

## **AMENDMENT – HOME OCCUPATION**

**Purpose:** Provide a mechanism in code for review of home occupation applications that do not meet the special use standards. This is similar to the conditional use permit procedure all home occupation applications currently use.

**Recommended Motion:** Move to recommend the borough assembly amend Section 2.3.120 to insert the following language:

### **3. [Home Occupation Three.**

- a. **Threshold.** An application for Home Occupation Three shall be required when an applicant cannot meet one or more of the standards for a Home Occupation Two permit.
- b. **Procedure Type.** Review of a Home Occupation Three application shall be conducted using a Type III procedure, pursuant to Section 4.1.020.
- c. **Approval Criteria.** In order to approve a Home Occupation Three application, the decision-making authority shall use criteria under Section 4.3.040 A and make findings of fact based on evidence provided by the applicant. The decision-making authority may impose conditions of approval under Section 4.3.040 B.
- d. **Submission Requirements.** An application for a Home Occupation Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the borough. The Home Occupation Three application shall be accompanied by the information required by the application form, and any other information identified through a Pre-Application Conference.
- e. **Conditions of Approval.** The decision-making authority may impose conditions on the approval of a Home Occupation Three application to ensure compliance with the approval criteria.
- f. **Expiration of a Decision.** Home Occupation Three approval expires five years from the date of approval. Additionally, approval expires if any one of the following are met:
  - i. the privilege is not used within one year of the decision approving the application;
  - ii. the applicant no longer resides at the approved location;
  - iii. any conditions of the home occupation approval are violated; or
  - iv. the application was approved based on false or incorrect information.

Once expired, a new application is required.]