

**ORANGE COUNTY PLANNING DEPARTMENT
131 W. MARGARET LANE, SUITE 201
HILLSBOROUGH, NORTH CAROLINA 27278**



**AGENDA
ORANGE COUNTY PLANNING BOARD**

**ORANGE COUNTY WEST CAMPUS OFFICE BUILDING
131 WEST MARGARET LANE – LOWER LEVEL CONFERENCE ROOM (ROOM #004)
HILLSBOROUGH, NORTH CAROLINA 27278
Wednesday, January 8, 2014
Regular Meeting – 7:00 pm**

No.	Page(s)	Agenda Item
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| 1. | | CALL TO ORDER |
| 2. | | ELECTION OF CHAIR AND VICE-CHAIR FOR 2014 |
| 3. | | INFORMATIONAL ITEMS |
| | 3-4 | a. Planning Calendar for January and February |
| 4. | | APPROVAL OF MINUTES |
| | 6-10 | December 4, 2013 Regular Meeting |
| 5. | | CONSIDERATION OF ADDITIONS TO AGENDA |
| 6. | | PUBLIC CHARGE |
| | | Introduction to the Public Charge |

The Board of County Commissioners, under the authority of North Carolina General Statute, appoints the Orange County Planning Board (OCPB) to uphold the written land development laws of the County. The general purpose of OCPB is to guide and accomplish coordinated and harmonious development. OCPB shall do so in a manner which considers the present and future needs of its residents and businesses through efficient and responsive process that contributes to and promotes the health, safety, and welfare of the overall County. The OCPB will make every effort to uphold a vision of responsive governance and quality public services during our deliberations, decisions, and recommendations.

Public Charge

The Planning Board pledges to the residents of Orange County its respect. The Board asks its residents to conduct themselves in a respectful, courteous manner, both with the Board and with fellow residents. At any time, should any member of the Board or any resident fail to observe this public charge, the Chair will ask the offending member to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed.

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| 7. | | CHAIR COMMENTS |
|----|--|-----------------------|

No.	Page(s)	Agenda Item
8.	11-38	<p>UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT – HOME OCCUPATIONS: To make a recommendation to the BOCC on Planning Board- and Planning Director-initiated amendments to the Unified Development Ordinance (UDO) to change the existing standards for home occupations, modify and clarify existing regulations and definitions associated with home occupations, and allow for the exemption of special events organized or affiliated with a governmental or non-profit agency. This item was heard at the November 25, 2013 quarterly public hearing and discussed at the December 4, 2013 Planning Board meeting.</p> <p>Presenter: Ashley Moncado, Special Projects Planner</p>
9.		<p>COMMITTEE/ADVISORY BOARD REPORTS</p> <ul style="list-style-type: none"> a. Board of Adjustment b. Orange Unified Transportation
10.		<p>ADJOURNMENT</p>

IF AN EMERGENCY OCCURS, OR IF YOU ARE RUNNING LATE FOR THE MEETING, PLEASE LEAVE A VOICE MAIL FOR PERDITA HOLTZ (919-245-2578).

January 2014

January 2014

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February 2014

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	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Dec 29 - Jan 4	Dec 29	30	31	Jan 1, 14 HOLIDAY	2	3	4
Jan 5 - 11	5	6	7	8 6:00pm ORC Meeting 7:00pm *PLANNING BOARD MEETING (West Campus Off	9	10	11
Jan 12 - 18	12	13 7:30pm Board of Adjustment (West Campus Office Bldg) - CANCELLED	14	15 7:00pm OUTBoard Meeting (West Campus Office Bldg)	16	17	18
Jan 19 - 25	19	20 HOLIDAY	21	22	23 7:00pm BOCC Reg Meeting (Dept of Social Services)	24	25
Jan 26 - Feb 1	26	27	28 7:00pm BOCC Work Session (Southern Human Services)	29	30	31 BOCC RETREAT	Feb 1

February 2014

February 2014

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March 2014

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	Sun	Mon	Tue	Wed	Thu	Fri	Sat
	Jan 26	27	28	29	30	31	Feb 1
Jan 26 - Feb 1							
	2	3	4	5	6	7	8
Feb 2 - 8			7:00pm BOCC Reg Meeting (Department of Social Services)	7:00pm *PLANNING BOARD MEETING (West Campus Office Bldg)			
	9	10	11	12	13	14	15
Feb 9 - 15		7:30pm Board of Adjustment (West Campus Office Bldg)	7:00pm BOCC Budget Work Session (Southern Human Services)		7:00pm BOCC Work Session (Link Gov't Service)		
	16	17	18	19	20	21	22
Feb 16 - 22			7:00pm BOCC Reg Meeting (Southern Human Services)	7:00pm OUTBoard Meeting (West Campus Office Bldg)			
	23	24	25	26	27	28	Mar 1
Feb 23 - Mar 1		7:00pm *Quarterly Public Hearing (Dept of Social Services)			7:00pm BOCC/Town of Hillsborough Joint Meeting (Link Gov't Service)		

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MINUTES
ORANGE COUNTY PLANNING BOARD
DECEMBER 4, 2013
REGULAR MEETING

1
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6
7 **MEMBERS PRESENT:** Lisa Stuckey, Chapel Hill Township Representative; James Lea, Cedar Grove Township
8 Representative; Herman Staats, At-Large, Cedar Grove Township; Paul Guthrie, At-Large Chapel Hill Township;
9 Buddy Hartley, Little River Township Representative; Tony Blake, Bingham Township Representative;

10
11
12 **MEMBERS ABSENT:** Johnny Randall, At-Large Chapel Hill Township; Andrea Rohrbacher, At-Large Chapel Hill
13 Township; Stephanie O'Rourke, Eno Township Representative; Maxecine Mitchell, At-Large Bingham Township;
14 Peter Hallenbeck (Chair), Cheeks Township Representative; Vacant- Hillsborough Township Representative;

15
16
17 **STAFF PRESENT:** Craig Benedict, Planning Director; Michael Harvey, Current Planning Supervisor; Perdita Holtz,
18 Special Projects Coordinator; Ashley Moncado, Special Projects Planner; Tina Love, Administrative Assistant II
19

20
21 **OTHERS PRESENT:** Jay Hitchens
22

23
24 **AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL**
25

26
27 **AGENDA ITEM 2: INFORMATIONAL ITEMS**
28 a) Planning Calendar for December and January
29 b) 2014 Planning Board Meeting Calendar
30

31
32 **AGENDA ITEM 3: APPROVAL OF MINUTES**
33 **NOVEMBER 6, 2013 ORC MEETING**
34 **NOVEMBER 6, 2013 REGULAR MEETING**
35

36 **MOTION** by Buddy Hartley to approve the November 6, 2013 Planning Board and ORC notes with correction.
37 Seconded by Herman Staats.

38 **VOTE: UNANIMOUS**
39

40
41 **AGENDA ITEM 4: CONSIDERATION OF ADDITIONS TO AGENDA**
42

43
44 **AGENDA ITEM 5: PUBLIC CHARGE**
45

46 **Introduction to the Public Charge**

47 The Board of County Commissioners, under the authority of North Carolina General Statute,
48 appoints the Orange County Planning Board (OCPB) to uphold the written land development
49 laws of the County. The general purpose of OCPB is to guide and accomplish coordinated and
50 harmonious development. OCPB shall do so in a manner which considers the present and
51 future needs of its citizens and businesses through efficient and responsive process that
52 contributes to and promotes the health, safety, and welfare of the overall County. The OCPB
53 will make every effort to uphold a vision of responsive governance and quality public services
54 during our deliberations, decisions, and recommendations.

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55
56 **PUBLIC CHARGE**
57 The Planning Board pledges to the citizens of Orange County its respect. The Board asks its
58 citizens to conduct themselves in a respectful, courteous manner, both with the Board and with
59 fellow citizens. At any time, should any member of the Board or any citizen fail to observe this
60 public charge, the Chair will ask the offending member to leave the meeting until that individual
61 regains personal control. Should decorum fail to be restored, the Chair will recess the meeting
62 until such time that a genuine commitment to this public charge is observed.
63

64
65 **AGENDA ITEM 6: CHAIR COMMENTS**
66

67
68 **Agenda Item 7: Planning Board Annual Report and Work Plan for County Commissioners' Annual**
69 **Planning Retreat** – To review and approve the input form for the annual BOCC planning
70 retreat in January 2014. The annual report informs the BOCC of the past year's activities of
71 advisory boards/commissions and assists in overall County work planning.
72 **Presenter:** Craig Benedict, Planning Director
73

74 *Craig Benedict reviewed item*
75

76 Lisa Stuckey: Does anyone have any questions? Do we have a motion that includes adding number 10?
77

78 **MOTION** by Buddy Hartley to approve the Planning Board annual report and work plan with the addition of number 10.
79 Seconded by Herman Staats.

80 **VOTE: UNANIMOUS**
81

82
83 **Agenda Item 8: Unified Development Ordinance (UDO) Text Amendment – Home Occupations:** To
84 discuss the issues raised at the November quarterly public hearing on Planning Board –
85 Planning Director initiated amendments to the Unified Development Ordinance (UDO) to
86 change the existing standards for home occupations, modify and clarify existing regulations
87 and definitions associated with home occupations, and allow for the exemption of special
88 events organized or affiliated with a government or non-profit agency and to decide on a
89 course of action for revisions to the proposed amendments.
90 **Presenter:** Ashley Moncado, Special Projects Planner
91

92 Herman Staats: Are there any monetary values that guide whether something is considered an occupation?
93

94 Ashley Moncado: I have not seen anything in my research that puts a value on it.
95

96 Paul Guthrie: It is a big question in terms of the revised definition of what was covered but also because you are
97 technically out of compliance or illegal if you have one visitor and one retail sale out of your house the way this is
98 written. I think the definition is vague because the way it is worded and it pales behind the question of how many
99 transactions is the planning staff going to have to handle, and with these definitions there will be thousands.
100

101 Ashley Moncado: The purpose of this item is to be able to review the comments from the quarterly public hearing
102 and receive feedback from you to provide a proposal for review at the January Planning Board meeting.
103

104 *Ashley Moncado reviewed the list of comments.*
105

106 Paul Guthrie: We have a home business in our house, my daughter works full time in her house in Orange County.
107 I want to zero in on the standards of evaluations of all home occupations in paragraph in red on page 40. That

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108 statement by its character would suggest that if any one of those things occurred in your business you would be
109 required to file for at least a minor permit?

110
111 Ashley Moncado: Correct. Our intention of writing the on-site retail sales...what you are describing is that she is
112 not welcoming anyone on to the site. Everything is done online or on the phone.

113
114 Paul Guthrie: What about the internet sale.

115
116 Ashley Moncado: If you are looking at internet sales and no one is being welcome on site then they would be
117 exempt. As soon as you welcome people on the site and have a sales transaction, then you would have to go
118 through a minor home occupation.

119
120 Paul Guthrie: I went back to the UDO and in the context of this language that is what flagged this immediately. I
121 think we need to be careful as we expand this.

122
123 Tony Blake: I was reading the Carrboro response on page 31 and they brought up a couple of issues that were
124 transitive issues from allowing the other home base business and it talks about how many people and how many
125 vehicles and their security. These are the types of small businesses under the radar out there and I don't want to
126 discourage them. We need to find a way to fix that.

127
128 Herman Staats: If this is a planning issue where we consider use of property, etc. then the implementation of it and
129 what guides that implementation is the question. Are we asking for links or copies of tax returns? How do we
130 implement this? If for farming, you have to have a dollar amount to be classified as a farm.

131
132 Perdita Holtz: Can I clarify that point. It is no longer the case that you have to have a certain level of sales to be
133 classified a bona fide farm; the state legislature changed it last year. There is no longer a minimum amount.

134
135 Herman Staats: My point is about being tax exempt with a certain dollar amount that defines that you a real farm
136 and deserve a tax exempt status. Is it the purpose of this permitting process to make someone selling a hundred
137 bucks a year to get a permit? Are there guidelines?

138
139 Paul Guthrie: The only difficulties are sales is very different in terms of that one sale.

140
141 Lisa Stuckey: A lot of sole proprietorships aren't tax exempt. I don't know where to draw the line. How onerous is
142 the process we have developed?

143
144 Michael Harvey: Under the current process, which is what the minor will end up being, the application package
145 requires the applicant show us the property using a plot plan, provide a floor plan of your house, and a detailed
146 narrative explaining the operations of the home based business. We can typically handle an application within 30
147 minutes if you want to wait for it, you pay your \$90 application fee, we send you the approval packet, you sign it and
148 you are on record as having the permit being issued.

149
150 Lisa Stuckey: Is there an annual fee?

151
152 Michael Harvey: No.

153
154 Paul Guthrie: This is a backdoor business license.

155
156 Perdita Holtz: No, it is a land use regulation.

157
158 Tony Blake: We are interested in the impact on their property and their neighbors. The function of planning is to
159 say, we are looking for innovation, we shouldn't hobble it. The rest of the regulation is for another department.

160
161 Lisa Stuckey: If it is basically invisible to the neighbors, how much impact is that having on the neighbors?

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162
163 Tony Blake: We are allowing some of these subdivisions to come in and they are next to a farm, it's like the guy
164 moving next to the airport and complaining about the planes.

165
166 Lisa Stuckey: On page 40, I would like to get rid of 2A, 3A and 6. I think it is very inappropriate.

167
168 Ashley Moncado: To be clear, this isn't about the office space but the day to day operations they would be allowed
169 to operate.

170
171 Lisa Stuckey: I think with number 2A4 that it shouldn't be visible. Something should be added for visible impact.

172
173 Craig Benedict: There is a standard for normal storage for home occupations license which is 500 square feet. As
174 long as that is screened, you are saying it is ok.

175
176 Herman Staats: I am still concerned about implementation.

177
178 Tony Blake: What is the definition of a business?

179
180 Craig Benedict: If someone is claiming it as a business, and they have to meet tax laws, then they should have a
181 home occupation license.

182
183 Paul Guthrie: You just brought in all the telecommuters with that last phrase.

184
185 Tony Blake: The way people find out is if there is a complaint issue.

186
187 Perdita Holtz: Michael uses his discretion to find that out.

188
189 Michael Harvey: The goal of the UDO is not to stop Lucy Van Pelt from selling lemonade but allow reasonable use
190 of property so that your reasonable use doesn't impact your neighbors. If you have an incidental home occupation,
191 selling a tree they cut down, does that activity rise to a level of business requiring the submitted of a home
192 occupation permit application for review and approval? Not unless you do it every day.

193
194 Ashley Moncado: We can look into adding language regarding no visible disturbance impact. If that is included,
195 would you see there would not be a need for landscaping and buffering or keep that intact?

196
197 Lisa Stuckey: I don't know. To me that is a little bit of protection.

198
199 Ashley Moncado: If you exceed the setback standard, and you go beyond that you would not have provide
200 landscaping.

201
202 Craig Benedict: There was also a lot size involved.

203
204 Paul Guthrie: How will you enforce this if it approved?

205
206 Craig Benedict: We are permitting this amount; we know there is this amount. By this ordinance, we are allowing
207 this to happen or bringing more into compliance. We think we have resolved a lot of issues more than creating
208 issues. The implementation, we are doing public outreach, we may do a phase in but it is not going to be a hard
209 handed implementation because rural lifestyles are engrained. This will be a soft implementation.

210
211 Lisa Stuckey: You look this up, an accessory business use which is owned or operated. That is the definition. Is it
212 helpful for you to have a more concrete definition or is that adequate?

213
214 Craig Benedict: We like to be as specific as possible.

215

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216 Herman Staats: If this is put in place to provide more leverage in the case where it is needed for resolution of
217 complaints, then this will serve its purpose.

218
219 Tony Blake: I didn't want to outlaw people who were not bothering anyone. I think the County wants to encourage
220 development.

221
222 Ashley Moncado: Any more comments?

223
224 Craig Benedict: We will have to see how these revisions you suggested are incorporated into the text and Ashley
225 will bring it back next month for a formal vote.

226
227 Ashley Moncado: After the Planning Board votes on this item in January 2014, it will go to the BOCC in February
228 2014.

229
230 Tony Blake: Did you make any attempt to address Alice's concern about the size of the building in the minor?

231
232 Ashley Moncado: That was commented on for Board discussion tonight.

233
234
235 **Agenda Item 9: Unified Development Ordinance (UDO) Text Amendment – Telecommunications**
236 **Facilities:** To make a recommendation to the BOCC on government-initiated amendments
237 to the Unified Development Ordinance (UDO) to incorporate recent changes in State law with
238 respect to the review and processing of applications proposing the development or
239 modification of telecommunication facilities. This item was heard at the November 25, 2013
240 quarterly public hearing.

241 **Presenter:** Michael Harvey, Current Planning Supervisor
242

243 Michael Harvey: Reviewed proposal.
244

245 Paul Guthrie: The operative word is physical. Do you feel that will limit your ability to object to a modification?
246

247 Michael Harvey: We had that discussion. The answer is no because when you read that section in totality there
248 are other requirements that the cell tower provider will have to adhere to. The County attorney wanted to put in
249 language indicating the physical dimensions (of the tower) are part of the key decision making process because
250 obviously the session laws, as imbedded here, allows for certain increases in height to certain standards (without
251 the need for County approval).

252
253 Michael Harvey: Anything over 200 feet you have to have illuminated.

254
255 Tony Blake: Most of the telecommunication towers we are putting up have requirements for generators and the
256 new one that has come out recently is anti-aviary protection, bird nests being built up there. They are using sound
257 and other means of discouragement, also solar panels on the tops of these towers as ancillary power. Are all those
258 covered in other areas of the UDO?

259
260 Michael Harvey: I would argue they are covered in the standard section for approval where you have to approve
261 any apparatus placed on the tower and prove said apparatus will not overburden the tower to cause structural
262 failure. So it is already covered.

263
264 **MOTION** by Tony Blake to approve the UDO Text Amendment regarding wireless facilities in their jurisdiction with the
265 proposed amendment from the County Attorney. Seconded by Buddy Hartley.

266 **VOTE: UNANIMOUS**

267
268

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269 **Agenda Item 10: Unified Development Ordinance (UDO) Text Amendment – Board of Adjustment**
 270 **Operation:** To make a recommendation to the BOCC on government-initiated amendments
 271 to the Unified Development Ordinance (UDO) to incorporate recent changes in State law with
 272 respect to items reviewed and acted upon by the Orange County Board of Adjustment. This
 273 item was heard at the November 25, 2013 quarterly public hearing.
 274 **Presenter:** Michael Harvey, Current Planning Supervisor
 275

276 Michael Harvey: Reviewed item.
 277

278 **MOTION** by Herman Staats to recommend to the BOCC the proposed amendments for the UDO Text Amendment
 279 related to the Board of Adjustment operation and procedures as amended. Seconded by James Lea.

280 **VOTE: UNANIMOUS**
 281

282
 283 **AGENDA ITEM 9: COMMITTEE/ADVISORY BOARD REPORTS**
 284

- 285 a) Board of Adjustment
- 286 b) Orange Unified Transportation

287
 288
 289 **AGENDA ITEM 10: ADJOURNMENT**
 290

291 **MOTION:** made by Tony Blake to adjourn. Seconded by Buddy Hartley.

292 **VOTE: UNANIMOUS**
 293
 294

**ORANGE COUNTY
PLANNING BOARD
ACTION AGENDA ITEM ABSTRACT**
Meeting Date: January 8, 2014

Action Agenda
Item No. 8

SUBJECT: Unified Development Ordinance Text Amendment – Home Occupations

DEPARTMENT: Planning and Inspections

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

1. Unified Development Ordinance (UDO) Amendment Outline Form
2. Proposed Text Amendments
3. Proposed Amendment Summary Spreadsheet
4. Informational Graphic

INFORMATION CONTACT:

Ashley Moncado, Planner II	245-2589
Craig Benedict, Director	245-2575

PURPOSE: To make a recommendation to the BOCC on a Planning Board and Planning Director initiated text amendment to the Unified Development Ordinance (UDO) relating to home occupation standards.

BACKGROUND: At the November 25, 2013 Quarterly Public Hearing, the Board of County Commissioners and Planning Board identified concerns with the proposed home occupation text amendment presented for public hearing. Recognizing that a number of items needed to be addressed, staff recommended bringing the item back to the Planning Board for further review and discussion at the December 4 meeting. Following Planning Board review and discussion, staff revised the proposed text amendment to reflect comments received from the Board of County Commissioners and the Planning Board. Comments heard at the Quarterly Public Hearing are provided in [Attachment 1](#). At the public hearing, the Board of County Commissioners directed the Planning Board to return a recommendation in time for the February 18, 2014 regular BOCC meeting.

[Attachment 1](#) contains additional information and analysis regarding this amendment. Proposed text amendment language can be found in [Attachment 2](#) within a “track changes” format (**red text** for proposed additions and black ~~strikethrough~~ for proposed deletions). Modifications made following the November Quarterly Public Hearing and December Planning Board meeting are denoted in **green text**. [Attachment 3](#) contains a spreadsheet summarizing proposed revisions to Sections 2.22, 5.3.4, and 5.5.3.

Proposed revisions to existing home occupation standards have expanded the opportunity for home based businesses to operate in Orange County. The graphic contained in [Attachment 4](#)

illustrates the number of existing and proposed options available to accommodate and support businesses, including home occupations, in the rural and urban areas of the county.

At the Quarterly Public Hearing a BOCC member suggested staff send a letter to residents who currently have a home occupation permit in order to solicit feedback. Sixty-three letters were mailed on November 27, 2013 and one interested person attended the Planning Board meeting to hear the discussion. To date, no comments have been received from the public.

Procedural Information: In accordance with Section 2.8.8 of the Unified Development Ordinance, any evidence not presented at the public hearing must be submitted in writing prior to the Planning Board's recommendation. Additional oral evidence may be considered by the Planning Board only if it is for the purpose of presenting information also submitted in writing. The public hearing is held open to a date certain for the purpose of the BOCC receiving the Planning Board's recommendation and any submitted written comments.

Planning Director's Recommendation: The Planning Director recommends **approval** of the proposed text amendments.

FINANCIAL IMPACT: Consideration and approval will not create the need for additional funding for the provision of County services. Costs for the required legal advertisement will be paid from FY2013-14 Departmental funds budgeted for this purpose. Existing planning staff included in the Departmental staffing budget will accomplish the work required to process this amendment.

RECOMMENDATION: The Planning Director recommends the Planning Board:

1. Deliberate as necessary on the proposed amendments;
2. Consider the Planning Director's recommendation to approve the text amendment as detailed in Attachment 2; and,
3. Make a recommendation to the BOCC on the proposed amendments in time for the **February 18, 2014** BOCC meeting.

COMPREHENSIVE PLAN / FUTURE LAND USE MAP AND UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OUTLINE

UDO / Zoning-2013-03
Home Occupation Standards

A. AMENDMENT TYPE

Map Amendments

- Land Use Element Map:
From:
To:
- Zoning Map:
From:
To:
- Other:

Text Amendments

- Comprehensive Plan Text:

Section(s):

- UDO Text:

- UDO General Text Changes
- UDO Development Standards
- UDO Development Approval Processes

Section(s):

1. Section 2.22 *Home Occupations*
2. Section 5.4.3 *Special Events*
3. Section 5.5.3 *Home Occupations*
4. Section 10.1 *Definitions*

- Other:

B. RATIONALE

1. Purpose/Mission

In accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the UDO, the Planning Board and Planning

Director are proposing to initiate a text amendment to modify existing language relating to the regulation of home occupations within the county.

At the January 9, 2013 Planning Board meeting, Board members discussed areas of interest for planning staff to address for the next year. One item, which was highlighted in the UDO Implementation Bridge report prepared when the UDO was adopted in 2011, included the need to review existing home occupation standards for a potential revision. At that time, Board members expressed concern with the existing standards limiting home occupations by being too restrictive with the required square footage allowances and number of permitted non-residential employees. As a result, the Board requested staff to proceed with reviewing existing standards. To address the Planning Board's request, staff presented information at the July 10, 2013 Planning Board meeting, including a summary of current standards contained in the UDO, a comparison with other local jurisdictions' standards, and items of consideration to better facilitate and promote the use of home occupations. Following review and discussion, the Board asked staff to proceed with an amendment to the UDO addressing their comments and areas of interest relating to the UDO Implementation Bridge report.

At the September 4 Planning Board meeting, staff presented draft language based on Planning Board comments received at the July meeting for review. Additionally, at this time, staff presented Section 419, Live/Work Units, from the 2012 North Carolina Building Code regarding the review and permitting of home occupations that are classified as live/work units. Although planning staff considers this Section of the building code, adopted in 2012, to be restrictive, local governments cannot amend laws, codes and/or rules adopted by the State. Staff anticipates that this Section of the building code will result in prospective home occupation applicants deciding to locate their home occupation in an accessory structure if the home occupation comprises of more than ten percent of their home's square footage. A copy of Section 419 is included at the end of this form.

At the October 2 Ordinance Review Committee (ORC) meeting staff presented proposed amendment language for Board comment. Following this meeting, planning staff identified concerns with the proposed recommendations and requested a meeting with the Planning Board Chair and Vice Chair to discuss and review the Board's recommendation. The Planning Board Vice Chair was unable to attend, but did provide comments regarding proposed recommendations to staff and the Planning Board Chair. At the October 16 meeting with Chair Hallenbeck proposed standards based on Planning Board's recommendation were revised in order to create a reasonable balance between supporting home based businesses in the county and protecting the character and enjoyment of residential neighborhoods.

Revised recommendations were presented at the November 6 ORC meeting. During this meeting, members stated concern with existing standards prohibiting specific

uses from receiving a home occupation permit [See UDO Section 5.5.3(2)(a)(iii)], however, no specific amendment requests were made.

At the November 25 Quarterly Public Hearing concerns with standards regarding prohibiting specific uses, screening of accessory structures, and setback standards of accessory structures and outdoor storage space utilized in a major home occupation were discussed by the BOCC and Planning Board. Recognizing that a number of items needed to be reviewed and discussed among the Planning Board, staff recommended bringing the item back to the Planning Board for further review and discussion at the December 4 meeting. Proposed standards have been revised to reflect comments received at the November Quarterly Public Hearing and the December Planning Board meeting.

2. **Analysis**

As required under Section 2.8.5 of the UDO, the Planning Director is required to: ‘cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board and the Board of County Commissioners’.

The purpose of the proposed amendment is to develop standards that accommodate and encourage the use of home occupations while protecting the residential character of neighborhoods and meeting standards of the North Carolina Building Code in order to incorporate recommendations of the Implementation Bridge into the Unified Development Ordinance. Proposed standards will allow for smaller and larger scale home occupations with the development of two categories including a minor home occupation and a major home occupation. Uses such as artist studios often are considered home occupations and the updated standards will apply to artist studios. This is a topic that was raised at the February 2013 BOCC retreat and the May 14, 2013 BOCC work session when “Agricultural Support Enterprises” was discussed. Additional amendments to Section 5.4.3 *Special Events* will address reviewing and permitting events conducted by the home occupation. Specifically, allowing nonprofit or government organized events, including the Orange County Open Studio Tour, to be exempt from the existing special event and Class B Special Use Permit process in order to support and accommodate these events within the county. Also, see Section D of this Form.

3. **Comprehensive Plan Linkage (i.e. Principles, Goals and Objectives)**

Economic Development Overarching Goal: Viable and sustainable economic development that contributes to both property and sales tax revenues, and enhances high quality employment opportunities for County residents.

Economic Development Objective 1.5: Identify barriers to development of desirable businesses and local businesses, and mitigate these barriers.

4. New Statutes and Rules

N/A

C. PROCESS

1. TIMEFRAME/MILESTONES/DEADLINES

a. BOCC Authorization to Proceed

September 5, 2013

b. Quarterly Public Hearing

November 25, 2013

c. BOCC Updates/Checkpoints

November 5, 2013 – Approved legal ad for the November 25 Quarterly Public Hearing.
 November 6, 2013 – Planning Board Ordinance Review Committee (ORC)
 November 25, 2013 – Quarterly Public Hearing
 – Comments made at the Quarterly Public Hearing are included at the end of this form.
 February 18, 2014 – Receive Planning Board recommendation

d. Other

2. PUBLIC INVOLVEMENT PROGRAM

Mission/Scope: Public Hearing process consistent with NC State Statutes and Orange County ordinance requirements.

a. Planning Board Review:

July 10, 2013 – discussion of topic
 September 4, 2013 – further discussion
 October 2, 2013 – Ordinance Review Committee
 November 6, 2013 – Ordinance Review Committee
 December 4, 2013 – further discussion
 January 8, 2014 – BOCC recommendation

b. Advisory Boards:

c. Local Government Review:

The proposed text amendments were submitted to the JPA Partners on	received from the Town of Carrboro and the Town of Chapel Hill are
November 7, 2013. Comments	included at the end of this form.

d. Notice Requirements

Consistent with NC State Statutes – legal ad prior to public hearing

e. Outreach:

<input type="checkbox"/> General Public:	
<input type="checkbox"/> Small Area Plan Workgroup:	
<input type="checkbox"/> Other:	

3. FISCAL IMPACT

<p>Consideration and approval will not create the need for additional funding for the provision of County services. Costs for the required legal advertisement will be paid from FY2013-14 Departmental funds budgeted for this purpose. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process this amendment.</p>
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D. AMENDMENT IMPLICATIONS

<p>Proposed amendments to existing home occupation standards include two types of home occupations. The first type, minor home occupations, follows the existing review process in place for home occupations with revisions allowing for an increase in square footage and number of employees in all residential districts. The second type, major home occupations, is proposed in order to accommodate larger scale accessory business uses in the AR (Agricultural Residential) and R-1 (Rural Residential) zoning districts. A Class B Special Use Permit will be required for major home occupations. The number of employees and permitted amount of square footage utilized in a major home occupation shall be determined with the approved special use permit.</p> <p>Additional minor revisions to existing standards will address traffic generation, accessory structures, outdoor storage space, vehicle weight restrictions, and landscaping for all home occupations. Proposed amendments will introduce standards addressing the total number of students, customers, and/or clients permitted per day and address the review of special events for home occupations. Finally, definitions referencing minor home occupations and major home occupations are proposed within Article 10. The Planning Board and staff have endeavored to be mindful of any adverse impacts that may occur in the various types of residential districts found in the county while creating the amendment package.</p>

E. SPECIFIC AMENDMENT LANGUAGE

<p>See Attachment 2 for proposed language.</p>
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<p>Primary Staff Contact: Ashley Moncado Planning Department 919-245-2589 amoncado@orangecountync.gov</p>
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SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

with 1/4-inch (6.35 mm) insulating mill board or other *approved* equivalent insulation.

[F] **417.4 Fire protection.** Drying rooms designed for high-hazard materials and processes, including special occupancies as provided for in Chapter 4, shall be protected by an *approved* automatic fire-extinguishing system complying with the provisions of Chapter 9.

SECTION 418 ORGANIC COATINGS

[F] **418.1 Building features.** Manufacturing of organic coatings shall be done only in buildings that do not have pits or basements.

[F] **418.2 Location.** Organic coating manufacturing operations and operations incidental to or connected therewith shall not be located in buildings having other occupancies.

[F] **418.3 Process mills.** Mills operating with close clearances and that process flammable and heat-sensitive materials, such as nitrocellulose, shall be located in a detached building or noncombustible structure.

[F] **418.4 Tank storage.** Storage areas for flammable and combustible liquid tanks inside of structures shall be located at or above grade and shall be separated from the processing area by not less than 2-hour *fire barriers* constructed in accordance with Section 707 or *horizontal assemblies* constructed in accordance with Section 712, or both.

[F] **418.5 Nitrocellulose storage.** Nitrocellulose storage shall be located on a detached pad or in a separate structure or a room enclosed with no less than 2-hour *fire barriers* constructed in accordance with Section 707 or *horizontal assemblies* constructed in accordance with Section 712, or both.

[F] **418.6 Finished products.** Storage rooms for finished products that are flammable or combustible liquids shall be separated from the processing area by not less than 2-hour *fire barriers* constructed in accordance with Section 707 or *horizontal assemblies* constructed in accordance with Section 712, or both.

SECTION 419 LIVE/WORK UNITS

419.1 General. A live/work unit is a *dwelling unit* or *sleeping unit* in which a significant portion of the space includes a non-residential use that is operated by the tenant and shall comply with Sections 419.1 through 419.8.

Exception: *Dwelling* or *sleeping units* that include an office that is less than 10 percent of the area of the *dwelling unit* shall not be classified as a live/work unit.

419.1.1 Limitations. The following shall apply to all live/work areas:

1. The live/work unit is permitted to be a maximum of 3,000 square feet (279 m²);
2. The nonresidential area is permitted to be a maximum 50 percent of the area of each live/work unit;

3. The nonresidential area function shall be limited to the first or main floor only of the live/work unit; and
4. A maximum of five nonresidential workers or employees are allowed to occupy the nonresidential area at any one time.

419.2 Occupancies. Live/work units shall be classified as a Group R-2 occupancy. Separation requirements found in Sections 420 and 508 shall not apply within the live/work unit when the live/work unit is in compliance with Section 419. High-hazard and storage occupancies shall not be permitted in a live/work unit. The aggregate area of storage in the nonresidential portion of the live/work unit shall be limited to 10 percent of the space dedicated to nonresidential activities.

419.3 Means of egress. Except as modified by this section, the provisions for Group R-2 occupancies in Chapter 10 shall apply to the entire live/work unit.

419.3.1 Egress capacity. The egress capacity for each element of the live/work unit shall be based on the *occupant load* for the function served in accordance with Table 1004.1.1.

419.3.2 Sliding doors. Where doors in a *means of egress* are of the horizontal-sliding type, the force to slide the door to its fully open position shall not exceed 50 pounds (220 N) with a perpendicular force against the door of 50 pounds (220 N).

419.3.3 Spiral stairways. *Spiral stairways* that conform to the requirements of Section 1009.9 shall be permitted.

419.3.4 Locks. Egress doors shall be permitted to be locked in accordance with Item 4 of Section 1008.1.9.3.

419.4 Vertical openings. Floor openings between floor levels of a live/work unit are permitted without enclosure.

419.5 Fire protection. The live/work unit shall be provided with a monitored fire alarm system where required by Section 907.2.9 and an *automatic sprinkler system* in accordance with Section 903.2.8.

419.6 Structural. Floor loading for the areas within a live/work unit shall be designed to conform to Table 1607.1 based on the function within the space.

419.7 Accessibility. Accessibility shall be designed in accordance with Chapter 11.

419.8 Ventilation. The applicable requirements of the *International Mechanical Code* shall apply to each area within the live/work unit for the function within that space.

SECTION 420 GROUPS I-1, R-1, R-2, R-3

420.1 General. Occupancies in Groups I-1, R-1, R-2 and R-3 shall comply with the provisions of this section and other applicable provisions of this code.

420.2 Separation walls. Walls separating *dwelling units* in the same building, walls separating *sleeping units* in the same building and walls separating *dwelling* or *sleeping units* from other occupancies contiguous to them in the same building

Comments Received at the November Quarterly Public Hearing

Planning Board Comments	BOCC Comments	Planning Staff Response/Comments
	Minor home occupation regulations should incorporate existing standards without any modifications. All proposed revisions allowing for an increase in employees, square footage allowances, and size of accessory structures shall be through the major home occupation process requiring a Special Use Permit.	Planning Board reviewed BOCC comment and proceeded with proposed amendments as presented in Attachment 2.
	Concerns with existing standards requiring landscaping and buffering of accessory structures used in the home occupation.	Existing standards contained within the UDO have been revised to allow for exemptions in screening requirements of accessory structures.
	Concerns with existing standards regarding the appearance of a residential accessory structure.	Existing standards contained within the UDO have been revised to provide clarity regarding the appearance of accessory structures.
	Concerns regarding proposed standards being too restrictive and creating a financial burden on business owners.	Proposed revisions to existing standards are more lenient and less restrictive allowing for more employees, visitors, daily trips, and deliveries and an increase in the overall size of home occupations. Existing and proposed standards may result in financial constraints on a business owner which are typically incurred with the opening of any new business.
Concerns with trade uses, including plumbing, electrical, and building contracting, not being permitted as a home occupation.		Existing standards contained within the UDO have been revised to allow these uses to operate from a residential property with an approved home occupation permit.
Concerns regarding setback standards for accessory structures and outdoor storage space used in a major home occupation.		Proposed setback standards for outdoor storage space have been revised to allow for greater flexibility in setback standards for accessory structures and outdoor storage space through the Special Use Permit process.

From: [Patricia J. McGuire](#)
To: [Perdita Holtz](#)
Cc: [Martin Roupe](#); [Christina Moon](#)
Subject: RE: UDO Text Amendment that Applies to the Rural Buffer - Home Occupation Standards
Date: Tuesday, November 26, 2013 7:40:00 PM

Dear Perdita,

Carrboro staff have a few comments and suggestions for the ordinance revisions:

- 1) There appear to be benefits associated with offering additional economic opportunities to properties in the Rural Buffer and elsewhere in the county, so long as such uses are consistent with the purposes of the zoning districts otherwise.
- 2) You might consider expanding the use of performance standards as a means of limiting further or reducing entirely the exclusion of specific uses. Such standards could specify screening, sizing, siting, or parking provisions that would mitigate the impacts that presently necessitate excluding them entirely.
- 3) You might consider clarifying the traffic generation provisions to distinguish between traffic generated by the use and traffic generated in support of the use. Are the regulations intended to allow or prohibit a resident from operating a single –truck tractor-trailor business from their home, for example? If only a single driver/single-truck use was considered acceptable, but a larger trucking operation was not, perhaps the vehicle storage, number of employees and screening requirements could be modified accordingly?
- 4) You might consider clarifying whether outdoor storage includes the storage or parking of vehicles that are used in conjunction with a home occupation.

Thanks for the opportunity to review. Don't hesitate to contact me if you have a question.

Trish

Patricia J. McGuire, AICP, CZO, CFM

Planning Director

Town of Carrboro

301 W. Main Street

Carrboro, North Carolina 27510

35° 54' 41", -79° 04' 39"

919-918-7327 (T)/919-918-4454 (F)

pmcguire@ci.carrboro.nc.us <http://townofcarrboro.org>

From: Perdita Holtz [<mailto:pholtz@orangecountync.gov>]
Sent: Thursday, November 07, 2013 9:14 AM
To: J.B. Culpepper (jbculpepper@townofchapelhill.org); Patricia J. McGuire
Cc: Craig Benedict; Ashley E.. Moncado; Christina Moon; (gpoveromo@townofchapelhill.org)
Subject: UDO Text Amendment that Applies to the Rural Buffer - Home Occupation Standards

Hello JB and Trish,

Pursuant to the JPA Agreement, we are sending the attached proposed UDO text amendment to you for review and comment. We are proposing to change the existing standards for Home Occupations allowed in the residential zoning districts, including the RB (Rural Buffer) zoning district. We are also proposing to have a category of "Minor Home Occupation" and "Major Home Occupation" (we currently do not have two classes of Home Occupations). Major Home Occupations will not be allowed in the Rural Buffer; only Minor Home Occupations would be allowed in the RB.

I have also attached a chart you may find helpful that depicts the existing and proposed standards. This chart is not part of the actual amendments; it's just used for informational purposes.

These text changes are on the November 25 quarterly public hearing agenda. It would be great if you could forward any comments to us before the 25th. If you need more time than that to review this item, please let me know. The JPA Agreement stipulates that the County will not adopt an amendment affecting the RB until the Towns have had 30 days to review and comment on the amendment. This amendment is scheduled for adoption consideration in January.

Thanks and please let me know if you have any questions.

Perdita

Perdita Holtz, AICP

Planning Systems Coordinator

Orange County (NC) Planning Department

131 W. Margaret Lane, 2nd Floor (physical)

P.O. Box 8181 (mail)

Hillsborough, NC 27278

Phone: (919) 245-2578

Town of Carrboro, NC Website - <http://www.townofcarrboro.org> E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.



PLANNING
Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514

phone (919) 968-2728 *fax* (919) 969-2014
www.townofchapelhill.org

December 6, 2013

Ms. Perdita Holtz
Planning Systems Coordinator
Orange County Planning Department
PO Box 8181
Hillsborough, NC 27278

**Subject: Courtesy Review Comments on Proposed Unified Development Ordinance
Amendment Regarding Home Occupation Permits in the Rural Buffer**

Dear Ms. Holtz:

Thank you for the opportunity to review the proposed zoning ordinance amendment regarding home occupation permits in the rural buffer area. We do not have any comments on the proposed ordinance amendment as it relates to the Joint Planning Agreement.

Should you have any questions, please do not hesitate to call me at (919) 968-2728.

Regards,

A handwritten signature in black ink, appearing to read "Phil Mason".

Phil Mason, AICP
Principal Planner

UDO AMENDMENT PACKET NOTES:

The following packet details the proposed modifications to existing home occupation standards. Proposed regulations include the establishment of two new home occupation categories allowing for minor and major (larger scale) home occupations. The amendment package also proposes the re-numbering and reformatting of Sections 2.22, 5.4.3, and 5.5.3, to accommodate the new standards.

As the number of affected pages/sections of the existing UDO are being modified with this proposal, staff has divided the proposed amendments into the following color coded classifications:

- **Red Text:** Denotes new, proposed text, that staff is suggesting be added to the UDO
- **Black Strikethrough Text:** Denotes existing text that staff is proposing to delete
- **Green Text:** Denotes modifications made following the November Quarterly Public Hearing and December Planning Board meeting.

Staff has included footnotes within the amendment package to provide additional information/rationale concerning the proposed amendments to aid in your review.

Only those pages of the UDO impacted by the proposed modification(s) have been included within this packet. Some text on the following pages has a large "X" through it to denote that these sections are not part of the amendments under consideration. The text is shown only because in the full UDO it is on the same page as text proposed for amendment or footnotes from previous sections 'spill over' onto the included page. Text with a large "X" is not proposed for modification.

Please note that the page numbers in this amendment packet may or may not necessarily correspond to the page numbers in the adopted UDO because adding text may shift all of the text/sections downward.

Users are reminded that these excerpts are part of a much larger document (the UDO) that regulates land use and development in Orange County. The full UDO is available online at: <http://orangecountync.gov/planning/Ordinances.asp>

- (3)** Structural stormwater measures that are designed, constructed and maintained in accordance with the NC DWQ Stormwater BMP Design Manual, approved accounting tool, and requirements listed in Section 6.14 will be presumed to meet the required performance standards of Section 6.14. Submittals containing measures not designed to these specifications, may be approved on a case by case basis provided the applicant provides adequate data and information showing how the deviations meet the requirements of Section 6.14.
- (C) Plan Approval**
The Erosion Control Officer is authorized to approve any Stormwater Management Plan which is in conformance with the performance standards specified in the NC DWQ Stormwater BMP Design Manual, and other requirements of this Ordinance.
- (D) Approved Plan a Prerequisite**
The Erosion Control Officer is not authorized to issue any permits for development on any land that is defined as new development under Section 6.14 of this Ordinance unless and until a Stormwater Management Plan in compliance with the requirements of this Ordinance has been approved.
- (E) Design of Permanent Nutrient Export Reduction Structural Stormwater Measures**
When a permanent nutrient export reduction structural stormwater measure is required for new development to meet the requirements of this Ordinance, a North Carolina registered professional engineer shall prepare the plan with the Engineer's Certification of Stormwater Management affixed, signed, sealed and dated.

SECTION 2.22: HOME OCCUPATIONS

2.22.1 Application Requirements

- (A)** An application for a Home Occupation Permit shall be filed with the Planning Director on forms provided by the Planning Department.
- (B)** Application forms shall be prepared so that when completed a full and accurate description of the proposed use, including its location, appearance, and operational characteristics are disclosed.
- (C)** An application for a minor home occupation shall include a plot plan that adheres to the requirements of Sections 2.4.3 and 5.5.3.
- (D)** An application for a major home occupation shall require a Class B Special Use Permit and adhere to the requirements of Sections 2.5.3, 2.7, and 5.5.3.

2.22.2 Conditions of Approval

- (A)** If conditions are attached to the approval of a permit, they may address deficiencies in meeting specific Ordinance requirements or they may address specific impacts which result from the operation of the home occupation.
- (B)** If conditions address specific impacts which result from the operation of the home occupation, the conditions may include, but not be limited to the following limitations:
- (1)** Hours of operation;
 - (2)** Number of vehicles to be parked on the premises;
 - (3)** The location of an accessory building, storage area or parking on the property.
- (C)** The Planning Director may require greater setbacks and/or additional landscaping or screening to adequately screen the home occupation from adjoining properties.

5.4.3 Special Events

(A) Arts and Cultural Special Events

- (1) All arts and cultural special events organized, conducted, and affiliated with a 501(c)(3) nonprofit organization or government entity, including the annual Orange County Open Studio Tour, shall be exempt from the special event review and permitting process.¹

(B) General Standards of Evaluation²

- (1) The application shall include a written description of the type of event planned, the number of participants for any single event, the frequency of the events, the anticipated hours of operation, the potential dates for the events, and the method and adequacy of sewage disposal, recycling and waste disposal, access, parking, lighting, and signage;
- (2) The plot plan shall be accompanied by written approval from the Orange County Division of Environmental Health regarding the adequacy of the water-supply and wastewater disposal;
- (3) The plot plan shall have written approval from the Orange County Fire Marshal;
- (4) The applicant shall submit a copy of notification sent to the Orange County Sheriff's Department stating the type of events, number of participants, date(s) and hours of operation, and emergency contact information. A location map must be attached to the notice provided to the Sheriff;
- (5) Lot size shall be adequate to accommodate all proposed activities including safe vehicular and pedestrian circulation;
- (6) The proposed activity will occur on no more frequently than seven days in a 30-day period, and on no more than 50 days per year; and
- (7) Signs shall be permitted in accordance with Section 6.12.11(D).

(C) Standards for Class B Special Use Permit

(1) Submittal Requirements

In addition to the information required by Section 2.7, the following information shall be supplied as part of the application for approval of this use:

- (a) A written description of the exact type of event planned, the maximum number of participants, the frequency of the event, anticipated dates and hours of operation, method and adequacy of sewage disposal, recycling and waste disposal, access, parking, lighting, and signage;
- (b) A site plan showing the boundaries of the area to be used for the events, the locations of access points, parking, service areas, activity areas, restrooms, solid waste disposal/recycling facilities, lighting, and signage;
- (c) Written comments from the Orange County Health Department, Division of Environmental Health regarding the adequacy of plans restroom facilities and food preparation/handling arrangements; and

¹ Proposed amendments regarding arts and cultural special events will address concerns with accommodating and permitting community wide events conducted by a nonprofit or government organization more efficiently. These standards will allow art and studio home occupations that participate in these events to be exempt from the Class B Special Use Permit process.

² Adding a new (A) resulted in the automatic renumbering of subsequent subsections.

SECTION 5.5: STANDARDS FOR RESIDENTIAL USES

5.5.1 Accessory Structures and Uses

(A) General Standards of Evaluation

- (1) Accessory structures and uses shall not be located in any required front open space and shall conform to the principal setbacks of the district where located unless otherwise provided in this Section.
- (2) An attached private garage, or carport, not exceeding 12 feet in height, may occupy a portion of the required side open space, provided that this does not result in a required side open space of less than 7% of the lot width, nor a total, when combined with the required side open space of the lot immediately adjacent, of less than eight feet.
- (3) Mobile homes as accessory structures to residential uses are prohibited.

5.5.2 Efficiency Apartment

(A) General Standards of Evaluation

- (1) There shall be no more than one efficiency apartment, whether detached or attached, on any lot.
- (2) The efficiency unit shall contain no more than 800 square feet of gross floor area.
- (3) The residential lot shall meet the minimum lot size requirements of the zoning district in which it is located.
- (4) The efficiency unit shall comply with the N.C. Residential Building Code including minimum light/ventilation and room sizes.
- (5) The efficiency unit shall be accessory to the principal dwelling unit and may be attached or detached.
- (6) The efficiency unit shall be served by an approved water supply and sanitary facilities.
- (7) The efficiency unit shall remain in the same ownership as the primary residence.

5.5.3 Home Occupations

(A) General Standards

(1) Submittal Requirements

In addition to the completed application form, applicants for a **minor or major home** occupation shall submit the following to the Planning Department:

(a) Minor Home Occupations

- (i) A plot plan of the property on which the home occupation is to be located. The plot plan shall show:
 - a. The location of the residence **and/or** accessory building in which the home occupation is to be located in relation to existing property lines and adjacent homes;
 - b. The location, number, and means of access to required off street parking areas; and
 - c. The location and type of required landscaping and/or screening.
- (ii) A floor plan of the residence **and/or** accessory building in which

the home occupation is to be located showing the location, size, and use of each room or area within the residence and/or accessory building.

(b) Major Home Occupations

- (i) A site plan of the property on which the home occupation is to be located. The site plan shall show:
 - a. The location of the residence and/or accessory building in which the home occupation is to be located in relation to existing property lines and adjacent homes;
 - b. The location, number, and means of access to required off street parking areas; and
 - c. The location and type of required landscaping and/or screening.
- (ii) A floor plan of the residence and/or accessory building in which the home occupation is to be located showing the location, size, and use of each room or area within the residence and/or accessory building.

(2) Standards of Evaluation

(a) All Home Occupations

- (i) No home occupation may be operated in a residence except as permitted under this Ordinance and only after a Home Occupation Permit has been issued in accordance with the provisions of Section ~~2.21~~ 2.22 of this Ordinance.
- (ii) Home based business operations that conduct only online retail sales and do not include nonresident employees located onsite, signage, or onsite students, customers, and/or clients do not require a home occupation permit.³
- (iii) Uses Not Permitted
 - a. Except for the office component of the business operation, the following activities are explicitly prohibited as home occupations:
 - i. Automotive repair,
 - ii. Automotive service,
 - iii. Automotive detailing,
 - iv. Body shop, and
 - v. Hauling, and
 - vi. ~~Building, electrical, plumbing, mechanical, grading or other construction contracting.~~⁴

³ Revisions have been made to address Planning Board comments regarding onsite retail sales. Proposed standards will exempt home occupations conducting retail sales through the internet if the operation has no onsite employees, signage, and visitors from the home occupation permit process.

⁴ Based on comments received at the Quarterly Public Hearing, revisions to this Section will allow building, electrical, plumbing, mechanical, grading, and other construction contracting to operate from a residential property with an approved home occupation permit. Revisions are proposed to additional Sections of the UDO to address potential traffic impacts as a result of these uses being permitted as a home occupation. The revisions also make it clearer that an office related to the types of uses in i. through v. may be allowed, however, it is the actual activities that are not allowed as a home occupation.

- b. The above list is not intended to include all uses which may be unsuitable as a home occupation. Home Occupation applications for other uses may be denied if the Standards of Evaluation listed herein are not fully met.
- (iv) No equipment or process shall be employed that will cause noise, vibration, glare, odor or electrical interference detectable to the normal senses at the lot lines in the case of detached dwelling units or outside the dwelling unit, in the case of attached dwelling units.
- (v) The on-premises sale and/or delivery of goods which are not produced **or modified in a manner that adds value to the product** on the premises is prohibited, except in the case of the delivery and sale of goods incidental to the provision of a service. **No goods, products, or commodities purchased and secured for the main purpose of onsite resale shall be permitted.**
- (vi) **All events conducted in connection with the home occupation and exceed the number of permitted daily students, customers, and/or clients contained within Sections 5.5.3(A)(2)(b)(i)d and 5.5.3(A)(2)(c)(i)g must adhere to Section 5.4.3, Special Events.⁵**
- (b) **Minor Home Occupations**
- (i) **General Operations**
- The following requirements apply to minor home occupations in all residential districts:**
- a. The owner or operator of the home occupation must live in a residence located on the same zoning lot as the home occupation. **No more than two individuals not living in the residence may work in the home occupation. Minor home occupations shall not exceed three nonresident employees onsite at any one time.**
- b. In all residential districts **except RB, AR and R-1**, no more than 35% of the floor area of the dwelling unit or **500 750** square feet, whichever is less, may be used for the home occupation.
- c. **Up to three students, customers, and/or clients shall be permitted onsite at any one time, not to exceed a total of six students, customers, and/or clients per day.**
- (ii) **Limitations on Traffic Generation**
- a. Traffic generated by **visitors, customers, or deliveries employees, students, customers, and/or clients** shall not exceed more than **two business trips per hour, more than eight twenty** trips per day. **or more than two deliveries of products or materials per week. All deliveries must be made by vehicles of a size normally used for household deliveries.⁶**

⁵ Approved home occupations that conduct special events onsite are required to adhere to Section 5.4.3 *Special Events*. Home occupations that participate in a nonprofit or government organized event including the annual Orange County Open Studio Tour shall be waived from the special event review process as proposed within Section 5.4.3 *Special Events*.

⁶ Existing standards regulating the number of hourly and daily trips were found to be inconsistent with proposed language regulating the number of students, customers, and/or clients permitted onsite per day.

- b. Parking generated by the home occupation shall be met off the street and ~~other than~~ not in a required yard area.
 - c. There shall be no use of a vehicle with a ~~load capacity in excess of one ton~~ a gross vehicle weight in excess of 14,000 pounds used in connection with the home occupation⁷. ~~including vehicles used for delivery or pick-up. Vehicles with the permitted load capacity generally include large pick-up trucks, and delivery trucks and vans such as those used by UPS, but would not include vehicles such as tractor trailers or dump trucks.~~⁸
- (iii) Use of Accessory Structures
- a. An accessory building containing up to 4000 ~~1,500~~ square feet may be utilized in the RB, AR and R-1 residential zoning districts, ~~detailed in Section 3.3,~~⁹ provided that ~~the building structure is built with suitable residential construction materials to resemble~~ has the appearance of a residential accessory structure.¹⁰
 - b. The accessory structure must be screened from view of the road and adjacent property by a densely planted evergreen hedge of shrubs or trees. In lieu of an evergreen hedge, a six foot stockade fence and deciduous ~~plant materials~~ ~~vegetation planted along the outside of the fence~~ may be used for screening purposes. ~~Screening will not be required when:~~
 - i. The accessory structure is located 40 feet or more from all property lines; or
 - ii. Existing vegetation provides suitable screening of the accessory structure from all adjacent properties.¹¹

As a result, revisions will allow for an increase in the number of daily trips resulting from the operation of the home occupation. Proposed standards are to regulate the number of daily trips generated from employees and visitors associated with the home occupation and not the number of daily trips generated from the residential use of the property. Please note that a "trip count" is one direction only (a round trip, in and out, is counted as two trips in traffic engineering calculations). ~~Additional revisions shall allow for an increase in deliveries while limiting the type of vehicle to a size normally used for household deliveries.~~

⁷ Weight standards have been modified replacing load capacity with the more common and familiar vehicle gross weight standard. The proposed weight of 14,000 pounds will allow for the use of standard and larger sized pick-up trucks in connection with all home occupations.

⁸ Staff recommends the existing language to be revised in order to avoid a potential inconsistency with standards contained within item a.

⁹ Revised standards are proposed to allow the use of accessory structures up to 1,500 feet in all residential districts contained within Section 3.3, Residential Districts, instead of limiting this use to only the RB, AR, and R-1 districts.

¹⁰ Revisions will clarify concerns raised at the Quarterly Public Hearing regarding existing language addressing the appearance of accessory structures. Standards require accessory structures to be constructed with suitable residential construction materials in order to avoid commercially designed structures to be located in a residential zoning district. Existing and proposed standards do not require accessory structures to take on the exact appearance of the residential structure.

¹¹ Existing standards regarding screening of accessory structures have been revised to address comments received at the Quarterly Public Hearing. Proposed revisions will allow accessory structures located at least 40 feet from all property lines or sites providing screening with the use of existing vegetation to be exempt from screening requirements.

- c. New structures built for the purpose of conducting a home occupation shall not exceed ~~4000~~ 1,500 square feet in area.
- d. An existing accessory structure which is larger than ~~4000~~ 1,500 square feet may be used for the home occupation provided that no more than ~~4000~~ 1,500 square feet is used for the home occupation and the area is physically separated by walls or other barriers. In order to qualify as an existing accessory structure for the purpose of conducting a home occupation, the structure must have been constructed to meet building code requirements applicable to a residential accessory structure, and must have been in existence for at least 36 months.

(iv) Use of Outdoor Storage

- a. Up to 500 square feet of outdoor storage area ~~may be used~~ shall be permitted only in the RB, AR and R-1 zoning districts provided that it:
 - i. Is clearly defined on the site plan and on the ground.
 - ii. Is located at least 40 feet from any lot line or road right-of-way; and
 - iii. Is totally screened from the view from the road and from adjacent property in the same manner as is required for accessory buildings.

(c) Major Home Occupations

(i) General Operations

The following requirements apply to major home occupations:

- a. Major home occupations shall be permitted only in the AR and R-1 zoning districts.
- b. All major home occupations shall be located on parcels at least five acres in size.
- c. The owner or operator of the home occupation must live in a residence located on the same zoning lot as the home occupation. Up to six permanent and/or temporary nonresident employees may be permitted onsite at any one time with the exact number established in the Special Use Permit.
- d. The total amount of square footage permitted for a residential dwelling unit used in conjunction with a major home occupation, which exceeds standards referenced in Section 5.5.3.A.2(b)(i)b, shall be determined with the approved Special Use Permit, but in no case shall the total exceed 50% of the floor area of the dwelling unit.
- e. Up to eight students, customers, and/or clients shall be permitted onsite at any one time, not to exceed a total of fifteen students, customers, and/or clients per day.

(ii) Limitations on Traffic Generation

- a. Traffic generated by employees, students, customers, and/or clients shall not exceed more than fifty trips per

day. All deliveries must be made by vehicles of a size normally used for household deliveries.

- b. All major home occupations shall conform to the standards of Section 5.5.3(A)(2)(b)(ii)c.
- c. Parking generated by the home occupation shall be met off the street and set back at least 40 feet from all property lines.
- d. Major home occupations located on public roadways may be required to submit a driveway permit prior to approval.
- e. Major home occupations located on shared private roadways shall be required to submit a private road maintenance agreement prior to approval.

(iii) Use of Accessory Structures

- a. An accessory building containing up to 2,500 square feet may be utilized, with the approval of a major home occupation, on tracts totaling five to ten acres in size. An Accessory building containing up to 3,000 square feet may be utilized, with the approval of a major home occupation, on tracts greater than ten acres in size.
- b. All accessory structures shall be built with suitable residential construction materials to resemble the appearance of a residential accessory structure.
- c. Setback standards for all accessory structures shall be determined with the approved Special Use Permit and in no case be less than 40 feet from all property lines.¹²
- d. The accessory structure must be screened from view of the road and adjacent property by a densely planted evergreen hedge of shrubs or trees. In lieu of an evergreen hedge, a six foot stockade fence and deciduous vegetation planted on the outside of the fence may be used for screening purposes. Screening will not be required when:
 - i. The accessory structure is located 80 feet or more from all property lines; or
 - ii. Existing vegetation provides suitable screening of the accessory structure from all adjacent properties.
- e. New accessory structures built for the purpose of conducting a home occupation shall not exceed square footage allowances referenced in Section 5.5.3.A(2)(e)(iii)a.
- f. An existing accessory structure which is larger than the permitted size referenced in Section 5.5.3.A(2)(e)(iii)a may be used for the home occupation provided that no more than the permitted amount of square feet is used

¹² Proposed setback standards for accessory structures have been revised to address comments received at the Quarterly Public Hearing. Proposed revisions will allow setbacks to be determined on a case-by-case basis through the Special Use Permit process, but will still require a minimum setback of 40 feet from all property lines.

for the home occupation and the area is physically separated by walls or other barriers. In order to qualify as an existing accessory structure for the purpose of conducting a home occupation, the structure must have been constructed to meet building code requirements applicable to a residential accessory structure, and must have been in existence for at least 36 months.

(iv) Use of Outdoor Storage Space

a. Up to 500 square feet of outdoor storage area may be used in conjunction with major home occupations provided that it is:

- i. Clearly defined on the site plan and on the ground.
- ii. Setback standards for outdoor storage space shall be determined with the approved Special Use Permit and in no case be less than 40 feet from all property lines; and ¹³
- iii. Totally screened from the view from the road and from adjacent property in the same manner required for accessory buildings.

~~5.5.4 Mobile Home Parks~~

~~(A) Standards for MHP-CZ~~

~~(1) Permitted Uses and Structures~~

~~In addition to Mobile Homes, as defined by this Ordinance, the following accessory structures and uses shall be permitted:~~

- ~~(a) Caretaker's or manager's home or office.~~
- ~~(b) Service buildings and areas necessary to provide washing and drying machines for domestic laundry, sanitation, rest rooms, storage, vending machines, and other similar services provided by the facility for the use and convenience of the mobile home park tenants.~~
- ~~(c) Recreation buildings/facilities and areas serving only the mobile home park in which they are located.~~
- ~~(d) Customary accessory buildings and facilities necessary for operation of the mobile home park in which they are located.~~
- ~~(e) Storage buildings for individual mobile home spaces and intended for the exclusive use of the occupants of the mobile home space.~~
- ~~(f) Fenced, communal storage areas provided by the park operator for boats, campers, and other accessory vehicles belonging to park residents.~~
- ~~(g) Sales of mobile homes already located on approved and established mobile home stand spaces.~~

~~(2) Mobile Home Stand Space Requirements~~

¹³ Proposed setback standards for outdoor storage space have been revised to address comments received at the Quarterly Public Hearing. Proposed standards will allow setbacks to be determined on a case-by-case basis through the Special Use Permit process, but will still require the minimum setback standard of 40 feet currently contained in Section 5.5.3(A)(2)(f)(i)b of the UDO.

High-Density Option

One of two approaches available for development in some watershed overlay districts. Generally, the high-density option relies on density limits and engineered stormwater controls to minimize the risk of water pollution.

Highest Adjacent Grade (HAG)

The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

Historic structure

Any structure that is:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a local inventory of historic landmarks in communities with a "Certified Local Government (CLG) Program," which has been approved by the Department of the Interior; or
- d) Certified as contributing to the historical significance of a historic district designated by a community with a "Certified Local Government (CLG) Program". (CLG Programs are approved by the US Department of the Interior in cooperation with the North Carolina Department of Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966, as amended).

Holiday Decoration

Holiday displays, decorations and greetings, which relate to any federally designated holiday, legal holiday or religious holiday.

Home Occupation, Major

An accessory business use which is owned and operated by the resident of the property, located on a single parcel of land at least five acres in size in the AR and R-1 zoning districts, and is clearly incidental and subordinate to the principal residential use of the property. Major home occupations, which do not meet the standards of a minor home occupation, shall accommodate for larger scale accessory business uses by allowing for an increase in square footage, number of onsite employees, students, customers, clients, and annual events with an approved Class B Special Use Permit.

Home Occupation, Minor

An accessory business use which is owned or operated by the resident of a residentially-zoned property which business and is clearly incidental and subordinate to the principal residential use of the property.

Hotel, Motel, Motor Lodge, Motor Inn, Inn, Tourist Court

A building or group of attached or detached buildings containing, in combination, ten or more lodging units, or ten or more dwelling units intended primarily for rental or lease to transients by the day or week, as distinguished from multi-family dwellings, rooming houses and residential hotels in which rentals and leases are for weekly or longer periods and occupants are generally residents rather than transients.

Hotel, Residential

A building or group of attached or detached buildings containing, in combination, ten or more lodging units available for occupancy only for periods of thirty days or longer, provided, however, that temporary lodging units for guests of regular tenants may be provided in any residential hotel, with number of such units limited to 10% of the number of tenant lodging units.

Immediate Neighborhood

A subdivision or area of the county which distinguishes it from other subdivisions or areas by virtue of its location within the service area of a park site or sites as shown on the adopted "Recreation Service Area Boundaries Map" on file in the Planning Department.

Revised Standards			
	Existing Language	Proposed Language	
		Minor Home Occupations	Major Home Occupations
Application Requirements Section 2.22.1	An application shall include a plot plan that adheres to the requirements of Sections 2.4.3 and 5.5.3.	An application for a minor home occupation shall include a plot plan that adheres to the requirements of Sections 2.4.3 and 5.5.3.	An application for a major home occupation shall require a Class B Special Use Permit and adhere to the requirements of Sections 2.5.3, 2.7, and 5.5.3.
Special Events Section 5.4.3	All proposed Special Events must follow the Class B Special Use Permit process.	All special events planned, conducted, and affiliated with a nonprofit or government organization including county wide tours such as the annual Orange County Open Studio Tour shall be exempt from the special event review and permitting process.	
Standards of Evaluation Section 5.5.3(A)(2)	Uses Not Permitted - The following activities are explicitly prohibited as home occupations: Automotive repair, automotive service, automotive detailing, body shop, hauling, and building, electrical, plumbing, mechanical, grading or other construction contracting	Uses Not Permitted – Except for the office component of the business operation, the following activities are explicitly prohibited as home occupations: Automotive repair, automotive service, automotive detailing, body shop, and hauling	
	The on-premises sale and/or delivery of goods which are not produced on the premises are prohibited, except in the case of the delivery and sale of goods incidental to the provision of a service.	The on-premises sale and/or delivery of goods which are not produced or modified in a manner that adds value to the product on the premises is prohibited, except in the case of the delivery and sale of goods incidental to the provision of a service. No goods, products, or commodities purchased and secured for the main purpose of onsite resale shall be permitted.	
		Home based business operations that conduct only retail internet sales and do not include nonresident employees located onsite, signage, or onsite students, customers, and/or clients do not require a home occupation permit.	
		All events conducted in connection with the home occupation and exceed the number of permitted daily students, customers, and/or clients contained within Sections 5.5.3(A)(2)(b)(i)d and 5.5.3(A)(2)(c)(i)g must adhere to Section 5.4.3, Special Events. No equipment or process shall be employed that will cause noise, vibration, glare, odor or electrical interference detectable to the normal senses at the lot lines in the case of detached dwelling units or outside the dwelling unit, in the case of attached dwelling units.	
General Operations Sections 5.5.3(A)(2)(b)(i) and 5.5.3(A)(2)(c)(i)	The owner or operator of the home occupation must live in a residence located on the same zoning lot as the home occupation. No more than two individuals not living in the residence may work in the home occupation.	The owner or operator of the home occupation must live in a residence located on the same zoning lot as the home occupation. Minor home occupations shall not exceed three nonresident employees onsite at any one time.	The owner or operator of the home occupation must live in a residence located on the same zoning lot as the home occupation. Up to six permanent and/or temporary nonresident employees may be permitted onsite at any one time with the exact number established in the Special Use Permit.
General Operations Sections 5.5.3(A)(2)(b)(i) and 5.5.3(A)(2)(c)(i)	In all residential districts except RB, AR and R-1, no more than 35% of the floor area of the dwelling unit or 500 square feet, whichever is less, may be used for the home occupation.	In all residential districts no more than 35% of the floor area of the dwelling unit or 750 square feet, whichever is less, may be used for the home occupation.	The total amount of square footage permitted for a residential dwelling unit used in conjunction with a major home occupation, which exceeds standards referenced in Section 5.5.3.A.2(b)(i)b, shall be determined with the approved Special Use Permit, but in no case shall the total exceed 50% of the floor area of the dwelling unit.
		Up to three students, customers, and/or clients shall be permitted onsite at any one time, not to exceed a total of six students, customers, and/or clients per day.	Major home occupations shall only be permitted in the AR and R-1 zoning districts.
			All major home occupations shall be located on parcels at least five acres in size. Up to eight students, customers, and/or clients shall be permitted onsite at any one time, not to exceed a total of fifteen students, customers, and/or clients per day.

Existing language to be revised within the referenced section of the UDO

Existing language to remain within the referenced section of the UDO

Proposed language to be added within the referenced section of the UDO

Revised Standards			
	Existing Language	Proposed Language	
		Minor Home Occupations	Major Home Occupations
Limitations on Traffic Generation Sections 5.5.3(A)(2)(b)(ii) and 5.5.3(A)(2)(c)(ii)	Traffic generated by visitors, customers, or deliveries shall not exceed more than two business trips per hour, more than eight trips per day, or more than two deliveries of products or materials per week.	Traffic generated by employees, students, customers, and/or clients shall not exceed more than twenty trips per day. All deliveries must be made by vehicles of a size normally used for household deliveries.	Traffic generated by employees, students, customers, and/or clients shall not exceed more than fifty trips per day All deliveries must be made by vehicles of a size normally used for household deliveries.
	There shall be no use of a vehicle with a load capacity in excess of one ton in connection with the home occupation, including vehicles used for delivery or pick-up. Vehicles with the permitted load capacity generally include large pick-up trucks, and delivery trucks and vans such as those used by UPS, but would not include vehicles such as tractor trailers or dump trucks.	There shall be no use of a vehicle with a gross vehicle weight in excess of 14,000 pounds used in connection with the home occupation.	
	Parking generated by the home occupation shall be met off the street and other than in a required yard area.	Parking generated by the home occupation shall be met off the street and not in a required yard area.	Parking generated by the home occupation shall be met off the street and setback at least 40 feet from all property lines.
			Major home occupations located on public roadways may be required to submit a driveway permit prior to approval. Major home occupations located on shared private roadways shall be required to submit a private road maintenance agreement prior to approval.
Use of Accessory Structures Sections 5.5.3(A)(2)(b)(iii) and 5.5.3(A)(2)(c)(iii)	An accessory building containing up to 1000 square feet may be utilized in the RB, AR and R-1 zoning districts, provided that building has the appearance of a residential accessory structure.	An accessory building containing up to 1,500 square feet may be utilized in the residential zoning districts, detailed in Section 3.3, provided that the structure is built with suitable residential construction materials to resemble the appearance of a residential accessory structure.	An accessory building containing up to 2,500 square feet may be utilized with the approval of a major home occupation on tracts totaling five to ten acres in size.
			An accessory building containing up to 3,000 square feet may be utilized with the approval of a major home occupation on tracts totaling eleven acres or more in size.
			All accessory structures must be built with suitable residential construction materials to resemble the appearance of a residential accessory structure.
			Setback standards for all accessory structures shall be determined with the approved Special Use Permit and in no case be less than 40 feet from all property lines.
	The accessory structure must be screened from view of the road and adjacent property by a densely planted evergreen hedge of shrubs or trees. In lieu of an evergreen hedge, a six foot stockade fence and deciduous plant materials may be used for screening purposes.	The accessory structure must be screened from view of the road and adjacent property by a densely planted evergreen hedge of shrubs or trees. In lieu of an evergreen hedge, a six foot stockade fence and deciduous plant materials vegetation planted along the outside of the fence may be used for screening purposes. Screening will not be required when: - The accessory structure is located 40 feet or more from all property lines; or - Existing vegetation provides suitable screening of the accessory structure from all adjacent properties.	The accessory structure must be screened from view of the road and adjacent property by a densely planted evergreen hedge of shrubs or trees. In lieu of an evergreen hedge, a six foot stockade fence and deciduous vegetation planted on the outside of the fence may be used for screening purposes. Screening will not be required when: - The accessory structure is located 80 feet or more from all property lines; or - Existing vegetation provides suitable screening of the accessory structure from all adjacent properties.

Existing language to be revised within the referenced section of the UDO

Existing language to remain within the referenced section of the UDO

Proposed language to be added within the referenced section of the UDO

Revised Standards			
	Existing Language	Proposed Language	
		Minor Home Occupations	Major Home Occupations
Use of Outdoor Storage Space Sections 5.5.3(A)(2)(b)(iv) and 5.5.3(A)(2)(c)(iv)	Use of Outdoor Storage - Up to 500 square feet of outdoor storage area may be used in the RB, AR and R-1 zoning districts provided that it: - Is clearly defined on the site plan and on the ground. - Is located at least 40 feet from any lot line or road right-of-way; and - Is totally screened from the view from the road and from adjacent property in the same manner as is required for accessory buildings.	Use of Outdoor Storage - Up to 500 square feet of outdoor storage area may be used shall be permitted only in the RB, AR and R-1 zoning districts provided that it: - Is clearly defined on the site plan and on the ground. - Is located at least 40 feet from any lot line or road right-of-way; and - Is totally screened from the view from the road and from adjacent property in the same manner as is required for accessory buildings.	Use of Outdoor Storage Space - Up to 500 square feet of outdoor storage area may be used in conjunction with major home occupations provided that it is: - Clearly defined on the site plan and on the ground. - Setback standards for outdoor storage space shall be determined with the approved Special Use Permit and in no case shall be less than 40 feet from all property lines; and - Totally screened from the view from the road and from adjacent property in the same manner required for accessory buildings.
Definitions Article 10	An accessory business use, which is owned or operated by the resident of residentially-zoned property, which business is clearly incidental and subordinate to the principal residential use of the property.	An accessory business use which is owned or operated by the resident of a residentially-zoned property and is clearly incidental and subordinate to the principal residential use of the property.	An accessory business use which is owned and operated by the resident of the property, located on a single parcel of land at least five acres in size in the AR and R-1 zoning districts, and is clearly incidental and subordinate to the principal residential use of the property. Major home occupations, which do not meet the standards of a minor home occupation, shall accommodate for larger scale accessory business uses by allowing for an increase in square footage, number of onsite employees, students, customers, clients, and annual events with an approved Class B Special Use Permit.

Existing language to be revised within the referenced section of the UDO

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EXPANDED HOME BASED BUSINESS OPPORTUNITIES

throughout Orange County

