Home Occupations [New Section]

5.9.3.7 Home Occupations

The following standards are intended to permit residents to engage in home occupations and operate home-based businesses in a way that is compatible with residential uses and ensures that home occupations do not adversely affect the integrity of residential areas.

(1) All Home Occupations must be no-impact home-based businesses as defined in §229.902 of the Texas Local Government Code. A home occupation qualifies as a "no-impact home-based business" if it meets the following criteria:

(a) It has at any time on the property where the business is operated a total number of employees and clients or patrons of the business that does not exceed the municipal occupancy limit for the property;

(b) It does not generate on-street parking or a substantial increase in traffic through the area;

(c) It operates in a manner in which none of its activities are visible from a street; and

(d) It does not substantially increase noise in the area or violate a municipal noise ordinance, regulation, or rule.

(2) A home occupation is considered an accessory use and must be secondary to the use of the property as a residential dwelling. A home occupation is subject to the conditions and restrictions listed below.

(3) All home occupations must comply with federal, state, and local laws, including the City's adopted fire and building codes and all City regulations including regulations pertaining to:

(a) Health and sanitation;

(b) Transportation or traffic control;

(c) Solid or hazardous waste; and

(d) Pollution and noise control.

(4) Residential Compatibility

(a) A home occupation must be compatible with the residential use of the property where the business is located. The Director will determine whether the home

occupation is compatible with the residential use of the property where the business is located based on the criteria for a "no-impact home-based business" in TLGC §229.902, as restated in (1) above.

(b) The following uses are determined by the City to not meet the criteria for a "no-impact home-based business" in TLGC §229.902, as restated in (1) above:

i. Clinics,

ii. Medical offices,

iii. Hospitals,

iv. Barber shops with more than one chair,

v. Beauty shops with more than one chair,

vi. Dress shops,

vii. Health studios,

viii. Restaurants,

ix. Kennels/Animal breeding,

x. Mechanic shops,

xi. Small engine repair shops,

xii. Assisted living facilities,

xiii. Hospice facilities, and

xiv. Group homes.

(5) Based on the criteria for a "no-impact home-based business" in TLGC §229.902, the following restrictions apply to home occupations:

(a) There shall be no signs or other exterior visible evidence of a home occupation;

(b) There shall be no visible storage of equipment, materials, ~~or~~ vehicles that have more than two axles, or more than one company vehicle; and

(c) All home occupations shall comply with the performance standards of Chapter 5 of this LDC.

(6) In accordance with TLGC §229.902, the City reserves the right to limit or prohibit the operation of a home-based business that:

(a) Sells alcohol or illegal drugs;

(b) Is a structured sober living home, group home, or assisted living facility; or

(c) Is a sexually oriented business as defined by §243.002 of the Texas Local Government Code.