



## HOME-BASED BUSINESSES

**HOME-BASED BUSINESS.** An occupation, profession, or trade customarily carried on by an occupant in a dwelling unit or accessory structure as a secondary use, which is clearly incidental to the dwelling unit for residential purposes.

### § 156.110 ACCESSORY USES.

(A) *Accessory to dwellings.*

(13) *Home-based business.*

(a) *General conditions.* The following conditions shall be met by all types of home-based businesses.

1. The occupation, profession, or trade is carried on wholly within a building, except as provided in division (d) below;
2. No merchandise or articles are displayed for advertising purposes, nor are displayed in such a way as to be visible from outside the dwelling, nor are stored other than inside a building;
3. There is no alteration of the residential character of the building or premises;
4. Any deliveries to the home-based business are provided by carriers that typically deliver to residential dwellings, such as Federal Express, UPS, or DHL; and
5. The occupation, profession, or trade is licensed by the Town and any other applicable regulatory agency.

(b) *Home office.* A home office is a type of home-based business with no employees working on the premises other than the resident(s) of the dwelling unit and no customers or clients that visit the site. A home office shall be permitted in all zoning districts where residential dwellings are permitted.

(c) *Limited home-based business.* A limited home-based business is a type of home-based business with no employees working on the premises other than the resident(s) of the dwelling unit, and that may have occasional customers or clients. A limited home-based business shall be permitted in all zoning districts where residential dwellings are permitted, except the MF, Multi-Family Residential District, provided the following conditions are met:

1. No traffic shall be generated by such limited home-based business in greater volumes than would normally be expected in a residential district;
2. Any need for parking generated by the conduct of such limited home-based business shall be met off the street; and
3. Not more than 30% of the floor area of the principal building shall be used for the conduct of the limited home-based business; however, up to 100% of the floor area of an accessory building may be used for the conduct of the limited home-based business, provided that no part of the principal building is used for the conduct of the limited home-based business.

(d) *Home-based day care.* A home-based day care is a type of home-based business where children or adults are provided care, protection, and supervision on a regular basis for less than 24 hours per day. Home-based day cares shall be permitted in the RC-1, RC-2, RR, CC, R-1, and R-2 zoning districts, provided the following conditions are met:

1. Home-based day cares located in an R-1 or R-2 zoning district shall require Special Exception Use approval by the Board of Zoning Appeals. The conditions specified both in this section and in § 156.411 (A) (3) shall apply;
2. Not more than one employee, other than the resident(s) of the dwelling unit, shall be permitted to work on the premises;
3. Any need for parking generated by the conduct of such home-based day care shall be met off the street;
4. Not more than six children and/or adults shall be cared for at any given time, including those children and/or adults residing in the home and those children and/or adults related to either the resident(s) of the dwelling unit or the non-resident employee;
5. Not more than 30% of the floor area of the principal building shall be used for the conduct of the home-based day care; however, up to 100% of the floor area of an accessory building may be used for the conduct of the home-based day care, provided that no part of the principal building is used for the conduct of the home-based day care;
6. An outdoor play area may be provided; and
7. All home-base day cares shall be licensed by the appropriate State agency.

(e) *Exemptions.* Yard sales, garage sales, and product sales associated with private social events (e.g., “Tupperware parties”) shall be exempt from the provisions of this section, provided such sales occur no more than four times per year at any given residence.