

**PROPOSED LOCAL LAW C - 2021**

**A Local Law Amending Chapter 240 of the Village Code Entitled “Zoning” to Provide as Follows:**

**BE IT ENACTED**, by the Board of Trustees of the Inc. Village of Flower Hill as follows:

**Section 1. Amending section 240-1 entitled “Definitions; Home Professional Office”** to provide the definition of “Home Occupation” as follows:

***HOME OCCUPATION***

The office or studio of a practitioner *of a profession or business* that is located within the dwelling which *such person* both owns and resides in, provided that such use:

**A.**

Is clearly incidental to the resident's use of the premises and is conducted entirely within the dwelling in which the practitioner resides.

**B.**

Does not occupy more the lesser of 25% of the gross floor area of the dwelling or 800 square feet.

**C.**

Is not advertised by display of goods or advertising other than a sign as permitted by the Code of the Incorporated Village of Flower Hill.

**D.**

Does not result in an alteration or exterior feature which would change or modify the residential character or appearance thereof, *including the parking of a number of vehicles that is customarily observed in the surrounding neighborhood,*

*E. Does not involve the removal of any waste materials other than those permitted within a residential zone.*

*F. Does not involve the keeping of a stock-in-trade.*

*G. The conducting of a clinic, hospital, barbershop, beauty parlor, photography studio, tea room, tourist home, real estate office, animal hospital, dancing instruction, music instruction in groups, band instrument instruction in groups, sport or fitness training in groups, convalescent home, funeral home, stores of any kind, or any similar use, shall not be deemed to be a home occupation.*

*H. Does not involve the employ of more than one assistant.*

*I. Is not carried on in an accessory building.*

**Section 2.** Adding section 240-6(P) to provide:

A Home Occupation shall be a permitted use in all residential districts.

**Section 3.** Repealing section 240-7(A)(2).

**Section 4. Authority.**

The Board of Trustees of the Village of Flower Hill is authorized to adopt this local law pursuant to Village Law 7-708, as well as Municipal Home Rule Law 10(1)(i), 10(1)(ii)(a)(11), 10(1)(ii)(a)(12) and 10(2).

**Section 5. Severability.**

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

**Section 6. Effective Date.**

This local law shall take effect immediately upon filing with the Secretary of State.