



Home Occupations

Zoning Ordinance Information Series

Lake Havasu City
Community Development Department
2330 McCulloch Blvd N
Lake Havasu City, AZ 86403

Secondary to Principal Use

- The conduct of any business within the home shall be clearly incidental and secondary to the principal use of the residence.

Area of Home Occupation

- The business or occupation shall be carried on wholly within the principal building and garage and shall not occupy more than twenty-five percent (25%) of the total floor area.

Employees

- Except as provided herein, no employees or assistants shall be engaged for service on the premises other than immediate family members, except as may otherwise be authorized by this title.
- Group care homes may have one non-resident employee per shift or a number of employees mandated by county, state, or federal law, in addition to the resident care giver provided the group care home complies with the following criteria:
 - The group care home has a current license as may be required by the county, state, or federal government.
 - The residence conforms to all applicable zoning, building code, and fire code requirements as determined in conjunction with the business license and home occupation compliance review procedure.
 - The care provider must be a resident of the facility.
 - The maximum number of unrelated residents in any group care home is limited to five persons per dwelling unit consistent with the current definition of "family".

Sale of goods – Provision of services from premises

- No commodities shall be displayed for sale or rent to the public on the premises with the exception of garage sales as provided in section 14.78.120.
- Customer or client contact at the business premises shall be limited to not more than one (1) business caller or visitor at a time and not more than one visitor per hour. All customer or client contact shall be restricted to the hours of 7:00 AM to 7:00 PM.
- Commercial deliveries or outside services are limited to those normal and incidental to the residential uses in this district.
- No home occupation that serves as a headquarters or dispatch center, where employees come to the site to be dispatched to other locations, shall be permitted.
- On street parking connected with the home occupation shall not be permitted.

Prohibited Home Occupations

- The following shall be prohibited home occupations:
 - Ambulance services.
 - Large appliance repair.
 - Auto or TV repair, parts sales, upholstery, detailing, washing.
 - Repair or service at the business license address of mobile repair operators.
 - Beauty salons or Barber shops.
 - Cabinet shop.
 - Taxi service with more than one vehicle.
 - Medical or dental office.
 - Restaurant.
 - Veterinary uses.
 - Pet Grooming.
 - Commercial insecticide, fungicide, herbicide, or rodenticide operators.

Other Uses Not Expressly Allowed or Prohibited

- All uses not prohibited shall require a determination of zoning compliance by the zoning administrator as follows:
 - The applicant for shall provide a description of the home occupation in sufficient detail to evaluate compliance with this chapter. This information would normally be provided in the application for a business license and/or supplemental applications for home occupation.
 - The zoning administrator shall decide whether the home occupation complies with the provisions of this chapter.

- The decision of the zoning administrator in the determination of zoning compliance may be appealed to the Board of Adjustment.

Advertising

- No advertising shall be placed in any media containing the address of the property.
- No external business signs shall be permitted unless authorized by the sign regulations for residential areas. Window areas shall not intentionally or purposely be used to display or offer merchandise for sale to the exterior of the residence or permitted accessory structure.

Outdoor Storage

- No exterior storage of business equipment (except vehicles permitted in this title), materials merchandise, inventory or heavy equipment shall be permitted in connection with the home occupation. Such storage shall be kept in a location correctly zoned for such a use.

Hazardous Materials

- None of the following materials shall be used or stored on the premises:
 - Class A, B, or C explosives, with the exception of hobby reloading as defined by the Uniform Fire Code.
 - Class A, B poisons, **NO EXCEPTIONS.**
 - Flammable combustible liquids over five gallons, unless in a licensed vehicle or watercraft.
 - Corrosive/oxidizing chemicals other than what are normally consumed on premises for normal use (drain cleaner, pool chemicals, etc.).
 - Hazardous materials as defined by the environmental protection agency.
 - Pesticides registered under the Federal Insecticide, fungicide, and Rodenticide Act, as amended by the Federal Environmental Pesticide Control Act of 1979, which are not used around the home for personal consumption.

Performance Standards

- No use will be permitted which by reason of color, design, materials, construction, lighting, signs, sounds, noises, smoke, dust, heat, glare, or vibrations alters the residential character of the premises, or which unreasonably disturbs the peace and quiet of the surrounding residents.
- The use shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the zone or district in which the use is located. The home occupation shall not displace or impede use of parking spaces required for the residential use, including business storage in the required covered parking areas.
- The use shall not be such as to create excessive demand for municipal or utility services or community facilities beyond those actually and customarily provided for residential uses.
- No mechanical or electrical equipment or stock material shall be used other than that customarily found in the home, providing that such machinery, equipment or stock material does not generate, emit, or create excessive hazards or nuisances to any greater or more frequent extent than normally experienced in an average residential area.

Garage Sales

- Sale must last no longer than three days.
- Sales are held no longer than twice yearly.
- Sales are conducted on the owner's property. Multi-family sales are permitted if they are held on the property of one of the participants.
- No goods purchased for resale may be offered for sale.
- No consignment goods may be offered for sale.
- Directional signs may not be placed in the public right-of-way, must be freestanding, and must be removed immediately following the sale.
- Directional signs on private property must have owner's permission and may not be larger than 2 feet by 3 feet.

Enforcement

- Building and fire inspectors shall have the right of reasonable inspection as with any other business within the city.
- Non-conforming uses, legal under current code, shall remain legal non-conforming until such a time as:
 - The operator ceases to do business for 60 days or more.
 - Operator fails to maintain business license for 30 days or more.
 - The business is moved to a new location.
- If lost, legal non-conforming status cannot be regained and the use shall be subject to reasonable regulations of the code, and as of July 1, 1997, and thereafter, shall comply with Sections 14.78.070 and 14.78.110.
- Home occupation transaction privilege permits once granted can be cancelled pursuant to Section 3.04.087 of the city code.