

Type II Rural Home Business Occupations

All Home Occupations listed in Type I are permitted for Type II. Also permitted are service-oriented occupations or those that involve production of materials for sale(s) off premises such as:

- Assembly, maintenance, and repair of agricultural implements and equipment;
- Assembly of mechanical devices and components conducted entirely within an enclosed structure with no outdoor storage of parts or equipment;
- Automobile painting, upholstering, rebuilding, renovation, reconditioning, body and fender works, and overhaul work conducted entirely inside an enclosed structure without any outdoor storage of vehicles, parts, or equipment;
- Welding and machine shops, if totally enclosed in a building structure without any outdoor storage of vehicles, parts or equipment; and
- Contractor's equipment and material storage if totally enclosed in a building structure without any outdoor storage of vehicles, parts, or equipment.

What Businesses are not allowed as Type II?

The same businesses listed as Type I Rural Home Business Occupations are also prohibited for Type II.

What Are the Restrictions for Type II Businesses?

- A maximum of four (4) Nonresident Employees shall be allowed;
- The home business activity shall be conducted with the dwelling unit or within an accessory building that is no greater than 3,600 square feet in gross area. (An accessory structure in use by a Rural Home Business Occupation on August 16, 2000, is not subject to the maximum size limitation of 3,600 square foot.)
- If the use or use area existing on August 16, 2000 exceeded 3,600 square feet, it can not be enlarged or expanded under the Rural Home Occupation regulations;
- The majority of work related to agricultural implement, repair, or grading and earthwork activities must be conducted off premises;
- No equipment shall be used that creates noise, vibration, electrical interference, smoke or particulate matter emission from a dwelling or accessory structure that is perceptible beyond the property lines of the subject parcel;
- All equipment, materials and vehicles shall be stored indoors or otherwise completely screened from view of adjacent parcels and right-of-way;
- No inventory of products shall be displayed or sold on the premises other than what has been produced on the premises;

- A minimum site of five (5) acres is required for all Rural Home Business Occupations established after August 16, 2000;
- The site must have direct access to a section line road or highway established after August 16, 2000;
- A maximum of one sign shall be permitted with a Rural Home Business Occupation. Signs shall be restricted to a maximum of four (4) square feet in area, and shall not be illuminated. Signs shall be mounted flat against the main face of the dwelling or accessory building or at the driveway entrance to the premises where the Home Business Occupation is conducted. If placed at the driveway entrance, the sign shall not be located on the road right-of-way;
- Rural Home Occupation signs shall contain no commercial message other than the name of the business and its hours of operation.
- Outdoor storage building, and off-street parking spaces established after August 16, 2000, shall be located at least 50 feet from all property lines and public rights-of-way, or screened by landscaping or buildings so as not to be visible from off-site.

How Do I Register My Type II Business?

Rural Home Business Occupations must be registered with the County Zoning Administrator. A use permit will be issued for the Home Business Occupation upon verification that the applied for use is a permitted use.

The registration and approval process is an administrative procedure. To establish the Rural Home Business Occupation, a registration application available from the County Zoning and Codes Office must be filled out and submitted to the County Zoning Administrator. Upon submittal of a completed application, the Zoning and Codes Office needs to verify the requested use are permitted for the requested Home Business Occupation. The use permit is valid for twelve months.

The use permit issued is for the registered use and for the current owner of the real estate at the described location on the use permit. The use permit is non-transferable. If a business owner does not currently own the real estate on which the Rural Home Business Occupation is conducted, an affidavit of equitable interest or a copy of a lease evidencing a leasehold interest can be submitted as a substitute for fee simple ownership of the real estate.

This is an annual registration and permit process. After the initial registration and issuance of a use permit, the renewal of the registration and of the use permit may be either by mail or in person. The business owner consents to access the premises, at reasonable times, by appropriate officials of Douglas County for the purpose of evaluating. **It is the responsibility of the Rural Home Occupation business owner to annually renew the use permit.** Please see Type 1 for renewal/payment schedule.

Type I Rural Home Occupations

These various types of Home Offices are considered Type I, such as:

- Artists, authors or composers, dancers, music teachers, and other similar artists, including the instruction thereof; provided that instruction shall be limited to not more than six pupils at any one time;
- Home crafts, such as model making, rug weaving, lapidary work, cabinet making, appliance repairs, and other similar uses;
- Office facilities for ministers, rabbis, and priests;
- Office facilities for architects, engineers, lawyers, doctors, dentists, and members of similar professions;
- Office facilities for salespersons, sales representatives, and manufacturers representatives, when no retailing or wholesaling is made or transacted on the premises;
- Office facilities for service-type businesses such as insurance agents, brokers, decorators, painters, business consultants, tax advisors, and photographers;
- Personal services, such as dressmakers, seamstresses, tailors, barbershops, and beauty shops.

The following are prohibited uses such as:

- Auto and other vehicle repair;
- Funeral Homes;
- Medical or dental clinics or hospitals;
- Renting of trailers, cars, or other equipment;
- Restaurants;
- Tourist homes;
- Contractor's equipment and material storage;
- Any use first allowed, by right or by conditional use permit, in the Industrial Districts.

What Are the Requirements for Type I Businesses?

- A Rural Home Occupation shall not occupy more than 50% of the gross square footage of the principal dwelling unit;

- No equipment shall be used that creates noise, vibration, electrical interference, smoke or particulate matter emission that is perceptible beyond the property lines of the subject parcel;
- There shall be no visible evidence of the conduct of the business other than a permitted sign;
- A maximum of two (2) Nonresident Employees shall be allowed with a Rural Home Occupation;
- No inventory of products shall be displayed or sold on the premises other than what has been produced on the premises;
- The home occupation activity shall be conducted wholly within the dwelling unit;
- A maximum of one sign shall be permitted with a Rural Home Occupation. Signs shall be restricted to a maximum area of two (2) square feet, and shall not be illuminated. Signs shall be mounted flat against the main face of the dwelling or at the driveway entrance to the premises. If placed at the driveway entrance, the sign shall not be located on the road rights-of-way.
- Rural Home Occupation signs shall contain no commercial message other than the name of the business and its hours of operation.

How Do I Register My Type I Business?

Rural Home Occupations must be registered with the County Zoning Administrator. The application form is available from the County Zoning and Codes Office. Upon receipt by the Zoning and Codes Office of a completed application form, the listed use will be verified as permitted Rural Home Occupation use.

This is an annual registration and permit process. After initial registration and issuance of a use permit, the renewal of the registration and of the use permit may be either by mail or in person. **It is the responsibility of the Rural Home Occupation business owner to annually renew the use permit.** The Rural Home Occupation renewal/payment schedule is as follows.

Renewal/Payment Schedule

If your business is in the township of:

Lecompton, Kanwaka or Grant	Due on Feb. 10 th
Eudora, Wakarusa or Palmyra	Due on March 10 th
Clinton, Marion or Willow Springs	Due on April 10 th



Do I Have the Right to Appeal the Decisions Concerning My Home Occupation?

- The first level of appeal will be an informal hearing with a representative of the Douglas County Zoning Codes Office.
- The second level of appeal is with a member of the Douglas County Commission, designated as the Hearing Officer.
- Any person who is dissatisfied with the decision of the Douglas County Commissioner/Hearing Officer may appeal to the District Court.

*We are here to help.
Call with questions or to
request an application.
Phone –
785-331-1343
Email –
zoning@douglascountyks.org*

Home Occupations for Rural Douglas County, KS



Registering Your Rural Home Occupation

Douglas County Zoning & Codes Office
3755 E 25th Street
Lawrence, Kansas 66046
(785)-331-1343
<http://dgcoks.org/zoningregs>

Planning & Development Services
6th and Massachusetts Street
Lawrence, Kansas 66044
(785)-832-3150
<http://www.lawrenceks.org/pds/home>