

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Ann Arbor Ordinance Revisions Meeting of April 27, 2021

SUBJECT: Amendments to Chapter 55 (Unified Development Code) to Amend Home Occupation Regulations.

On April 20, 2021, the Planning Commission voted to reconsider previous action taken by the Commission on Home Occupation requirements. The previously recommended ordinance revisions made the following changes:

- Specifically exempt some activities from the requirements, including: artisans, and home offices with no visitors.
- Maintain some current regulations in their existing form, including: Limiting such use to a maximum of 25% of the dwelling unit floor area; A maximum of one non-resident employee; Prohibition of outdoor activity and storage; and, Prohibition of noise, dust, odor, etc.
- Provide more specificity in the uses that are permitted and/or prohibited as Home Occupations. This change results ultimately in less flexibility as permitted Home Occupations are itemized, but provides more clarity of expectation and compliance than the current language below:

“ The following are typical examples of that which often can be conducted within the limits of these restrictions and qualify as Home Occupations. Uses that may qualify as Home Occupations are not limited to those named in this paragraph (nor does the listing of such a use automatically qualify it as a Home Occupation);. . .”

- Expand and change the regulation of trips generated by the Home Occupation. Currently the regulations prohibit *“more than 10 Business related vehicle trips”* in any one day for the Home Occupation. This limit is vague in that it does not differentiate between deliveries, clients, or other trips generated by the Home Occupation. Likewise, the regulation limits no more than 5 distinct trips to a Home Occupation (e.g. presuming two trips per visit for an appointment, or music lesson, or other instruction session.) This is restrictive for many qualifying Home Occupation types.
- Provide additional opportunity for a Home Occupation to occur in an Accessory Building, while still be subject to the performance standards of the section. This would provide an opportunity for perhaps greater than 25% of the floor area of the dwelling, but still regulated in visits, employees, and overall square foot limitations.
- Adding hours of business activity limitations to any Home Occupation use.

In addition to action to reconsider the Planning Commission’s approval, action on the amendments has been postponed to the May 18, 2021 meeting of the Planning Commission. In preparation of this meeting, staff is providing the Ordinance Revisions Committee with several attachments for consideration and recommendation to the full Commission.

Attachments:

- Ordinance as previously recommended
- Alternative A – Minor modifications

- Alternative B – Eliminate uses

c: Derek Delacourt, Community Services Area Administrator
Kevin McDonald, Chief Deputy City Attorney