

Amendments to the Zoning Ordinance Regarding Home Occupations

Ordinance No. 2195-C-S

This amendment was adopted unanimously by City Council on [Tuesday June 8th, 2021](#).

This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage and adoption in a newspaper of general circulation printed and published in the City of Antioch.

§ 9-5.901 HOME OCCUPATION USE PERMITS

(A) Definition. A home occupation is a commercial or other activity conducted in a home by the resident thereof which activity is clearly incidental and secondary to the use of the home as a residence and which exhibits no external evidence of the activity and will not change the residential character of the dwelling.

(B) Requirements. Home occupations are permitted within residential units, subject to the following restrictions:

- (1) The home occupation shall be incidental and subordinate to the use as a residence.
- (2) The appearance of the structure in no way shall be altered, nor shall the home occupation be conducted in a manner which would cause the residence to differ from its original residential character, either by the use of colors, materials, construction, lighting, or signs. There shall be no outside display or storage of goods or materials.
- (3) There shall be no significant interior physical alteration associated with the use of the dwelling for a home occupation.
- (4) The use of a garage for the purpose of a home occupation shall not decrease the amount of enclosed off-street parking required for the residence.
- (5) The occupation shall not create any noise, vibration, fumes, odors, dust, or electrical interference which is detectable to the normal senses:
 - (a) Off the lot if the occupation is conducted in a single-family dwelling unit; or
 - (b) Outside the dwelling unit if the occupation is conducted in other than a single-family dwelling unit.
- (6) There shall be no excessive use of, or unusual discharge into, any one or more of the following utilities: water, sewers, electrical, garbage, or storm drains.
- (7) Employees working or meeting at the site shall be limited to persons who reside in the unit and one nonresident, inclusive of all home occupation use permits issued for the premises.
- (8) Delivery vehicles shall be limited to those types of vehicles which typically make deliveries to single-family neighborhoods, such as the United States Postal Service, United Parcel Service, pickup trucks, and light vans.
- (9) Not more than one commercial vehicle, which shall be owned by the occupant of the home, shall be permitted, inclusive of all home occupations for the premises, the maximum payload size thereof not exceeding one-ton classification. No food trucks, utility trailers, cargo trailers, food trailers, or food carts shall be permitted.
- (10) No customers or clients shall be permitted to visit the home at any time in conjunction with the home occupation, however, in-home music lessons, academic tutoring, or similar uses, shall be allowed for no more than six students total in any 24 hour period.
- (11) The operator of a home occupation shall have received permission from the property owner, if applicable, for use of the property prior to initiation of the home occupation.
- (12) All actions associated with the home occupation shall occur within a building located on the site.
- (13) The operator of a home occupation shall comply with all applicable federal, state, and local regulations pertaining to the home occupation, including local health regulations.

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(C) Prohibited uses. Inappropriate home occupations shall include, but not be limited to, the following and similar types of uses:

- (1) Beauty parlors, barber shops and haircut salons.
- (2) Retail sales.
- (3) Restaurants.
- (4) Funeral chapels, funeral homes, and taxidermists.
- (5) Stables, kennels, animal boarding, and animal breeding, except dog fanciers, those holding multiple pet permits, and those holding kennel permits, as authorized by the Antioch Municipal Code.
- (6) Veterinary clinics.
- (7) Mechanical and automobile repair and servicing.
- (8) Cabinet shop, furniture manufacture, upholstery repair or similar uses requiring the use of electric saws, joiners, air compressors and similar tools.
- (9) Industrial manufacturing of any kind.
- (10) Repair of large appliances, internal combustion engines, automobiles or motorcycles at the home.
- (11) The use of yard space or any activity outside the main or accessory building which is not normally associated with a residential use.
- (12) Any use involving storage of hazardous chemicals or supplies not normally found at a private residence.
- (13) Bicycle, lawn mower or small engine repair or maintenance.
- (14) Welding, use of paint sprayers, compressors, etc.

(D) Home Occupation Affidavit

(1) Prior to initiation of a Home Occupation, the operator, and also the property owner, if different, shall sign and submit an affidavit verifying and committing to continued compliance with the requirements identified in division (B) of this section. The applicant shall furthermore verify they have complied with all applicable federal, state and local regulations pertaining to the home occupation.

(a) A business license shall not be issued for a home occupation until and unless the signed home occupation affidavit is received.

(2) More than one home occupation may be allowed per household, provided each application can meet the requirements stipulated in division (B) of this section.

(E) Enforcement. Operation or initiation of a home occupation in violation of these provisions shall be subject to enforcement as prescribed in Chapter 1 of the Antioch Municipal Code.

(F) Transferability.

A home occupation use permit is not transferrable to another individual, business, or site. An existing home occupation may be changed by applying for a new business license under the requirements of this chapter.