

Durham

5.4.4 Home Occupations



[Home occupations](#) shall be allowed within any residential use subject to the following regulations:

A. General

The following requirements shall apply to all [home occupations](#):

1. No display of goods, products or services shall be visible off site.
2. Only handmade items, foodstuffs, and crafts made on the premises can be offered directly for sale. No goods, products or commodities bought or secured for the express purpose of resale shall be sold at retail or wholesale on the premises. Catalog and electronic business orders may be received for goods, products or commodities bought or secured for the express purpose of resale at retail and wholesale when the products are received and shipped from the premises to fulfill catalog or electronic business orders.
3. Traffic and parking associated with the use shall not be detrimental to the neighborhood or create congestion on the street where the [home occupation](#) is located.
4. [Vehicles](#) used primarily as passenger vehicles shall be permitted in connection with the [home occupation](#). Only one commercially licensed vehicle shall be allowed, except in the [RS-20](#) and [RR](#) districts, where up to two [heavy equipment](#) vehicles can be permitted. All heavy equipment vehicles associated with a home occupation permit shall be screened from view from adjoining properties and the public [right of way](#).
5. No equipment or process shall be used in connection with the [home occupation](#) that creates noise, vibration, glare, fumes, odors, or electrical interference that is detectable off-site.
6. No [hazardous materials](#) can be manufactured, stored, processed or disposed of on the premises.
7. The [home occupation](#) shall be clearly incidental to the [primary use](#) as a residence. The total square footage devoted to the home occupation shall not exceed 30% of the [floor area](#) of the livable portion of the dwelling.
8. An [accessory structure](#) or an [accessory dwelling](#) can be used for all or a portion of the [floor area](#) of the [home occupation](#) but the combined total square footage devoted to the home occupation shall not exceed the limits described in paragraph A.7 above.
9. Internal alterations or construction modifications not customary in dwellings and exterior modifications to the dwelling to accommodate the [home occupation](#) shall be prohibited except to meet the accessibility requirements of the [Americans with Disabilities Act](#).

Commentary: Use of an [accessory structure](#) for a [home occupation](#) may require modification of the [structure](#) to meet the habitable space requirements of the [Building](#) Code. If outside employees are

associated with the home occupation, modifications to an accessory structure or [accessory dwelling](#) may also be required to comply with the [Americans with Disabilities Act](#).

10. Tutoring or instructional services shall have no more than five students at one time.

B. Rural Home Occupations

The following requirements shall apply to all [home occupations](#) located on properties zoned Residential Rural District ([RR](#)) containing at least 10 contiguous acres in addition to the provisions of paragraph A. above:

- 1.** In addition to [persons](#) residing on the premises, up to three nonresident employees can be engaged in the [home occupation](#).
- 2.** If a [home occupation](#) is located within an [accessory structure](#) or dwelling, the accessory structure or dwelling shall not be located closer to the front property line than the closest side of the primary dwelling to the front property line; nor closer to the side property line than the closest side of the dwelling to the side property line or 100 feet, whichever is a lesser distance, and not closer than 75 feet to the rear property line.
- 3.** The [home occupation](#) can include outdoor uses or activities. Any areas used for outdoor activities shall be at least 250 feet from any property line and shall also be closer to the principal dwelling on the site than to any dwelling on an adjoining site.
- 4.** Any [home occupations](#) utilizing these provisions shall be required to cease operations if the [parcel](#) size is reduced to less than 10 acres.

C. Other Home Occupations

In all districts other than [RR](#), or in RR-zoned properties less than 10 acres, the following standards apply in addition to the standards of paragraph A above:

- 1.** Only [persons](#) residing on the premises and up to one nonresident employee can be engaged in the [home occupation](#).
- 2.** No outside storage use or activity (except parking, required recreation areas for [day care homes](#), and for instructional services that require an outdoor facility such as a swimming pool for swim classes) shall be associated with the [home occupation](#).