

## Home Occupation User Guide

As technological advances are made, more and 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 letter of zoning compliance. 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 in order 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, and which is carried on wholly or in part within the main or principal structure by a member of the family who resides on the premises. And, does not alter the exterior of the property or affect the residential character of the neighborhood, and shall meet all applicable requirements of the Ordinance.

### Permitted Home Occupation

Only the following uses may be permitted as a home occupation:

- *Childcare Not Requiring State Regulations.* Childcare permitted as a home occupation shall be such that it is not regulated by the State of North Carolina. In no case shall the terms of this Section be construed to exempt an in-home or commercial day care from applicable regulations and licensing of the State.
- *Beauty Salon.* Beauty salon permitted as a home occupation shall be limited to one (1) chair only.
- *Dog Grooming.* No overnight boarding or kennel operations as herein permitted in the Land Development Ordinance.
- *Office Use.* This only includes a home office use for a contractor, attorney, CPA, engineer/architect, insurance or real estate agent, tutor, administrative service, or business or manufacturing representative. No storage of equipment or materials, staging for employees or deliveries, or other use outside of the office shall be permitted in association with this type of home occupation.
- *Catering Service.* Catering service using conventional residential oven/stove only. The owner of the service shall reside at the residence where the services offered, and the owner is responsible for any wake County health Department requirements and must be coordinated with the Town's Inspections Department.
- *Internet & Computer Services.* Internet and computer services shall not include sales or repairs on the premise.
- *Teacher.* Art, music, language and/or dance.
- *Seamstress.* Dressmaking and/or sewing.
- *Notary Public*
- *Photography*

**Table – Zoning Districts Permitting Home Occupation**

	Zoning Districts														
	RC	RA	RLD	RMD	RHD	TCR	PUD	DC1	DC2	O&I	NC	CC	GC	RLI	HI
Home Occupation		P	P	P	P	P	P	P	P	P*		S*	S*	S*	
	Residential Zoning Districts														

### General Standards

- *Maximum Total Area.* The maximum total area used for the home occupation, per property, shall not exceed 250 square feet of the residential dwelling unit, including an attached garage.
- *Advertising Prohibited.* There shall be no advertising, signs, display, or other indications of a home occupation on the lot where the residential dwelling unit is located, including freestanding signs, attached signs on the exterior of the dwelling or garage, or window signs.

- iii. *Outdoor Staging Prohibited.* No outdoor staging, display and storage of materials, goods, supplies, or equipment shall be permitted on the property where the home occupation is located.
- iv. *Owner & Employees of the Home Occupation.* The owner or principal of the home occupation use shall reside in the residential dwelling unit in which the business is located. No person may be employed on the property in connection with the home occupation who is not an actual resident of the residential dwelling unit.
- v. *Use as Residential Dwelling.* The residential dwelling unit containing the home occupation shall continue to be used principally as a residential dwelling.
- vi. *Activities within Principal Residential Dwelling.* All activities conducted by the home occupation shall be conducted entirely within the principal residential dwelling unit, which may include an attached garage. No freestanding accessory building or structure shall be used in conjunction with a home occupation.
- vii. *Alteration of Residential Dwelling Prohibited.* There shall not be any alteration of the residential dwelling unit, appearance, or expansion of the dwelling specifically for the purpose of a home occupation, including the creation of a separate or exclusive business entrance.
- viii. *One (1) Home Occupation.* No more than one (1) home occupation shall be permitted, per property, within the residential dwelling unit, including the attached garage.
- ix. *Visitors or Customers for the Home Occupation*
  - 1. *Hours of Operation.* No visitors in conjunction with the home occupation (clients, patrons, pupils, sales representatives, etc.) shall be permitted between the hours of 9:00 PM and 8:00 AM.
  - 2. *Duration of Visits.* Visitors in conjunction with the home occupation (clients, patrons, pupils, sales representatives, etc.) shall be limited to no more than six (6) during a 24-hour period. No more than two (2) visitors may visit at one (1) time.
- x. *Number of Vehicles.* No more than one (1) vehicle shall be parked or used in connection with the home occupation on the property of the residential dwelling unit. No vehicle(s) shall be parked at the residential dwelling unit where the home occupation is located as a staging area for employees, deliveries or contractors to go back and forth to a job site.
- xi. *Shipping Products & Goods.* Products and goods shall be shipped directly to the customer from the manufacturer. Direct sales and/or rentals of products and goods shall be prohibited on the property of the home occupation.
- xii. *Nuisance or any Undue Disturbance Prohibited.* The home occupation shall not constitute a nuisance or any undue disturbance in the subdivision or to adjacent residential units; nuisance means noise, vibrations, smoke, dust, odors, heat, glare, or interference with normal activities within the subdivision or adjacent residential units.
- xiii. *Zoning Letter of Compliance.* No individual person, family or group shall conduct a home occupation in a residence or on a residential zoning lot without having first received a zoning letter of compliance. Such zoning letter of compliance shall not be transferred to any other person, nor shall that permit be valid at any address or home occupation other than the address appearing on the zoning letter of compliance.
- xiv. *Nonconforming Home Occupations.* Home occupation uses established legally prior to the effective date of the Land Development Ordinance may be continued as a legal nonconforming use.
- xv. *Prohibited Home Occupations.* A home occupation use that cannot meet the applicable standards and requirements for the proposed use is prohibited, in addition to the following:
  - 1. *Materials Prohibited.* No toxic, explosive, flammable, radioactive, combustible or other hazardous materials as defined by the Fire Protection Code and North Carolina State Building Code shall be used, sold, or stored on the property.
  - 2. *Vehicle Repair.* Vehicle and engine related uses and repairs shall not be permitted.
  - 3. *Equipment & Materials.* On-site storage of equipment, goods and materials used in the operation of a business are prohibited