

**ARTICLE 26
HOME OCCUPATIONS**

Statement of Intent

Home occupations are intended to allow for home business opportunities without disturbing the residential nature of the surrounding neighborhoods.

26-1 Permit Required

1. All home occupations shall require a permit issued in accordance with the regulations governing the zoning district in which such is located.
2. A courtesy inspection by the Building Official may also be required to ensure life safety assurances are in place (fire extinguisher, ingress/egress, and emergency lighting).

26-2 Classes of Home Occupations

1. Home Occupations shall be divided into two (2) classes; Minor Home Occupations, and Major Home Occupations.

26-3 Home Occupations Guidelines

- A. Guidelines for All Home Occupations:
 1. The home occupation shall be clearly incidental and subordinate to the residential use of the property.
 2. The occupation or activity shall not employ machinery or equipment that creates noise, odor, smoke, dust or glare which is dangerous or otherwise detrimental to persons residing in the home or on adjacent property. The improper storage of hazardous materials in a dangerous manner shall be prohibited.
 3. There shall be no noise, odor or exterior evidence that the building or its premises are being used for any purpose other than a dwelling.
 4. The home occupation must be conducted entirely within the dwelling unit or accessory structure and shall be located on the same parcel as the principal building (residence).
 5. The home occupation shall not exceed twenty-five percent (25%) of the floor area of the residence
 6. No electrical or mechanical equipment shall be employed other than machinery or equipment customarily used in the home or associated with a hobby or avocation.
 7. No on premises sale of merchandise, equipment or materials are permitted except for "one of a kind, limited" productions that are not mass produced and are handcrafted on premises.
 8. No on premises outside storage or display of merchandise, equipment or materials are permitted.
 9. No person shall conduct a home occupation without obtaining the appropriate business license required by law and issued by the Town of Colonial Beach
 10. No heavy truck or vehicle or piece of equipment having a gross rated carrying capacity or more than two (2) tons (1,800kg) gross weight shall be parked or stored on or operated from the site in connection with a home occupation.
 11. Only a single, non-illuminated sign, no larger than 3-square feet and which has a minimum setback of three (3) feet from the right-of-way shall be permitted.

B. Guidelines for Minor Home Occupations

1. Only members of the family who reside at the premises may work in the business.
2. Customer contact on an appointment only basis
3. The following are businesses that typically may fall within the Minor Home Occupation category:
 - a. Artists
 - b. Single chair barber/beauty shop;
 - c. Dressmakers, seamstresses, tailors;
 - d. Home crafts including but not limited to ceramics, electronic repair and similar crafting activities;
 - e. Professional offices including but not limited to, accountants, bookkeepers, architects, photographers, brokers, insurance brokers and agents, real estate brokers and agents, computer programmers, consultants, counselors, engineers, lawyers, or similar professionals.
 - f. Internet providers;
 - g. Mail order businesses;
 - h. Small contractors;
 - i. Telephone answering service;
 - j. All other activities in the opinion of the Zoning Administrator which are materially similar to the activities listed above.

C. Guidelines for Major Home Occupations:

1. Up to four (4) employees who are not family members and do not reside at the premises are permitted.
2. There shall be adequate off-street parking for employees.
3. Customer contact permitted
4. The following are business that typically may fall within the Major Home Occupation category:
 - a. Any of the categories of a minor home occupation where outside employees are utilized;
 - b. Arts and crafts studios;
 - c. Cabinet making/woodshops;
 - d. Custom gunsmith;
 - e. Home nanobreweries
 - f. Locksmiths;
 - g. Pet grooming/sitting;
 - h. Personal service establishments;
 - i. Small contractors;
 - j. Tutoring, music or voice lessons, or similar services for not more than four (4) persons at any single time;
 - k. All other activities in the opinion of the Zoning Administrator which are materially similar to the activities listed above.

26-4 When Home Occupation Permit Not Required.

1. Any use which is specified as a permitted or conditionally permitted use within a particular zoning district shall not constitute a minor home occupation for which a home occupation permit is required.

2. This includes the following activities:
 - a. Home office used intermittently for work usually conducted elsewhere at the individual's regular place of business;
 - b. Tele-commuting.

26-5 Prohibited Home Occupations.

1. The following uses shall be prohibited as any class of home occupation:
 - A. Automobile repair, servicing and sales;
 - B. Funeral chapels or funeral homes;
 - C. Gift shops;
 - D. Medical or dental clinics or hospitals;
 - E. Restaurants, tearooms, or other eating or drinking establishments;
 - F. Commercial stables and/or kennels;
 - G. Veterinary clinics;
 - H. All other activities in the opinion Zoning Administrator which are materially similar to the activities listed above.

26-6 Major Home Occupation Permit Conditions.

1. For major home occupations where a conditional use permit is required, the following conditions shall be placed on every major home occupation:
 - A. Home occupations shall be required to have a life safety inspection by the Building Official prior to operation;
 - B. Home occupations shall be required to install a water meter prior to operating;
 - C. Home occupations shall abide by all local, state and federal laws/requirements;
 - D. The storage of hazardous materials shall be prohibited.

26-7 Permit Not Assignable or Transferable.

Home Occupation permits are unique to the applicant and location and shall not be assigned or transferred to any other person or location.

26-8 Revocation.

A Home Occupation permit may be revoked by the issuing authority for the violation of any condition placed thereon or violation of guidelines specified in this ordinance.

26-9 Additional Requirements.

All large scale breweries, microbreweries, commercial nanobreweries, home nanobreweries and brewpubs shall be licensed and/or permitted by the proper national and state agencies concerning breweries.