

§ 6.1 RESIDENTIAL USES.

<i>Use Types</i>	<i>Not e</i>	<i>R-A</i>	<i>R-20</i>	<i>R-12</i>	<i>R-10</i>	<i>R-8 SF</i>	<i>R-8MF</i>	<i>R D</i>	<i>MHM U</i>	<i>O & I</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>L-1</i>	<i>H-1</i>
Accessory dwelling unit	38	X	X	X	X	X		X							
Accessory use or building (non-commercial)		X	X	X	X	X	X	X	X	X					
Bed and breakfast	1									X					
Dwelling, apartment	5						X		S	X	X				
Dwelling, condominium	5						X	X	S	X	X				
Dwelling, duplex	40						X	X							
Dwelling, mixed-use								X	X	X	X				
Dwelling, multi-family	5						X		S	X	X				
Dwelling, single-family detached		X	X	X	X	X	X	X							
Dwelling, townhome	5, 39						X	X	S	X	X				
Family care home (6 or less)	2	X	X	X	X	X	X	X	X	X					
Family day-care home (5 or less)	2	S	S	S	S	S	S	S	S	X					
Home occupation	3	S X	S X	S X	S X	S X	S X	S X	S X	X					

CHAPTER 7: SPECIAL REQUIREMENT NOTES TO THE TABLE OF PERMITTED AND SPECIAL USES

Section

7.1 Notes to table

Editor's note:

The following sections provide the special requirement notes for the use indicated in the Table of Permitted and Special Uses. The development of the use must be in accordance with the notes.

§ 7.1 NOTES TO TABLE.

Note 3, Home Occupation.

- (1) General. A Home Occupation is an accessory use that allows the operation of selected businesses within a residence, which requires the issuance of a Home Occupations Permit. Home Occupations are permitted in residential zoning districts after applications are processed, deemed complete, and are approved by staff, after all inspections are completed. The application process will be administered by the Mount Holly Planning Department-which requires the applicant to submit a home occupation permit for consideration to staff, with the fee of payment of \$50.00. Along with the application, and the fee, a simple site plan would also be required. The site plan would highlight all plan elements, including parking that are associated with the proposed home occupation. Once the application is deemed complete & the fee received, staff will review the application packet. When the application packet meets the standards that the City has outlined below in Section 2 of this note, then the permit will be issued. Staff may conduct inspections to verify the veracity of the information presented on the application.
- (2) Requirements. Home Occupations must meet the standards listed below before a permit is issued, and follow these requirements during the entirety of the operation of the home-based business. Again, staff may do in-person inspections during the application process to determine whether all requirements are met. Once all standards met, and the fee is paid the permit shall be issued.
- (A) No person other than members of the immediate family occupying such dwelling shall be employed, and no one who does not reside in the home full time should be employed by the home occupation, or report to the home occupation for work.
- (B) No stock in trade (except articles produced by the members of the immediate family residing on the premises) shall be displayed or sold upon the premises.
- (C) No alteration of the principal building shall be made which changes the character thereof as a dwelling.
- (D) No more than 25% of the area of the dwelling shall be devoted to any home occupation.
- (E) The home occupations shall be conducted entirely within the principal building that is used as the residential dwelling. Home occupation shall not be operated out of an accessory building, ADU, or commercial vehicle. Commercial vehicles cannot be associated with the home occupation or stored on the property.
- (F) No chemical, mechanical or electrical equipment that creates odors, light emissions, noises or interference in radio or television reception detectable outside the dwelling shall be permitted.

(G) Only vehicles used primarily as passenger vehicles (e.g., automobiles, vans, pick-up trucks) shall be permitted in connection with the conduct of the home occupation.

(H) Only one visitor or patron shall be permitted at one time with no on-street parking. All parking should be provided entirely by the lot of the principle building that is used as the residential dwelling. Home occupations cannot use neighbor or public parking for their business.

(I) No outdoor storage shall be permitted.

(J) No home occupation shall be operated in such a manner as to cause a visual, audible, sensory or physical nuisance.

(3) Violations and Revocation of permit. A violation of the approved home occupation permit could occur by not following all requirements found in Section 2 of this note. If a violation is reported or suspected, it will be investigated, if the violation is confirmed, then a violation letter will be sent through regular mail, and/or posted on the property to the registered owner(s) that is listed on the Gaston County GIS website. If three violations are substantiated by the staff against a permit holder, then, the permit will be revoked and the business will have to cease operations. If the home occupation does not cease operation as ordered to, then the City of Mount Holly may issue fines up to \$50 per day until the home occupation ceases. Staff also has the right to revoke an issued home occupation permit, if the structure or property associated with the home occupation is determined to be a public nuisance, as outlined in the City's Code of Laws. In both cases, City staff will send a letter to the owner(s) of record if a permit has been revoked. Once a permit has been revoked, regardless of the reason, no new home occupation shall be established until such time as the property is sold to a new owner. As a note, a change in ownership, type of business, etc. would require the new property owner or/and business to reach out to staff, and a new permit application would need to be applied for, paid for, reviewed, and issued by City staff.