



## **MINOR & MAJOR HOME OCCUPATION REGULATIONS**

This document provides an overview of the home occupations prohibited here in the City of Fairfax as well as general regulations. You can also see the differences between the minor and major home occupations regulations.

### **PROHIBITED HOME OCCUPATIONS**

*(City Code §110-3.5.5.12.A.)*

#### **(a) Prohibited home occupations**

The following uses are not permitted as home occupations:

- (1) Vehicle service;
- (2) Vehicle repair;
- (3) Plant nurseries and greenhouses;
- (4) Manufacturing, heavy, which relates to the handling, processing, packing, or serving of food directly or indirectly to the public;
- (5) Medical or dental laboratory;
- (6) Restaurant or food services;
- (7) Bulk storage of flammable liquids;
- (8) Funeral homes; and
- (9) Animal care facilities.

### **GENERAL HOME OCCUPATION REQUIREMENTS**

*(City Code §110-3.5.5.12.B.)*

#### **(b) General**

All home occupations shall comply with the following requirements:

- (1) The use of the dwelling unit for a home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall under no circumstances change the residential character of the structure;
- (2) Any part of a dwelling may be utilized for a home occupation, provided that the total floor area utilized in the conduct of a home occupation shall not exceed 20 percent of the first floor area of the dwelling; accessory structures shall not be used for home occupation purposes;
- (3) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of a home occupation;
- (4) No business, storage or warehousing of material, supplies or equipment shall be permitted outside of the primary dwelling unit;
- (5) No equipment or vehicles shall be used or regularly parked other than that normally used for domestic, hobby, and household or small office purposes in a single-family detached dwelling;
- (6) No equipment or process shall be used that creates excessive noise, vibration, glare, fumes, odors, or electrical interference;
- (7) The storage of hazardous materials shall be prohibited;
- (8) The receipt or delivery of merchandise, goods or supplies for use in a home occupation shall be limited to the United States mail, similar parcel delivery service, or private vehicles with a gross vehicle weight rating of 40,000 pounds or less;
- (9) No display of products shall be visible from the street; and
- (10) No person shall conduct a home occupation without obtaining the appropriate business, service or occupational license required by law. All home occupations shall comply with applicable state, federal, and local regulations. Home occupations shall be subject to all applicable licenses and business taxes.

**MINOR HOME OCCUPATIONS***(City Code §110-3.5.5.12.C.)***(c) Minor home occupations**

Minor home occupation means the use of an area located within a dwelling unit for business or commercial purposes. Such uses shall comply with the following additional requirements:

- (1) No person other than a member of the family residing within the dwelling shall be engaged in the home occupation;
- (2) Student instruction, where allowed, shall be limited as follows:
  - i. Such instruction shall be limited to a total of eight students per day, with no more than 40 total per week or six students present at any one time, between the hours of 8:00am and 9:00pm
  - ii. Gatherings of students and families for exhibitions and group activities may take place within the dwelling no more than four times per year. Such gatherings shall be consistent with the residential character of the neighborhood and shall conform to all applicable regulations regarding noise and parking.
- (3) No signage shall be permitted.
- (4) The minor home occupation shall generate no greater volume of traffic than would normally be expected from a single-family detached residence, consistent with the residential character of the neighborhood;
- (5) The street address of a home occupation business shall not be advertised to the general public in newspaper, radio, television, worldwide web, or other advertisements. This provision shall not be construed to prohibit address listing in telephone directories, on business cards, or in communication with customers, suppliers or professional colleagues, nor shall it prohibit referrals to individual consultants from corporate Internet sites by customer inquiry.

**MAJOR HOME OCCUPATIONS***(City Code §110-3.5.5.12.D.)***(d) Major home occupations (subject to Special Use Review §110-6.7)**

Major home occupation means the use of an area located within a single-family residence as business office or professional office. Such uses shall be subject to the following additional restrictions:

- (1) It is carried on by a person residing within the dwelling and employs no more than two employees not living within the dwelling;
- (2) No more than two vehicles are used in the conduct of the home occupation, and such vehicles are parked off the street.
- (3) No merchandise or commodity is sold within the dwelling.
- (4) No mechanical equipment is installed or used except such that is normally used for domestic or professional purposes.
- (5) No expansion shall be permitted outside the principal structure that houses the home occupation, except that which is necessary to house vehicles used in the conduct of home occupation.
- (6) Advertising signs shall be limited to one unlighted wall sign no larger than three square feet in area, attached to the structure housing the home occupation, or one yard sign of the same size not to exceed three feet in height.
- (7) There shall be no display of goods, tools, equipment, or commercial vehicles.