



Application No. ZT-185-20

Draft Zoning Ordinance Text Amendments
Home Occupations

Background

- July 2018, York County Chamber of Commerce letter to Board
 - Changing gig economy
 - Recent increases in home-based businesses
 - Concerns with businesses operating without authorization

Background

- Citizens
 - Glen Titus , PC
 - Toni Chavis, Chamber
 - Wade Garnett, HBB owner
 - Sarah Knaub, HOA Member
 - Joe Pack, Tow Truck
 - Lisa Singleton
 - Jason Yarema, HOA Member
- York County
 - Melissa Davidson, EDA
 - Dina Goode, Zoning
 - Ron Montgomery, Sheriff
- Staff
 - Earl Anderson, Planning
 - Joycelyn Corbin, Zoning

Background

- Current atmosphere for home occupations
 - Wide range of businesses
 - Shift in workplace after Great Recession, 2008
 - Benefits to working from home
 - Chose where to live and work
 - 2/3 of YC businesses are home occupations
- Does not override current HOA requirements

Background

- Committee reviewed Zoning Ordinance
- Crafted changes with staff
- Completed in February 2020
- Postponed

Zoning Ordinance Changes

- Home Occupation defined:
 - “an accessory use of a dwelling unit or the property upon which it is located by the occupant of the dwelling for or with the intent of gainful employment involving the provision of goods or services.”
- Short-term rentals treated separately

Zoning Ordinance Changes

- Most significant change to list of home occupations
- Replaced with more general allowances that concern citizens
 - Number of people on-site, which leads to increased intensity of the use and parking problems

Zoning Ordinance Changes

- Removed uses from 24.1-282
- Addressed intensity in 24.1-281
 - Allow a total of four (4)
 - Resident employees (including owner/operator),
 - Non-resident employees, AND
 - Customer/Clients.
 - Must meet parking and other requirements
 - Anything exceeding this requires a SUP

Zoning Ordinance Changes

- Off-street parking wholly on the property
- Surfaced parking spaces
- Includes required residential parking to be off-street, also with home occupation present
- Provides limitations for smaller lots and more flexibility for larger lots

Zoning Ordinance Changes

- Days of operation
 - Currently Monday through Saturday
 - New places no restrictions on days to operate
- Hours of operation remain the same
 - 8:00 am to 8:00 pm

Zoning Ordinance Changes

- Special Use Permit required when exceeding general requirements:
 - More than four (4);
 - Greater than 400 square feet or 25%
 - Hours before 8:00 am or after 8:00 pm
 - Any other exceptions

Zoning Ordinance Changes

- Special Use Permit
 - Simplify circumstances
 - Still provide opportunity for public hearing process
 - Changes address uses too intensive:
 - Parking space numbers
 - Specific uses
 - Size of use
 - Outdoor storage
 - Certain vehicle types

Special Use Permit

- Five (5) or more parking spaces
- Use exceeds 400 square feet or 25%
- Gives owner/operator ability to:
 - Demonstrate that more intensive use would fit on property
 - Have no adverse impacts on adjacent properties

Special Use Permit

- Removed certain uses
- Kept others:
 - Rental of rooms;
 - Day care for more than four (4) children;
 - Day care for more than three (3) adults; and
 - Firearm and ammunition sales

Special Use Permit

- Outdoor storage
 - Storage should be within a structure
 - Exposed storage requires SUP
 - With landscaping and fencing

Commercial Vehicles

- Large commercial vehicles, trailers, tow trucks, and other large equipment
 - Allows lighter weight vehicles
 - Allows trailers less than seventeen feet (17')

Commercial Vehicles

- Larger vehicles require Special Use Permit
 - Gross weight rating of 19,501 pounds or more;
 - Trailers OAL greater than seventeen feet (17');
 - Heavy construction equipment;
 - Very large vehicles, tractor trailers, towing;
 - Vehicles storing food or beverages; and
 - Commercial or passenger vehicles carrying 16 or more passengers.



Tow and Recovery Vehicles

- Committee considered these vehicles as a matter of right.
- Concerns for:
 - Disruptive noise impacts in late night or early mornings
 - Towed vehicles being left on trucks
- Committee agreed these vehicles should require an SUP

Workboats

- Eliminated restriction on the use of docking of workboats and off-loading seafood
 - Allows charging fees for admission, dockage, or wharfage
 - Allows on-premise sale of seafood
 - Regulations guard against use for disembarkation/embarkation of passengers by water
- No further applications since adoption

Prohibited Home Occupations

- Added new prohibited uses:
 - Convenience stores;
 - Small engine and equipment repair;
 - Tattoo parlors;
 - Gambling or gaming establishments; and
 - Vehicles that transport hazardous materials
- Removed gift shops

Recommendation

- Home Based Business Committee reviewed and crafted new language with staff
- Allows more flexibility while offering protections for surrounding neighbors
- Comprehensive Plan citizen survey:
 - 69% support with half of those strongly supporting
 - 55% support client contact

Recommendation

- Amendments appropriately balance needs of home-based business owners and their neighbors
- Planning Commission reviewed and clarified heavy trucks use on properties
 - Recommended approval 7:0

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