

Home Occupation User Guide

As technological advances are made, more people are working from home. Some people also run small businesses from their homes. These are called home occupations, or home-based business, and are allowed with approval by the Town's Planning Department via a home occupation permit. While the Town fully supports these creative uses, the Town is also charged with ensuring that a home occupation does not conflict with the intent of the property or create a negative impact to the neighborhood. For these reasons, there are standards that must be met for a home occupation to be approved.

A home occupation is defined by the occupation or activity, which is clearly incidental and secondary to the use on the premises as a residential dwelling, does not change the character of the home, does not alter the exterior of the property or affect the residential character of the neighborhood, and meets all applicable requirements of the Ordinance.

Permitted Home Occupations

- ▶ Art / Services
- ▶ Barbershop / Beauty Salon
- ▶ Catering Service
- ▶ Childcare Not Requiring State Regulations
- ▶ Dog Grooming
- ▶ Gunsmith - The manufacturing of firearms is **only** permitted in the extraterritorial jurisdiction (ETJ).
- ▶ Home Crafts
- ▶ Office Use
- ▶ Teacher / Tutor

Table – Zoning Districts Permitting Home Occupation

Zoning Districts																		
	R C	R A	R L D	R M D	R H D	T C R	P U D	D C 1	D C 2	R M U	C M U	E M U	O & I	N C	C C	G C	R L I	H I
Home Occupation		P	P	P	P	P	P	P	P	P	P	P		P*	P*	P*		
	Residential Districts					Hybrid Districts	Form-Based Districts				Nonresidential Districts							

General Standards

Do I need a permit for my home occupation?

- ▶ Yes, a home occupation permit is required and there is a \$50 permit fee. This permit is not transferable and cannot be used at an address other than the one listed on the permit. The application for a home occupation permit can be found on the Planning Department's website, www.fuquay-varina.org/planning.

What is the maximum total area permitted for use for the home occupation?

- ▶ Town Limits. The maximum total area allowed for a home occupation within the Town limits is 250 SF.
- ▶ Extraterritorial Jurisdiction (ETJ). The maximum total area allowed for a home occupation within the ETJ is 750 SF.

Can I operate out of an accessory structure?

- ▶ Town Limits. No, the home occupation must operate entirely within the primary dwelling unit.
- ▶ Extraterritorial Jurisdiction (ETJ). Yes, the home occupation may operate out of an accessory building or structure.

Am I permitted to have a sign my home occupation?

- ▶ Town Limits. Onsite advertising is prohibited for home occupations within the Town limits.
- ▶ Extraterritorial Jurisdiction (ETJ). One (1) ground sign advertising the home occupation is permitted. The sign cannot be illuminated, must be made of wood, cannot exceed four (4) square feet per side, and shall be no higher than four (4) feet above grade. A separate permanent freestanding sign permit from the Town is required.

Can I store my goods and/or display items in my yard?

- ▶ Goods or equipment relating to the home occupation may not be stored or displayed outside of the structure.

As the owner of a home occupation, am I allowed to hire employees?

- ▶ Town Limits. Only those who live within the residence may be employed by the home occupation.
- ▶ Extraterritorial Jurisdiction (ETJ). In addition to those who live within the residence, one (1) additional employee is permitted.

Can I make alterations to my home for the purpose of serving my home occupation?

- ▶ No, the home cannot be physically altered to accommodate the home occupation.

How many home occupations can I run out of my property?

- ▶ Only one (1) occupation per location is permitted.

How many customers can there be in my home at a time and for how long?

- ▶ A maximum of six (6) customers are allowed within any 24-hour period between the hours of 8:00am and 9:00pm.
- ▶ Town Limits. Two (2) customers are allowed at one (1) time.
- ▶ Extraterritorial Jurisdiction (ETJ). Four (4) visitors are allowed at one (1) time.

How many vehicles can I have on my property to be used in connection with my home occupation?

- ▶ Town Limits. One (1) vehicle relating to the home occupation is permitted on the property.
- ▶ Extraterritorial Jurisdiction (ETJ). Two (2) vehicles relating to the home occupation are permitted on the property.

Can I sell product to customers directly or must I ship my product directly from the manufacturer?

- ▶ The direct sales and/or rentals of products and goods is not permitted.

The home occupation I have in mind may be noisy or otherwise intrusive to my neighbors. What are my options?

- ▶ A home occupation cannot be a nuisance to adjacent property owners.

I have an existing home occupation that I've been running for years. What do I need to do to be compliant with the Town?

- ▶ Home occupations legally established and permitted prior to the date the Land Development Ordinance was adopted, or before the Town was given jurisdiction over a property, may continue to operate with provided documentation.

I have a permitted home occupation with Wake County; however, my property was recently annexed into Town Limits or brought into the ETJ. What does the Town need from me?

- ▶ Permits obtained from Wake County will remain in effect and the home occupation will be allowed to continue to operate with provided documentation.

What home occupations are prohibited?

- ▶ A home occupation that is unable to meet the standards mentioned above is prohibited, in addition to the following:
- ▶ No toxic, explosive, flammable, radioactive, combustible or other hazardous materials will be permitted on the property. Any home occupation that uses or requires storage of such materials will not be permitted.



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- ▶ Vehicle and large engine repair is not permissible as a home occupation.
- ▶ Gunsmithing is not permitted within the Town Limits.

This document is not intended to supersede the Town's Land Development Ordinance (LDO). For a full list of home occupation regulations, please refer to §9-1255, p. (4) of the LDO.