



# MINOR HOME OCCUPATIONS GUIDE

## Definition and Examples

An accessory business use, which is clearly incidental to the principal residential use of the property, and may result in negative impacts on the surrounding area.

Examples of minor home occupations include the following:

- Accounting
- Legal services
- Computer services
- Studios
- Specialty trade-contractor offices, where services are provided off site
- Sewing/tailoring
- Food preparation and catering
- Lawn services



Activities explicitly prohibited as a Home Occupation include: Automotive Uses including Repair, Service, Detailing, Shop, and Hauling.

## Review and Permitting Regulations

### Planning and Zoning

Minor Home Occupations shall meet standards contained in Sections 2.22 and 5.5.4 of the Orange County Unified Development Ordinance (UDO).

- Owner or operator of the home occupation must live in a residence located on the same zoning lot as the home occupation.
- Shall not exceed three nonresident employees onsite at any one time.
- No more than 35% of the floor area of the dwelling unit or 750 square feet, whichever is less, may be used for the home occupation.
- Up to three students, customers, and/or clients shall be permitted onsite at any one time, not to exceed a total of six per day.
- Traffic generated by employees, students, customers, and/or clients shall not exceed more than twenty trips per day.
- Parking generated by the home occupation shall be met off the street and not in a required yard area.
- There shall be no use of a vehicle with a gross vehicle weight in excess of 14,000 pounds used in connection with the home occupation.
- No equipment or process shall be employed that will cause noise, vibration, glare, odor or electrical interference to the neighbors.

The UDO (Section 5.5.4) contains additional standards for home occupations related to traffic, accessory structures, outdoor storage, signage, and events. These standards shall be met for all home occupations.

Applicants shall contact Planning staff to determine if the proposed business or use would be considered a minor home occupation.

**919-245- 2575**

[www.orangecountync.gov/AskPlanner](http://www.orangecountync.gov/AskPlanner)



### Building Inspections

The North Carolina State Building Code recognizes business conducted within a home to be a commercial enterprise and subject to the State rules and regulations.

North Carolina State Building Code address the home occupation when the floor area is greater than 10% square feet of the dwelling.

If the proposed home occupation is to be within the dwelling and will exceed 10% of the floor area, the current North Carolina State Building (commercial code) provisions of a “live/work unit” likely will apply. A complete commercial building permit would be required.

- This provision could trigger ADA requirements, which may include parking, access into the building, and bathroom facilities.
- Under certain circumstances a monitored fire alarm system, an automatic sprinkler system or fire rated separation between the dwelling and home occupation (non-residential) portion of the house may be required. The non-residential portion would need to be evaluated for commercial structural loads. It is recommended to have a Licensed Design Professional assess the proposed building for applicability to the North Carolina State Building Code.

An accessory building used for the home occupation must meet commercial building code requirements for the proposed occupancy classification. ADA parking, access into the building and bathroom facilities may be required,



depending upon public and/or staff use of the facility. A commercial building permit would be required for any new construction.

Building permit(s); building, electrical, mechanical and/or plumbing may be required for any modifications or renovations that are needed when establishing this home occupation.



Applicants should contact the Building Inspections Division to discuss if the proposed scope of the home occupation will trigger the North Carolina State Building Code or if any additional permits may be required.

[www.orangecountync.gov/AskInspector](http://www.orangecountync.gov/AskInspector)  
919-245-2600

### Erosion Control and Stormwater

Applicants shall contact Erosion Control staff to determine if additional permitting may be required if any land disturbance may take place.

[www.orangecountync.gov/AskErosionControl](http://www.orangecountync.gov/AskErosionControl)  
919-245- 2575

### Fire Safety

If the home occupation occupies more than 10% of the existing residential structure, Fire Code applies resulting in additional regulations.

Accessory structures used in conjunction with the home occupation must also meet Fire Code standards. Accessory structures used for storage purposes only do not need to comply with Fire Code.

Applicants shall reach out to the Orange County Fire Marshal to determine if the proposed business will meet Fire Code and to determine what additional measures may be needed for approval.

**Fire and Life Safety, 919-245-6100**



### Environmental Health

Applicants are encouraged to contact Environmental Health to determine if there are any concerns with the existing well and septic system related to the proposed use.

Environmental Health staff may also assist with permitting select uses including food preparation establishments.

[www.orangecountync.gov/AskEHS](http://www.orangecountync.gov/AskEHS)  
919-245-2360

## APPLICATION PROCESS

<b>1</b>	<b>Review Home Occupation guide</b> and <b>Sections 2.22 and 5.5.4</b> of the Orange County Unified Development Ordinance (UDO).
<b>2</b>	<b>Contact Planning</b> to determine if the proposed business or use would be considered a minor home occupation and what additional standards may be considered for approval.
<b>3</b>	<b>Contact Building Inspections</b> to determine if the proposed business will meet the North Carolina State Building Code or if any additional permits may be required for approval.
<b>4</b>	<b>Contact the Fire Marshal</b> to determine if the proposed business will meet Fire Code and to determine what additional measures may be needed for approval.
<b>5</b>	<b>Contact Environmental Health</b> to determine if there are any concerns with the existing well and septic system related to the proposed business and use.
<b>6</b>	<b>Submit a completed application</b> and other materials to the Orange County Planning Department. Applications can be found here: <a href="http://www.orangecountync.gov/Applications">www.orangecountync.gov/Applications</a>