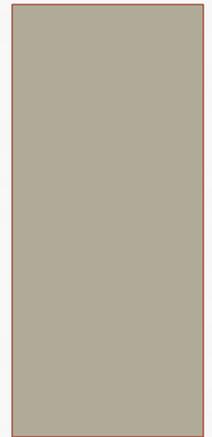


COTTAGE INDUSTRY

CODE TEXT AMENDMENT



CODE AMENDMENT

- Allowed as a Conditional Use Permit in all residential zones
- Rarely has been applied for in the past 10 years
- Allows commercial uses in residential zones
 - Clientele visiting the business
 - Increased traffic
 - Commercial signage
 - Architectural standards of accessory structure housing businesses

CODE AMENDMENT

- Even though there are strict regulations there may be unintended consequences for the surrounding properties
 - The City Council shall determine if the number, height and floor area of any accessory building devoted to the cottage industry is in harmony with the size of the property and the density of the surrounding area.
 - The physical appearance, size and number of accessory building(s), and other activities in connection with the cottage industry, shall not be contrary to the objectives and characteristics of the zone in which the cottage industry is located.
 - H. The cottage industry shall not have more than three customer/client vehicles parked at the residence at any time, provided all vehicles can be legally parked in normal parking places on the lot of the cottage industry.

CURRENT LANGUAGE

- Cottage Industry. A business in a residential area conducted primarily by the residents of the property where customers or clients come to the home and/or where items are manufactured within an attached or detached garage or other outbuilding. Neither manufacturing nor storage of items related to the business are allowed outside of a building(s), which building(s) is/are approved by the City Council as a part of the conditional use approval.

COTTAGE INDUSTRY VS HOME OCCUPATION

- Home Occupations occur completely within the home, are clearly incidental to the residential use of the dwelling and allow no customers or other business to be conducted at the home
- Cottage industries may occur in an accessory building, allow customers and employees outside the residents of the home, and may require additional parking

PROPOSED LANGUAGE

- Remove cottage industry from the code
 - Home occupations will still be an option and have less of an impact on residential zones

POSSIBLE FINDINGS

- The Home Occupations classification allows an avenue for residents to work from home while ensuring consistency with residential character of neighborhoods by requiring use to be secondary and subservient to residential use, that structures look residential, that work be restricted to residents, and no customer traffic. Cottage Industries, which do not share these restrictions, do not ensure consistency with residential zoning and use. Accessory buildings need not necessarily appear residential, customer and delivery traffic are permitted, and it is ambiguous where the line on manufacturing or light manufacturing falls.
- The Cottage Industries provision, in its current form, does not appear to set easily definable limits upon the scope of permissible work and manufacturing. The code limits the number of employees to the residents in the home and two others. There do not appear to be any limits on the type of manufacturing allowed.
- As more building occurs in Midway and density increases, deviations from residential use in residential zones logically may become more pronounced and bothersome to residents in these zones.
- The Cottage Industries provision in its current form is rarely used (approximately one application in the last decade). Most work in residential areas falls under home occupations, which share the advantages of cottage industries, but not the disadvantages, as set forth above.