

## **Article 15 Definitions**

### **Home occupation**

A use customarily conducted as an accessory use to a dwelling, complying with all the following standards apply to all home occupations:

- 1) On resident's property. Home occupations shall be conducted by the individual on the property in which he/she resides.
- 2) Inside the dwelling. All activity related to the home occupation shall be conducted inside the dwelling or inside a garage or barn-type outbuilding.
- 3) Character. Home occupations must be subordinate to the residential use and must have little or no impact upon the neighborhood. There must be minimal indication of the home occupation evident from the road or from neighboring properties.
- 4) Retail sales. There shall be no retail sales of goods or products on the premises, except:
  - a) As may be incidental to the primary office or personal services occupation (such as sales of hair products to a salon customer);
  - b) For goods shipped pursuant to mail/email/telecommunication order;
  - c) To customers who visit by prearranged appointment only; or
  - d) For barn sales as specified under home occupation 3.
- 5) Delivery of goods. The regular receipt or delivery of merchandise, goods or supplies to or from the business shall be limited to U.S. mail service, a standard parcel delivery service utilizing a two-axle vehicle, or a private passenger automobile.
- 6) Outside storage/parking. There shall be no outside storage or parking of materials, equipment, or vehicles (except for one ordinary passenger vehicle, pickup truck, or van related to the business). Box trucks are permitted by special exception subject to a determination that adequate buffering can be provided.
- 7) Performance standards. There shall be no emission of noise, odor, dust, fumes, vibration, or smoke beyond the property or, in the case of multifamily dwellings, beyond the dwelling unit.
- 8) Septic system. Septic system design/capacity for home occupations that utilize significant additional water or wastewater volumes, such as hair salons and catering services, shall be verified in writing by a licensed New Hampshire septic designer or a professional engineer.
- 9) Multifamily dwellings. Home occupations are allowed in all residential property. Any proposal for a home occupation 2 or home occupation 3 in a dwelling other than a single-family dwelling shall be reviewed as a special exception. In addition, the owner and residents of all units in the dwelling shall be notified of the hearing by certified mail.
- 10) Parking: Adequate parking must be provided either on street or on site as determined by the Planning and Sustainability Department (or the ZBA where a special exception is required). Parking shall be located in a regular residential driveway, in the side yard, or in the rear yard. Parking can occur in the front yard if the Director of Planning and Sustainability has found that no other alternative exists. Back-to-back parking is permitted. If the amount of parking is noticeably greater than that for a typical single-family dwelling then it shall be fully screened or buffered. It is emphasized that if parking cannot be handled properly and unobtrusively then the home occupation shall not be permitted.
- 11) Hours of operation. Hours for customers to visit the home occupation are restricted to the following unless otherwise specifically approved: 8:00 a.m. to 7:00 p.m., Monday through Friday; 9:00 a.m. to 6:00 p.m. Saturday.
- 12) Nontransferability. Home occupation approvals are not transferable; they are issued to a specific individual applicant for a specific home occupation at a specific site.
- 13) Certificate of occupancy. Prior to the commencement of any home occupation, a certificate of occupancy must be obtained from the Director of Planning and Sustainability when deemed

necessary by the Director or requested by the applicant.

- 14) Expansion. No expansion of the scope, or significant change in the nature, of any home occupation for which an approval has been granted shall occur without subsequent review and approval.
- 15) Revocation. An approval for a home occupation may be revoked by the Director of Planning and Sustainability for violation of any provisions of this chapter or of any conditions of the approval. Appeals of any such revocation shall be made to the Zoning Board of Adjustment.
- 16) Commercial districts. Within commercial districts, where the use is allowed, it need not be pursued as a home occupation even if the business owner operates from his/her/their house. However, the applicant is responsible for obtaining all other applicable permits.

### **Home occupation 1**

An office-type home occupation complying with all the following standards:

1. Employees. There shall be no more than one employee working on site other than household members who reside with the operator;
2. No customers. There shall be no customers who come to the residence;
3. Deliveries. Minimal deliveries may be made to the residence;
4. No signage. There shall be no signs visible from the road;
5. No external indication. There shall be no external indication of the enterprise; and
6. No review. No review or approval process is required except that a letter of intent must be submitted to the Planning and Development Department.

### **Home occupation 2**

A home occupation 2 is an office or personal services type home occupation which may be more intensive than a home occupation 1. All of the following standards apply:

1. Employees. There shall be no more than one employee working on site other than household members who reside with the operator.
2. Five hundred square feet. There shall be no more than 500 square feet of area used for the business.
3. Signage. There may be only one sign for the business visible from the street. The sign shall be nonilluminated and shall not exceed three square feet in area per side.
4. Classes. Instruction in classes shall be limited to four pupils at one time.

### **Home occupation 3**

A home occupation 3 is an office, personal services, processing, or small-scale craft-production type home occupation which is more intensive than home occupations 1 and 2. All of the following standards apply:

1. Employees. There shall be no more than two employees working on site other than family or household members who reside with the operator.
2. Area. There shall be no more than 1,000 square feet of area used for the business.
3. Signage. There may be only one sign for the business visible from the street. The sign shall be nonilluminated and shall not exceed four square feet in area per side.
4. Barn sales. If there is a barn on the property which was built prior to 1960 it may be used for retail sales (but not for the sales of any vehicles). The ZBA shall approve the type of items offered for sale as part of a special exception review to ensure there is no adverse impact upon the neighborhood.
5. Classes. Instruction in classes shall be limited to eight pupils at one time.