising other than an identification sign of not more than one square foot in area; and no other display or storage of materials, or generation of substantial volumes of vehicular or pedestrian traffic or parking demand, or other exterior indication of the home occupation or variation from the residential character of the building; and in connection with which no person outside the resident family is employed, and no equipment used, other than that normally used in connection with a residence. A home occupation shall not include beauty parlors, barbershops, or doctors' or dentists' offices for the treatment of patients, or similar establishments offering services to the general public.

Related Regulations from Other Virginia Cities

Richmond, VA

Chapter 30 – ZONING

ARTICLE VI. – SUPPLEMENTAL REGULATIONS

DIVISION 12. – HOME OCCUPATIONS

Sec. 30-694. - Intent.

The intent of the provisions of this division is to recognize the need for some citizens of the City to use a portion of their residence for the purposes of a home occupation as defined in Article XII of this chapter, and to recognize the public benefits of increased economic activity and reduction of commuter traffic resulting from home occupations, while protecting the integrity of residential areas by permitting limited business activity within a residence or its accessory building only to an extent that it does not adversely affect the appearance, character or condition of the residence or the surrounding neighborhood.

Sec. 30-694.1. - Home occupation regulations.

The following provisions shall apply to home occupations in all districts in which they are permitted by the use of regulations set forth in this chapter:

- (1) Employment. Only persons living together as a family on the premises shall be employed on the premises in the conduct of the home occupation.*
- (2) Location. The home occupation shall be conducted within the dwelling unit or within a completely enclosed accessory building on the same property, provided that the home occupation use of an accessory building shall be permitted only when authorized by exception granted by the Board of Zoning Appeals pursuant to Section 30-1040.3. Use of an accessory building for motor vehicle parking or incidental storage of products or materials used in conjunction with a home occupation conducted within the dwelling unit shall not require an exception. There shall be no outside activity or outside storage of products or materials in conjunction with any home occupation.*
- (3) Area. The home occupation, whether located in the dwelling unit or in an accessory building, shall not occupy an area greater than the equivalent of 25 percent of the enclosed and heated floor area of the dwelling unit or more than 500 square feet, whichever is less. Areas within enclosed buildings and used for parking of vehicles as may be required by Section 30-640.2 shall not be included in calculation of the area devoted to the home occupation.*

Related Regulations from Other Virginia Cities

- (4) Appearance. There shall be no signs, other than specifically permitted by Article V of this chapter, and no displays or alterations to the exterior of the building or premises that would distinguish it as being devoted to a nondwelling use.*
- (5) Intensity/traffic. Visitation by clients, customers, vendors or other visitors associated with the home occupation, including deliveries, shall not exceed a total of four vehicles per day, nor more than two persons at any one time, and shall occur only between the hours of 8:00 a.m. and 6:00 p.m.*
- (6) Vehicles. Parking or storage of vehicles shall be subject to the limitations set forth in Section 30-640.2 of this chapter, provided that no more than two vehicles used in conjunction with a home occupation shall be parked or stored on the premises either outside or inside a completely covered enclosed building.*
- (7) Prohibited activities. In conjunction with any home occupation, no product shall be offered for sale directly to customers on the premises, there shall be no housing of persons for compensation, and there shall be no repair of vehicles or internal combustion engines. The following uses or activities shall be prohibited as a home occupation: beauty salons, barber shops, manicure or pedicure services, massage therapy, medical or dental offices and clinics, catering businesses, kennels, veterinary clinics and similar uses or activities.*
- (8) Performance. There shall be no process or activity conducted or equipment operated that generates any noise, vibration, odor, smoke, fumes, glare or electrical interference discernable to the normal senses beyond the lot lines of the property on which the home occupation is conducted. In the case of a home occupation conducted in a dwelling unit other than a single-family detached dwelling, such impacts shall not be discernable to the normal senses outside of the dwelling unit. The use or storage or both of hazardous materials of such type or in such quantities not normally permitted in a residential structure shall be prohibited.*

Related Regulations from Other Virginia Cities

Roanoke, VA

Chapter 36. 2 – ZONING

ARTICLE 4. – SUPPLEMENTAL REGULATIONS

Sec. 36.2-413. - Home occupations.

(a) Purpose. The purposes of the home occupation supplemental regulations and performance standards of this section are to:

- (1) Establish criteria for the operation of home occupations in dwelling units;*
- (2) Permit and regulate the conduct of home occupations as an accessory use in a dwelling unit, whether owner or renter-occupied;*
- (3) Ensure that such home occupations are compatible with, and do not have a deleterious effect on, adjacent and nearby residential properties and uses;*
- (4) Ensure that public and private services such as streets, sewer, water, or utility systems are not burdened by the home occupation to the extent that usage exceeds that normally associated with residential use;*
- (5) Allow residents of the community to use their residences as places to enhance or fulfill personal economic goals under certain specified standards, conditions, and criteria;*
- (6) Enable the fair and consistent enforcement of these home occupation regulations; and*
- (7) Promote and protect the public health, safety, and general welfare.*

(b) Applicability. Regulations of this section shall apply to all home occupations in any zoning district in which they are permitted as of right or by special exception. No home occupation, unless otherwise provided in this section, may be initiated, established, or maintained except in conformance with the regulations and performance standards set forth in this section.

(c) Prohibited home occupations. The following uses shall be specifically excluded as home occupations or personal service home occupations: machine shop, welding shop, escort service, furniture refinishing or upholstery, sign making, and special trade contractors who are engaged in metalworking or cabinetmaking.

Related Regulations from Other Virginia Cities

(d) General standards for all home occupations. Any home occupation, including a personal service home occupation, shall be subordinate and incidental in both character and scale to the use of a dwelling unit for residential purposes. Home occupations shall not compromise the residential character of an area, shall not generate conspicuous traffic, shall not visually call unusual attention to the home, and shall not generate noise of a nonresidential level. There shall be no limit to the number of home occupations permitted per dwelling unit, provided that any home occupation, including a personal service home occupation, shall be subject to all of the following standards:

- (1) The home occupation shall be conducted entirely within the interior of the principal residential structure or within an accessory structure located on the same lot.*
- (2) There shall be no change in the outside residential appearance of any structure for the purpose of the establishment of the home occupation.*
- (3) There shall be no addition of parking spaces to accommodate the home occupation.*
- (4) Home occupations shall not occupy more than a cumulative total of two hundred fifty (250) square feet of the finished floor area of any dwelling unit or accessory structure in which the home occupations are located.*
- (5) There shall be no outdoor storage of goods, products, equipment, or other materials associated with the home occupation.*
- (6) There shall be no display of goods, merchandise, or products visible from the street or any adjoining property.*
- (7) No equipment or processes not normally associated with a dwelling unit or which cannot be accommodated on existing utility or standard electrical services shall be permitted.*
- (8) No commercial motor vehicle shall be used, parked, or stored on the site in connection with the home occupation.*
- (9) Mechanized equipment shall be used only in a completely enclosed building.*
- (10) No equipment or process which generates dust, odors, noise, vibration, or electrical interference or fluctuation that is detectable beyond the property line or through common walls shall be used in a home occupation.*

Related Regulations from Other Virginia Cities

- (11) Deliveries related to a home occupation shall be limited to the United States Postal Service, parcel delivery services, and messenger services. The home occupation or personal service home occupation shall not involve the commercial delivery by tractor trailer of materials or products to or from the premises.*
- (12) A home occupation shall comply with all local, state, or federal regulations pertinent to the activity pursued, and the requirements of or authorization granted by this chapter shall not be construed as an exemption from such regulations.*
- (13) No sign may be placed on the property advertising the home occupation.*
- (e) Specific standards for home occupations as permitted accessory uses. Home occupations, except those defined as personal service home occupations, shall be permitted as accessory uses as set forth in the Use Tables in Article 3 of this chapter subject to the general standards set forth in subsection (d), above, and the following additional standards:*

 - (1) No more than a total of one (1) person other than family members residing on the premises shall be engaged in or employed by such home occupations, regardless of the number of home occupations associated with the dwelling unit; and*
 - (2) No customer or client shall travel to the dwelling in connection with the home occupation.*
- (f) Specific standards for personal service home occupations. Personal service home occupations shall be permitted as accessory uses as set forth in the Use Tables in Article 3 of this chapter subject to the general standards for all home occupations set forth in subsection (d), above, and the following additional standards:*

 - (1) No persons other than family members residing on the premises shall be engaged in or employed by such personal service home occupation.*
 - (2) Not more than one (1) separate entrance or exit to the residence or accessory structure solely for the purpose of the personal service home occupation shall be permitted. The creation of any such separate entrance shall not be permitted on the front façade of the residential dwelling.*
- (g) Specific standards for certain types of home occupations.*

Related Regulations from Other Virginia Cities

- (1) Home occupations relating to landscaping or lawn services may operate as a home occupation if the home occupation is used only for office functions.*
- (2) Home occupations relating to repair and service on motor vehicles, appliances, or similar goods, may operate as a home occupation, if the home occupation is used only for office functions.*

Related Regulations from Other Virginia Cities

Staunton, VA

Title 18 ZONING

Chapter 18.150 HOME OCCUPATION

18.150.010 Purpose.

This chapter defines home occupations and prescribes the conditions under which such occupations shall be permitted.

18.150.020 Definition.

A "home occupation" is a gainful occupation or profession conducted by persons residing on the premises and conducted entirely within the dwelling or its accessory buildings. In connection with a home occupation, no stock in trade shall be displayed outside, and no alteration to any building shall indicate from the exterior that the building is being utilized in whole or in part for any purpose other than a residential unit, including the utilization of a permitted accessory building.

18.150.030 Special requirements.

Home occupation, where permitted, must meet the following special requirements:

- (1) The applicant must be the owner of the property on which the home occupation is to be located, or must have written approval of the owner of the property if the applicant is a tenant.*
- (2) The home occupation shall be operated only by the persons residing on the premises.*
- (3) The home occupation, when restricted to the main building, shall not occupy more than 25 percent of the floor area within said building except in the case of in-home day care.*
- (4) The home occupation shall not generate excessive traffic or produce obnoxious odors, glare, noise, vibration, electrical disturbance, radioactivity, or other conditions detrimental to the character of the surrounding area and, in general, shall give no evidence of a nonresidential character of the use.*
- (5) In addition to the requirements of Chapter 18.130 SCC, all parking in connection with the home occupation, including for vehicles marked with advertising or*

Related Regulations from Other Virginia Cities

signage for the home occupation, shall be parked solely in driveways and garages on the premises, or in available on-street parking areas.

- (6) Any home occupation resulting in customers or clients coming to the home shall be conducted by appointment only.*

18.150.040 Prohibited uses.

- (1) Teaching, including tutoring, musical instruction, or dancing, to more than three pupils at any given time. A larger number of pupils may be approved, in advance, for special events by the zoning administrator. When reviewing these special requests the zoning administrator will consider the time and day, available parking in the area, and the complaint history of the home occupation.*
- (2) Funeral homes and mortuary establishments.*
- (3) Animal hospitals, kennels, and breeding of any domesticated or nondomesticated animal, bird, fowl, or poultry.*
- (4) Auto detailing and equipment installation where more than one vehicle being serviced is present on the property at any given time.*
- (5) Beauty salon or barbershop containing more than two chairs.*
- (6) Business offices, therapists, and similar business uses where more than one customer, client, or paying entity is served at one time.*
- (7) Medical or dental clinic.*
- (8) Outside storage of any kind related to a business.*
- (9) Restaurants.*
- (10) Retail or wholesale sales where any goods or merchandise are displayed or otherwise offered on site for sale or purchase except in cases where sales are done individually and by appointment only.*
- (11) Schools, nursery schools, or day cares that care for more than four nonrelated children.*
- (12) Stores.*

Related Regulations from Other Virginia Cities

- (13) The storage of explosive, flammable, or hazardous waste or materials not otherwise associated or customary to a home use.*

18.150.050 Expiration and revocation.

A zoning permit for home occupations shall expire or be revoked under the following conditions:

- (1) Whenever the applicant ceases to occupy the premises for which the home occupation permit was issued. No subsequent occupant of such premises shall engage in any home occupation until he shall have been issued a new permit after proper application.*
- (2) Whenever the holder of such a permit fails to exercise the same for any period of six consecutive months.*
- (3) Whenever the zoning administrator finds that the holder of the permit has violated the conditions of the permit or one or more of the special requirements identified in SCC 18.150.030.*

18.150.060 Fee.

The fee for application for a home occupation permit shall be as provided for under "zoning permit fee" in SCC 18.220.020.

Related Regulations from Other Virginia Cities

Waynesboro, VA

Chapter 98 – ZONING

§4.6.11. Home Occupations

A. Type A

Type A home occupations may be approved by the Zoning Administrator as a normal and customary accessory use. (See also §4.6.1)

- 1. Type A home occupations and all related activities shall be carried on wholly within the principal building or fully enclosed accessory building, and only by a resident of the household.*
- 2. There shall be no advertising by sign or by media, or visible display or storage of materials on premises.*
- 3. Type A home occupations shall not generate more traffic or noise than other uses permitted by right in the same district.*

B. Type B

Type B home occupations may be approved as a conditional use pursuant to §7.6.

- 1. Type B home occupations and all related activities shall be carried on wholly within the principal building or fully enclosed accessory building by residents of the principal dwelling, plus up to two persons who are not residents of the principal dwelling.*
- 2. Signage shall be limited to one non-illuminated wall or free-standing sign up to two square feet in area.*
- 3. Type B home occupations shall not generate more traffic or noise than other zoning uses permitted by right or by conditional use in the same district.*

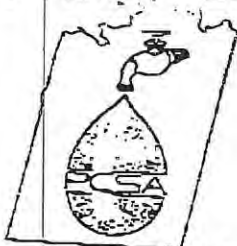
C. Prohibited Home Occupations

The following uses are not permitted as home occupations.

- 1. Animal hospitals and kennels;*

Related Regulations from Other Virginia Cities

- 2. Any type of repair or assembly of vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws, and other small engines) or of large appliances (such as washing machines, dryers, and refrigerators or any other work related to automobiles and their parts;*
- 3. Bulk storage of flammable liquids;*
- 4. Commercial nursery or truck farm;*
- 5. Dispatch centers or other businesses where employees come to the site and are dispatched to other locations;*
- 6. Food handling, processing or packing, other than services that utilize standard home kitchen equipment;*
- 7. Funeral homes and mortuaries;*
- 8. Group instruction;*
- 9. Material or equipment storage businesses;*
- 10. Medical or dental clinics and labs;*
- 11. Restaurant;*
- 12. Retail-oriented uses (See also §10.2.9.F);*
- 13. Tow truck services; and*
- 14. Vehicle or equipment rental.*



PITTSYLVANIA COUNTY SERVICE AUTHORITY

EXECUTIVE DIRECTOR
TEMPLE C. MOORE

Route 7, Box 1275 - Danville, Virginia 24540 - Phone 804-836-7135 - Fax 804-836-7139

September 27, 1993

Mr. Jack Rhoden
City of Danville

Mr. Ernest Ferguson of 128 Moorefield Lane has paid all his connection fee for a sewer hook-up.

If more information is needed, please contact us at the above address.

Sincerely,

Mrs. Cassada
Secretary

IFC-tc

COMMISSIONERS

J. Carroll Collins - Arnie A. Blanks - Wallace B. Collins - W. Stanley Simpson
Coy E. Harville - Lionel L. Reynolds, Jr. - Rev. Nathaniel Jones

PLANNING COMMISSION MINUTES

January 7, 2018

MEMBERS PRESENT

Mr. Wilson
Mr. Garrison
Mr. Bolton
Mr. Petrick
Mr. Searce
Mr. Jones

MEMBERS ABSENT

Mr. Dodson

STAFF

Lisa Jones
Ken Gillie
Clarke Whitfield
Bryce Johnson
Holley Preston

The meeting was called to order by Chairman Searce at 3:00 p.m.

The meeting was turned over to Mr. Whitfield for the election of officers.

I. ELECTION OF OFFICERS

Mr. Whitfield called for nominations for Chairman.

Mr. Jones nominated Mr. Searce as Chairman. The nomination was approved by a 6-0 vote.

Mr. Whitfield called for nominations for Vice Chairman.

Mr. Jones nominated Mr. Wilson as Vice Chairman. The nomination was approved by a 6-0 vote.

Mr. Whitfield called for nominations for Secretary.

Mr. Jones nominated Mr. Bolton for Secretary. The nomination was approved by a 6-0 vote.

II. ITEMS FOR PUBLIC HEARING

1. *Special Use Permit application PLSUP20180000330, filed by Cameron and Gerri Jewell, requesting a Special Use Permit to waive yard requirements for a yard setback waiver in accordance with Article 3.Q, Section B, Item 23 and Article 3.O, Section C, Item 25 of the Code of the City of Danville, Virginia 1986, as amended at 1716 Lanier Ave, otherwise known as Grid 0612, Block 004, Parcel 00001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to reduce the side yard setback to 0 ft. and the front yard setbacks to 30 ft.*

Mr. Fred Shanks spoke on behalf of property owners, the Jewell's as they reside in Key West, Florida. Mr. Jewell owns the property and he also owns a construction company that does road construction with Virginia Department of Transportation and also with North Carolina Department of Transportation. This site is a good location for him to locate some of his equipment storage which he needs. The property is probably zoned as it is for this type of use, but however with three road frontages that require front yard setbacks for each and the rear setback for that particular zoning property is pretty much eating that setback. We are here today for you to request these grants to make this property more feasible to use. The request is to reduce the setback on the railroad to zero and the other request is to reduce the side yards to 30 feet. The owner has no problem with the conditions except for number two and I want to ask you to consider this, the legal nonconforming building is in fact 5 feet back off the property and where the building is we could use that land. Immediately south of the property in other words if you have the building at the bottom of the page and you look across Lanier Avenue there is another piece of property and that is also owned by the Jewell's that property is also zoned for manufacturing which has those excessive front yard setbacks. There is one lot that is actually across from the intersection of Augusta Avenue and Lanier at that one lot that fronts Augusta Avenue. Other than that there are no residential properties south of Lanier. My hope is that it will allow the setback to be thirty feet and the developer had no issues with one or three.

Mr. Searce closed the public hearing.

Mr. Petrick stated is there any objection to the 2nd requirement or the condition about the fifty foot along Lanier Avenue?

Mr. Johnson stated I think that is something that is up to you guys. Like he pointed out there is that residential structure there but fifty feet is quite a lot and that would be up to you guys.

Mr. Petrick stated so we could eliminate that all together.

Mr. Johnson stated it sounds like he wanted to change it to thirty feet.

Mr. Garrison stated I would see probably changing 30 feet along Lanier and I don't see how it would impact anyone.

Mr. Garrison made a motion to approve and that we change the 2nd condition by staff to thirty feet instead of fifty feet. Mr. Bolton seconded the motion. The motion was approved by a 6-0 vote.

III. MINUTES

The December 12, 2018 minutes were approved by unanimous vote.

Mr. Garrison stated he would like to make a motion that staff bring a recommendation on changing Article 2 Section T Item 10 of the Zoning Code to our next meeting. If this item is needed and if so can we increase the number or percentage of space allowed to be used for a home based business. Mr. Bolton seconded the motion.

III. OTHER BUSINESS

With no further business, the meeting adjourned at 3:25 p.m.

APPROVED

PLANNING COMMISSION WORK SESSION MINUTES

January 7, 2018

MEMBERS PRESENT

Mr. Wilson
Mr. Garrison
Mr. Bolton
Mr. Petrick
Mr. Searce
Mr. Jones

MEMBERS ABSENT

Mr. Dodson

STAFF

Lisa Jones
Ken Gillie
Clarke Whitfield
Bryce Johnson
Holley Preston

The meeting was called to order by Chairman Searce at 3:30 p.m.

I. ITEMS FOR DISCUSSION

Discussion of a possible Zoning Ordinance Amendment to permit greater flexibility regarding the storage of recreational vehicles, boats, and trailers in residential districts.

There was discussion among Planning Commission and Planning Staff about whether to change the Zoning Ordinance Amendment and from further discussion, they consensus appeared to favor leaving the Zoning Ordinance Amendment as is.

With no further business, the meeting adjourned at 4:15 p.m.

APPROVED