



Planning & Development Department • 115 Chatham Street • Sanford, NC 27330 • 919-718-4656

## City of Sanford, Lee County, and Town of Broadway Home Occupations: Zoning and Permitting Requirements

*This application pertains to planning & zoning only. It is the responsibility of the applicant to verify that the proposed use is in compliance with all other applicable governmental agencies, including, but not limited to, the Sanford/Lee County Building Inspections Department (919-718-4654), the Fire Department (Sanford Fire Marshal's Office 919-777-1300 or Lee County Fire Marshal's Office 919-718-4670, whichever jurisdiction is applicable) and the Lee County Environmental Health Department (919-718-4641) prior to occupying the building and commencing the use.*

*It is also the responsibility of the applicant to secure a sign permit for any/all signage regulated by local zoning regulations prior to the installation of the signage. For questions regarding signage, please call 919-718-4656.*

### **SUBMITTAL REQUIREMENTS: (No Fee)**

Only complete submittals will be processed. The following items are required in order for your application to be deemed complete:

- Home Occupation Registration Application (Signed) All 5 pages to be submitted to staff.
- One House Plan (floor plan) depicting the total area of the house to be used for the home occupation use.
- One Site Plan depicting the area(s) of the lot to be used for the home occupation use.

### **WHAT IS A HOME OCCUPATION?**

Any occupation or profession or business activity customarily conducted entirely within a dwelling unit and carried on by a member of the family residing therein, and which occupation or profession is clearly incidental and subordinate to the use of the dwelling unit for dwelling purposes and does not change the character thereof, and contains no mechanical equipment except for that which is customarily used for domestic, hobby, or household purposes. A home occupation is an accessory use to a dwelling unit.

### **WHY ARE HOME OCCUPATIONS REGULATED?**

The purpose of the home occupation regulations and performance standards are:

- to establish criteria for operation of home occupations in dwelling units within Residential Zoning Districts;
- to permit and regulate the conduct of home occupations as an accessory use in a dwelling unit, whether owner or renter-occupied;
- to ensure that such home occupations are compatible with, and do not have a deleterious effect on, adjacent and nearby residential properties and uses;
- to ensure that public and private services such as streets, sewers, water or utility systems are not burdened by the home occupation to the extent that usage exceeds that normally associated with residential use;
- to allow residents of the community to use their residences as places to enhance or fulfill personal economic goals, under certain specified standards, conditions and criteria; and
- to enable the fair and consistent enforcement of these home occupation regulations; and to promote and protect the public health, safety and general welfare.

### **PERMITTED HOME OCCUPATIONS**

In accordance with UDO Section 5.16.3, Permitted Use Table 5.16-1, the following uses may be conducted at home, provided the home occupations comply with the performance standards set forth in Table 5.16-2.

- Accounting, tax, bookkeeping, payroll services (NAICS 5412, LBCS function 2412)
- Baking and cooking (NAICS 3118; LBCS 2151)

- Catering (NAICS 72232; LBCS 2560)
- Childcare (NAICS 6244; LBCS 6562)
- Computer repair training (NAICS 611519)
- Computer Systems Design and Related Services (NAICS 5415)
- Computer Training (NAICS 61142; LBCS Function 6143)
- Drafting services (NAICS 54134)
- Engineering, architecture and landscape architecture (NAICS 5413; LBCS 2413)
- Financial planning & investment services (NAICS 52393; LBCS 2250)
- Fine arts studio (creation of individual works only, no mass production) (NAICS 7115, 7121)
- Florist
- Hair salon, barbering, hairdressing, and other personal care services (NAICS 8121)
- Information and Data Processing Services (NAICS 51421; LBCS Function 4240) [Includes SIC 7374 Computer Processing and Data preparation and Processing Services, and SIC 7379 Computer Related Services, NEC (disk and diskette conversion and recertification)]
- Insurance sales (NAICS 52421; LBCS 2240)
- Interior decoration (no studio permitted) (NAICS 54141; LBCS 2414)
- Legal services (NAICS 5411; LBCS Function 2411)
- Mail order business (order taking only, no stock in trade) (NAICS 4541)
- Musical instruction, voice or instrument (NAICS 61161)
- Musical instrument tuning and repair (NAICS 811211, 81149, 4511)
- Offices for Professional, Scientific, or Technical Services (NAICS 54, LBCS 2400) or administrative services (NAICS 5611, LBCS 2420)
- Photographic services (NAICS 54192)
- Professional services including the practice of law (NAICS 54)
- Real estate services and appraisal (NAICS 531)
- Tailoring (dressmaking, alterations, etc.) services (NAICS 81149; 3152)
- Teaching of crafts and incidental sale of supplies to students (NAICS 61161)
- Tutoring (NAICS 611691)
- Any other customary home occupation use not listed above provided that it shall conform to the standards of Section 5.16.

### **EXEMPT HOME OCCUPATIONS**

The following home occupations typically fall within the exempt category; however, a Home Occupation Application must be submitted to allow staff to verify that the proposed use complies with all applicable home occupation regulations and standards.

- artists, sculptors, composers not selling their artistic product to the public on the premises;
- Craft work, such as jewelry-making and pottery with no sales permitted on the premises;
- home offices with no client visits to the home permitted;
- telephone answering and message services.

### **UNSAFE HOME OCCUPATIONS**

If any home or rural family home occupation has become dangerous or unsafe, or presents a safety hazard to the public, pedestrians on public sidewalks or motorists on a public right-of-way, or presents a safety hazard to adjacent or nearby properties, residents or businesses, the Community Development Department shall issue an order to the dwelling owners and/or tenant on the property on which the home occupation is being undertaken directing that the home occupation immediately be made safe or be terminated. The property owner and/or tenant shall take the necessary corrective steps or measures, but in the event of a failure to do so by the owner and/or tenant, after notice and a reasonable period of time, the Community Development Department may take any and all available enforcement actions to render the home occupation and dwelling safe. Costs incurred by the Community Development Department, if forced to take enforcement actions, shall be borne by the property owner and shall be treated as a zoning violation pursuant to UDO Section § 1.6 Violations of Unified Development Ordinance.

**REQUIRED CONDITIONS FOR HOME OCCUPATIONS**

In accordance with UDO Article 5, TABLE 5.16-2: Home Occupations shall be permitted in all residential districts subject to the following performance standards by zoning district.

An asterisk (\*) indicates that the performance standard applies in the applicable district.

<b>PERFORMANCE STANDARDS</b>	<b>RA</b>	<b>ALL OTHER DISTRICTS</b>
The use shall be clearly incidental and secondary to residential occupancy.	*	*
The use shall be conducted entirely within the interior of the residence.	*	*
No more than one (1) non-resident employee shall be permitted.	*	*
Not more than 6 clients/day (limit 1 visit per day per each client) are permitted to visit home occupation. Hours for visits shall be between 8:00 AM and 8:00 PM.	*	*
Not more than 25% of the gross floor area of the principal dwelling structure shall be utilized for the home occupation.	*	*
Music, art, craft or similar lessons are permitted (12 or fewer clients per day).	*	*
Home Childcare ( shall confirm to the standards of Section <a href="#">5.10</a> of this Ordinance)	*	*
Public facilities and utilities shall be adequate to safely accommodate equipment used for home occupation.	*	*
Storage of goods and materials shall be inside and shall not include flammable, combustible or explosive materials.	*	*
Parking shall be provided only in the driveway.	*	*
Outside storage of heavy equipment or material shall be prohibited.		*
No truck or van with a payload rating of more than one ton shall be parked on the site or in front of the site on a regular basis.		*
Mechanized equipment shall be used only in a completely enclosed building		*
Electronically amplified sounds shall not be audible from adjacent properties or public streets.	*	*
No generation of dust, odors, noise, vibration or electrical interference or fluctuation shall be perceptible beyond the property line.	*	*
Deliveries and pickups shall be those normally associated with residential services, shall not block traffic circulation and shall occur only between 8:00 a.m. and 8:00 p.m. Monday-Saturday.	*	*
Accessory Buildings shall not be used for home occupation purposes.		*
Signage shall: a. be limited to one sign of four (4) square feet in area; b. be mounted flush against the wall of principal dwelling unit; c. not be illuminated.	*	*

The applicant and property owner(s) are to sign and date this page to acknowledge compliance with the performance standards noted above, in addition to the signature required on page 5.

\_\_\_\_\_  
Signature(s) of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature(s) of Property Owner(s)

\_\_\_\_\_  
Date



## City of Sanford, Lee County, and Town of Broadway Home Occupation Registration Application

Please print responses in blue or black ink. If not applicable, mark N/ A

### GENERAL INFORMATION

A. Property Location (Street Address or closest intersection.): \_\_\_\_\_

Subdivision Name: \_\_\_\_\_

Lee County Tax Parcel: \_\_\_\_\_ Total Parcel Area in Acres: \_\_\_\_\_

Zoning District: \_\_\_\_\_  
 City of Sanford       Lee County       Town of Broadway

B. Home Occupation/Business Name: \_\_\_\_\_

C. Property Owner/Contact: \_\_\_\_\_

Address: \_\_\_\_\_

Home Tel No.: \_\_\_\_\_ Day Time Tel No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_ E-mail: \_\_\_\_\_

### HOME OCCUPATION INFORMATION

a. What type of Home Occupation is proposed? \_\_\_\_\_

b. Do you have employees other than residents of the dwelling?  Yes  No If yes, How many? \_\_\_\_\_

c. Will you have customers come to your dwelling?  Yes  No If yes, average number per day? \_\_\_\_\_  
 If yes, average number at one time? \_\_\_\_\_

d. Does your business require the use of vehicles?  Yes  No If yes, How many? \_\_\_\_\_  
 What type of vehicle? \_\_\_\_\_ Weight of vehicle? \_\_\_\_\_

e. What is the total Square Footage (S.F.) of your dwelling? \_\_\_\_\_  
 What is the total area of the dwelling to be utilized for the Home Occupation? \_\_\_\_\_ S. F.

f. Will any type of Electrical, Plumbing or Mechanical work or equipment be required in conjunction with the Home Occupation?  Yes  No If yes, please specify: \_\_\_\_\_

All electrical, mechanical or plumbing work in conjunction with the installation of equipment is to be done under a separate permit from the Sanford/Lee County Building Inspections Department.

g. Does your Home Occupation require deliveries to the dwelling?  Yes  No

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I HEREBY CERTIFY that the above information is true and correct and that I am aware of the requirements governing Home Occupations as stated in the Sanford/Lee County/Town of Broadway Unified Development Ordinance (UDO) and that I will comply with all applicable regulations. Failure to do so will subject me to violation of the Ordinance and possible fines.

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**APPLICANT & PROPERTY OWNER'S AUTHORIZATION**

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Applicant's Name (Print): \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner's Name (Print): \_\_\_\_\_

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**Staff Use Only**

Date Received : \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

PIN#: \_\_\_\_\_ Zoning: \_\_\_\_\_ Jurisdiction (circle) Sanford Lee County Broadway

Request : Approved or Denied (circle) Staff Signature: \_\_\_\_\_

Staff notes: \_\_\_\_\_

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*Staff to provide a copy of the complete submittal package to the applicant for his/her reference.*

**Sanford/Lee County Planning & Development Department**  
**900 Woodland Avenue, Sanford, NC 27330 ♦ 919-718-4656 ♦ 919-718-4637 fax.**