



Memo

To: Honorable Mayor Armitage; City Council
From: Bryan Myrkle, Community Development Director
Date: August 11, 2022
Re: Staff report on Home Occupations Ordinance public hearing and recommendation from Planning Commission

Background

The Charlotte City Council recently approved the first reading of a proposed change to the Charlotte Zoning Ordinance that modifies the way home occupations are regulated in the city.

The Planning Commission held the necessary public hearing on the issue on Tuesday, August 9, but there was no public input offered. **The Planning Commission subsequently voted to recommend adoption of the ordinance by the City Council with one proposed alteration – eliminating the 50% limit on use of a detached garage in support of the home occupation.**

Previously provided background

The City of Charlotte formed an Ad Hoc Committee on Code Enforcement in 2021. As part of the work of that committee, it recommended the City of Charlotte Planning Commission and City Council work to update several sections of the Charlotte City Code. This included local regulations related to allowed home occupations in residential districts.

The committee, and subsequently the Planning Commission, determined that Charlotte's existing regulations were too proscriptive and limiting, and not reflective of the diversity of economic opportunity presented to individuals by the modern, 21st Century economy. In simplest terms, the current standards have a short and outdated list of allowed home occupations, and a short list of prohibited occupations. Anything else is presumed to be prohibited unless special permission is granted by the Charlotte Planning Commission in the form of a Conditional Use approval.

After reviewing a range of ordinances adopted by other communities, the Planning Commission determined that a better approach is one relying on a set of home occupations standards that protect neighbors and neighborhoods from the potentially negative effects and nuisances resulting from nearby home occupations. This approach presumes that all legal economic activity that can be conducted from an individual residence is permitted, as long as it does not create off-site problems such as increased traffic and parking, noise, dust, smoke, vibration or unsightliness.

Recommendation

Approve second reading and adoption of the proposed changes to Charlotte's Zoning Ordinance regulating Home Occupations.

Financial Impacts

There would be no direct financial impact to the City of Charlotte, however it could make Charlotte a more viable place for residents to improve their personal financial situation.

Suggested Motion

I move to approve the second reading and adoption of City of Charlotte Ordinance No. 2022-02 with the elimination of the phrase "or 50% of a detached garage."