

## Section 5-100 HOME OCCUPATION & HOME-BASED BUSINESS

### 5-100.1 - Home Occupation.

- A. Applicability – Home Occupations are permitted by-right as an Accessory Use to a residential dwelling unit, including an ADU, in all Districts. (4/8/25)
- B. Definition - A vocation, trade, small business, craft, art or profession which can be conducted in its entirety within the main (principal) or accessory building of a property by a bona fide resident of that building and which, by nature of its limited size and scope, does not cause any outward manifestation (such as traffic generation, parking congestion, noise or air pollution, materials storage, public service, utility demand, etc.) which is uncharacteristic of or an additional disturbance to the particular residential neighborhood in which said property is located, and which complies with all of the General Conditions. The following occupations/businesses shall be specifically excluded: any clinic, veterinary hospital, restaurant, retail or wholesale supply shop or store, or mortuary. (4/8/25)
- C. General Conditions – all Home Occupations shall:
1. be clearly incidental and secondary to the use of the building or property for residential/dwelling purposes,
  2. be conducted by the principal practitioner who occupies the property as his/her bona fide residence, and may only employ persons also residing in such residence,
  3. may only take place within, and must not occupy more than 33% of the gross combined floor area of, the dwelling unit used for such residence, (4/8/25)
  4. no customers, clients, students or pupil on-site visits, all personal contact off premises
  5. not generate impacts which are inconsistent with the residential neighborhood, nor produce any noise, traffic, obnoxious odors, vibrations, glare, smoke, dust, fumes, heat, lighting, electrical interference, radioactive emissions or environmental pollution which would be detectable to normal sensory perception beyond the lot line
  6. take place in a portion of the structure which conforms to all applicable Fire, Building, Electrical, Plumbing and Health codes
  7. receive a Certificate of Occupancy from the Building Inspector for any structure, or portion thereof, used for said occupation,
  8. no materials, goods, supplies or equipment stored or displayed so that they are visible from the outside of any structure of the premises.
  9. not alter the appearance of the structure within which it is located which would cause the premises to differ from its residential character nor indicate that the structure was being used for anything other than residential purposes,
  10. not display any signage on the property or building, other than a maximum of 6 square feet per side on vehicles
  11. has filed for and Received a Zoning Permit approved by the Building Inspector
  12. if the proposed Home Occupation is being conducted by a resident in a dwelling unit owned by someone other than the occupant/applicant (i.e. a rental unit), then a notarized affidavit from the unit owner that such home occupation is being conducted with his/her/their knowledge and consent must be submitted with the Zoning Permit Application.
  13. all Zoning Permits for Home Occupations must be renewed every four years along with their DBA.
  14. all Zoning Permits for Home Occupations are Non-Transferable and are specifically issued to a specific applicant for a specific Home Based Business.

## 5-100.2 - Home-Based Business.

- A. Applicability - Home Based Businesses are permitted by Special Permit, issued by the Planning Board in all districts associated with a residential dwelling unit. (4/8/25)
- B. Definition - A vocation, trade, small business, craft, art or profession which can be conducted in its entirety within the main (principal) or accessory building of a property by a bona fide resident of that building and which, by nature of its limited size and scope, does not cause any outward manifestation (such as traffic generation, parking congestion, noise or air pollution, materials storage, public service, utility demand, etc.) which is uncharacteristic of or an additional disturbance to the particular residential neighborhood in which said property is located, and which complies with all of the General Conditions. The following occupations/businesses shall be specifically excluded: any clinic, veterinary hospital, restaurant, retail or wholesale supply shop or store, or mortuary. (4/8/25)
- C. General Conditions – all Home-Based Businesses shall:
1. be clearly incidental and secondary to the use of the building or property for residential/dwelling purposes, with no more than one home-based business operating on the lot of a single family dwelling,
  2. be conducted by the principal practitioner who occupies the property as his/her bona fide residence, and may only employ persons also residing in such residence,
  3. it must not occupy more than 33% of the gross combined floor area of the practitioner’s dwelling unit and a non-ADU accessory structure if such accessory structure is utilized for said Home Based Business. If said Home Based Business takes place in an accessory structure:
    - a) constructed prior to the date of the adoption of the Ordinance, then said structure must conform to the setback requirements for accessory structures in that District;
    - b) constructed after the date of the adoption of this Ordinance, than said structure must conform to the setbacks requirements for a principal structure in that District,
    - c) in the case of a detached ADU, the principal practitioner must reside in said structure. (4/8/25)
  4. no Home Based Business shall generate an Average Daily Trip (ADT) of more than 16 ADTs per day.
  5. the hours of operation shall be expressly stated in the Special Permit issued by the Planning Board,
  6. not generate an average of more than one (1) delivery/pick-up vehicles per day. Such deliveries/pick-ups shall be limited to between the hours of 8 am and 6 pm Monday through Friday, and 8 am to noon on Saturdays. No deliveries/pick-ups are permitted on Sundays. Said delivery/pick-up vehicles shall not exceed the size of a standard 22 foot box truck.
  7. not generate impacts which are inconsistent with the residential neighborhood, nor produce any noise, traffic, obnoxious odors, vibrations, glare, smoke, dust, fumes, heat, lighting, electrical interference, radioactive emissions or environmental pollution which would be detectable to normal sensory perception beyond the lot line
  8. only be conducted within the enclosed area of a dwelling unit or accessory structure
  9. take place in a portion of the structure which conforms to all applicable Fire, Building, Electrical, Plumbing and Health codes
  10. receive a Certificate of Occupancy from the Building Inspector for any structure, or portion thereof, used for said occupation,
  11. not store materials, goods, supplies or equipment so that they are visible from the outside of any structure of the premises.
  12. not alter the appearance of the structure within which it is located which would cause the premises to differ from its residential character nor indicate that the structure was being used for anything other than residential purposes,

13. *any signage shall be determined on a case-by-case basis as condition of the Special Permit, but no signage shall exceed a size of 6 square feet in area.*
14. *all special Permits for Home Based Businesses are Non-Transferable and are specifically issued to a specific applicant for a specific Home Based Business.*
15. *If the proposed Home Based Business is being conducted by a resident in a dwelling unit owned by someone other than the occupant/applicant (i.e. a rental unit), then an application shall include a notarized affidavit from the unit owner that such home occupation is being conducted with his/her/their knowledge and consent.*

*(07/1/10)*