

# 78/22 COALITION

---

## Home Based Business Initiative

Hunterdon County Economic Development Office



# Executive Summary

## INTRODUCTION

The Hunterdon County Office of Economic Development and the 78/22 Coalition engaged T&M Associates to develop a Home Based Business economic development strategy. The 78/22 Coalition consists of Hunterdon County municipalities along the I-78 and US-22 corridors including Bethlehem Township, Union Township, Clinton Township, Clinton Town, Borough of High Bridge, Borough of Lebanon, Franklin Township and Readington Township. The 78/22 Coalition recognizes that as technology has improved, worker location decentralizing and entrepreneurial interest increasing, people throughout the country are finding that a business start-up operating out of their home and property provides alternative employment and financial opportunities.

According to the U.S. Small Business Association, 50% of all small businesses begin in the home. With 32.5 million small businesses, that means over 16 million are home based businesses (HBBs). Because HBBs make up a significant portion of the American economy, the 78/22 Coalition engaged in this initiative to encourage HBBs within Hunterdon County as an appropriate and exciting economic development strategy. The towns that make up the 78/22 Coalition are diverse in character, offering an exceptional quality of life in a beautiful part of the country with attractive main streets, quiet neighborhoods, quality schools and easy major highway access, all of which are strong attractors for entrepreneurs seeking unique business opportunities with relatively low start-up capital and reduced overhead expenses.

While HBBs contribute significantly to the modern economy, existing local ordinances may actually create barriers to the economic development goals and objectives of encouraging HBBs. Current zoning restrictions may be outdated and while HBB uses are permitted in several communities, the regulations, which are meant to protect the surrounding community, are also found to be overly burdensome and actually deter the start-up of HBBs. The HBB initiative seeks to remedy this situation and provide flexible user-friendly tools for communities to encourage HBB uses while also ensuring the surrounding neighborhood character is protected.

## GOALS + OBJECTIVES

The vision of the HBB initiative is that the 78/22 Corridor becomes a hub for HBB growth and innovation. The goals of the initiative include the following:

- Achieve successful and thriving communities;
- Respond to economic, social and environmental challenges; and
- Ensure balance between economic growth and preservation of community character.

The objectives, or the specific ways in which to achieve the aforementioned goals, include:

- Create a model HBB ordinance that:
  - ✓ Provides a flexible user friendly permit platform for HBB approval;
  - ✓ Removes outdated or unnecessary barriers; and
  - ✓ Provides reasonable regulations to protect the surrounding neighbors from nuisance impacts.
  
- Create a database and regional marketing plan for HBB uses.

## ANALYSIS + FINDINGS

The T&M Planning Team undertook a three part analysis in the creation of a model HBB ordinance. We met collectively with the 78/22 Coalition to understand their general challenges with attracting new HBB uses. The existing home occupation or home based business ordinances within each 78/22 Coalition municipality were then reviewed and analyzed. This comprehensive review of the existing municipal home occupation ordinances, master plans, policies and procedures was summarized and highlighted the opportunities and constraints as they relate to home occupations within each municipality. A summary report of the findings is found in Exhibit C. Finally, the T&M Planning Team interviewed stakeholders from each community individually to get an in-depth understanding of the opportunities and challenges within each community. These interviews provided valuable feedback concerning the future of HBBs in each municipality as well as direction toward potential modifications needed to help encourage HBB uses. The summary of the interviews is provided in Exhibit D. While each municipality has different land use characteristics, there were some common opportunities and constraints that were shared among the 78/22 Coalition municipalities including:

- Opportunities:
  - ✓ Creating a distinction between minor and major home occupations allows for a flexible permit process.
  - ✓ Permitting home occupations in all residential zones allows additional opportunities for the startup of a home occupation.
  
- Constraints:
  - ✓ Home occupations are limited to certain residential zones which creates challenges for residents living in a zoning district that does not permit home occupations.
  - ✓ Limitations on the type of home occupation is a concern as the type of businesses residents are interested in starting changes and evolves as technology changes.
  - ✓ Limitations on the number of non-resident employees potentially limits future business growth.
  - ✓ The prohibition of the sale of goods from the HBB limits potential future revenue and the variety of HBBs within a community.
  - ✓ Limitation or prohibition of signs creates a marketing constraint and potential public safety concern.
  - ✓ Creating a permit system that is long and costly creates barriers to new HBB start-ups.

## RECOMMENDATIONS

Based on the analysis and findings, the report includes a model ordinance for consideration by the 78/22 Coalition municipalities for implementation. The model ordinance provides recommended regulations for HBB uses on a classification review and permit system. The goal of the model ordinance is to not make a one size fits all ordinance but to provide a guidance document for a municipality to begin with and then make changes based upon the uniqueness of each municipality. The ordinance is created to provide a review and permit process and regulations that permit less intense HBB uses as a permit by right which is administratively approved and regulate more intensive HBB uses with more stringent performance standards and an approval process to ensure neighboring properties are adequately protected. HBBs are categorized into different classes based on the number of customer visits, the number of non-resident employees, off-street parking spaces, signs and if the business requires shipping of goods. The model ordinance is recommended to be included within the supplemental zoning ordinance section of a municipality's land use ordinance and the intention is to permit HBBs in all residential zoning districts as an accessory use.

While this report does not provide specific marketing recommendations, we are aware that HBBs exist currently within municipalities and there may be some hesitation from those HBB owners to gain permits for their existing uses. It is recommended that the future marketing efforts would include all permitted HBB uses. Using marketing as a carrot may be a good incentive for existing HBB owners to properly register and permit their business. In addition, a municipality may want to consider grandfathering in existing HBB uses provided they are in compliance with the newly adopted ordinance requirements. A pre-existing non-conforming use holds certain legal zoning rights and would be another incentive for the owners of existing HBB uses to register the use within the municipality.

## EXHIBIT A: MODEL ORDINANCE

### Chapter X. Home Based Businesses (HBB)

#### A. Definitions

1. A home based business is a business use conducted on a property, within a dwelling or in an accessory structure or dwelling, zoned for or developed as a residential use, which is incidental and secondary to the residential use and is used as a business, profession or service for financial gain or as a nonprofit. There are three classifications of HBB's based upon intensity of use and permit process.

#### B. HBB Classification

##### 1. Class I HBB (Permit by right)

- a. Customer Visits and Servicing: No more than five (5) customer visits per day and no more than four (4) persons receiving servicing at a time
- b. Incoming Deliveries: No tractor and trailer deliveries permitted and no more than ten (10) incoming deliveries permitted per day
- c. Non-Resident Employees: No non-resident employees permitted
- d. Signs: No signs permitted
- e. Shipping of Goods: No shipping of goods directly from the residence is permitted
- f. Off-Street Parking Spaces: Property shall accommodate parking for customers without the need for on-street parking spaces

##### 2. Class II HBB (Permit reviewed and issued by Zoning Official)

- a. Customer Visits and Servicing: No more than ten (10) customer visits per day and no more than four (4) persons receiving servicing at a time
- b. Incoming Deliveries: No tractor and trailer deliveries permitted and no more than fifteen (15) incoming deliveries permitted per day
- c. Non-Resident Employees: No more than three (3) non-resident employees
- d. Signs: One sign (ground mounted or wall mounted) not to exceed twelve (12) square feet

- e. Shipping of Goods: No shipping of good directly from the residence is permitted
  - f. Off-Street Parking Spaces: A minimum of three (3) off-street parking spaces shall be provided
3. Class III HBB (Minor Site Plan Approval Required)
- a. Customer Visits and Servicing: No more than ten (10) customer visits per day and no more than four (4) four persons receiving services at one time
  - b. Incoming Deliveries: One tractor and trailer delivery permitted per day and no more than fifteen (15) incoming deliveries permitted
  - c. Non-Resident Employees: No more than five (5) non-resident employees
  - d. Signs: One sign (ground mounted or wall mounted) not to exceed twelve (12) square feet
  - e. Shipping of Goods: Shipping of good directly from the subject residence is permitted
  - f. Off-Street Parking Spaces: A minimum of three (3) off-street parking spaces and one (1) loading space shall be provided
  - g. Minimum Lot Size: 1 acre (each municipality shall modify this requirement as appropriate)
- C. Prohibited HBB uses. The following HBB uses are prohibited:
- a. Vehicle related activities including repair and service of all motor vehicles
  - b. Manufacturing: Any manufacturing activity that involves the assembly, processing, storage or packaging of products involving substances that are potentially hazardous or noxious.
  - c. Firearm/munitions business
  - d. Equipment rentals
  - e. Storage rental space
  - f. Restaurant/Café
  - g. (Other uses specific to an individual municipality that is appropriate to prohibit)
- D. General Performance Standards

- a. A HBB shall not involve hazardous materials or waste as defined by [individual municipal ordinance cite] or any other materials or waste that is deemed to be inappropriate or unsafe in a residential setting.
- b. A HBB shall not create offensive or objectionable noise, vibration, odors, smoke, heat, dirt, electrical or other disturbance perceptible by the average person beyond the unit in which the home occupation is permitted.
- c. The HBB shall meet all applicable building and fire codes.
- d. Customer visits shall occur only between the hours of 9am and 7pm Monday through Sunday.
- e. Storage, services, repairs and other business activities, other than permitted arrival and departure of customers and goods in transit, may not be conducted outdoors.

#### E. Permitting Process

- a. All owners of existing and prospective HBB shall submit an HBB permit application for approval based on the specific HBB classification.
- b. Class I: Permit by right. If the HBB meets the requirements of a Class I HBB, the owner shall complete the permit application and the municipality shall issue a permit by right without review by the zoning officer. The owner shall sign the permit application testifying to abiding by the requirements of a Class I HBB and the other regulations of this chapter.
- c. Class II: Zoning Permit. The owner shall submit the permit application with a copy of the property survey including the location for parking, signage and all building associated with the HBB and the zoning officer for the municipality shall review the permit application to ensure compliance with the Class II standards. The zoning officer shall issue a zoning permit if all Class II regulations and general performance standards within this chapter or met.
- d. Class III: Minor Site Plan. A minor site plan application shall be submitted by the owner for a Class III HBB.

#### F. Violations and Penalties

- a. Any operating home occupation that has not been issued a permit will be assessed a fine of [\$] and the owner must submit a permit application for review and approval.

- b. Complaints: The zoning officer shall review all received complaints and determine if the referenced home occupation is in violation of the conditions stated on the permit. If it is determined that the operation is in violation, the permit will be revoked unless modifications are made to bring the operation up to code.



## EXHIBIT B: SAMPLE HBB PERMIT APPLICATION



YOUR GOALS. OUR MISSION.

### SAMPLE HOME OCCUPATION PERMIT APPLICATION

**Residential Type:** Please check one:  House  Apartment  
 Accessory Dwelling Unit  Accessory Building

(1) Applicant Information

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Ph: (M) \_\_\_\_\_

(W) \_\_\_\_\_

Email: \_\_\_\_\_

(2) Landowner Information (if different than Applicant)

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Ph: (M) \_\_\_\_\_

(W) \_\_\_\_\_

Email: \_\_\_\_\_

**(If applicant is different from landowner, please provide signed letter of authorization from landowner)**

(3) Property information:

Address \_\_\_\_\_ Block \_\_\_\_ Lot \_\_\_\_

\_\_\_\_\_ Zoning District \_\_\_\_\_

(4) Describe the type of occupation/business to be operated from the property. \_\_\_\_\_  
\_\_\_\_\_

(5) What is the approximate square footage that will be dedicated within the primary residence? \_\_\_\_\_  
If accessory building, what is the approximate square footage dedicated? \_\_\_\_\_

(6) How many employees will be residents of the home? \_\_\_\_\_  
How many employees will be non-residents of the home? \_\_\_\_\_

(7) Will products produced on the property be available for retail sale on site (Y/N) \_\_  
Will products produced from outside the property be available for retail sale on site (Y/N) \_\_

(8) Will the occupation receive deliveries? (Y/N) \_\_\_\_\_



YOUR GOALS. OUR MISSION.

(9) What is the size of the property lot (approximate acreage)

(10) What will the days and hours of operation be for the business?

\_\_\_\_\_

(11) Will the general public be coming to the property to receive services or purchase products from this business?

If yes: How many parking spaces will be provided (off-street)? \_\_\_\_\_

Approximate trips generated? \_\_\_\_\_

(12) Will the occupation be advertised by a sign? (Y/N) \_\_\_\_\_

If yes: Where will the sign be located? \_\_\_\_\_

(Note: Signage must be located outside Road ROW)

How large (in square footage) will the Sign be? \_\_\_\_\_

(13) Will the occupation ship goods from the business address? (Y/N) \_\_\_\_\_

If yes: Approximate deliveries per day? \_\_\_\_\_

(14) Will there be any noise, glare, vibration, odors, or electrical interference associated with your home occupation? (Y/N) \_\_\_\_\_

If yes, please describe noise, etc. and how it will be controlled so it will not be a nuisance. \_\_\_\_\_

\_\_\_\_\_

This permit is valid only as long as the use meets the provisions for home occupations specified in the Zoning Ordinance and may be revoked any time if the operator is determined to be in violation of the terms and provisions within the Zoning Ordinance. The permit is not transferable.

I hereby certify that I am making application for the landowner or myself and that the statements given are true to the best of my knowledge. **Please return this permit to the Zoning Officer in person along with a \$[#] fee.**

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Landowner (if applicable)

\_\_\_\_\_  
Date

Note: In addition to this completed application form, applicants that are granted an approved permit must provide the following additional documents:

**Class I** – No additional documents required.

**Class II** – Survey with site and building layout



YOUR GOALS. OUR MISSION.

**Class III** – Minor Site Plan for Planning Board review and approval.

---

---

To be completed by the Zoning Officer

Granted \_\_\_\_\_ Denied \_\_\_\_\_

**Home Occupation Classification (I/II/III)** \_\_\_\_\_

Comments: \_\_\_\_\_

Zoning Officer Signature: \_\_\_\_\_

Date \_\_\_\_\_

## EXHIBIT C: ANALYSIS OF EXISTING HOME OCCUPATION ORDINANCES

---

**To:** Route 22/78 Coalition Members

**From:** Kendra Lelie, PP, AICP, LLA  
Ken Bogen, PP, AICP

**Re:** **Route 78/22 Coalition Home-Based Business Initiative  
Municipal Master Plan Documents and Ordinance Review**

**Date:** **March 2, 2022**

---

Below is an initial analysis of existing ordinances related to home based businesses or home occupations within each Route 78/22 Coalition municipality. We have reviewed the ordinances and provided the relevant regulations and process and our analysis of the constraints and opportunities related to each municipality.

### **Bethlehem Township**

A. Ordinance Review: HBB Design and Performance Standards

Definitions

“Any activity engaged in by a person within a residential or agricultural residential zoned neighborhood at his or her permanent residence as a business, profession, or service for financial gain or as a nonprofit that generates client, customer, or patient traffic, requires the use and/or housing of commercial vehicles, employs nonresidents, or requires the storage of any materials or equipment used in conjunction with said activity.”

“Home occupations are divided into minor and major classes depending on the intensity of the use. A home occupation is a conditional use secondary to a principal residential use of a property.”

1. Prohibited occupations: Animal related activities, vehicle related activities (including repairing or servicing of all motor vehicles), industrial activities, equipment rentals, junkyards, storage rental space, warehouses, wholesale distribution, crematoriums, funeral homes, massage parlors, piercing parlors, restaurants, shooting ranges, tattoo parlors. No more than 2 occupations allowed.
2. Regulation by zone: Permitted accessory use only in R-1 “Single family residential district”
3. Area occupied: Maximum of 25% of total gross floor area or 750 sq. feet (Principal structure). Maximum of 300 square feet for an accessory building.



4. Noise / Odor: No auditory or olfactory evidence beyond levels reasonably expected of typical residential activity.
  5. Employment
    - Minor: Only residents can be employed to perform occupation.
    - Major: Maximum of one nonresident employee except for family day care and medical professional which are allowed up to 3 nonresident employees
  6. Accessory buildings: No reference
  7. Sale of goods: No products that are produced off the property are allowed into property for retail sale with the exception of catalog orders.
  8. Hours of Operation: Between 7:00AM and 10:00PM for businesses with client traffic.
  9. Display / Signage:
    - Materials, equipment and machinery cannot be visible from the street or adjoining lots.
    - No exterior storage or window displays of any products are allowed.
    - No signs are permitted for any home occupations.
  10. Delivery: All traffic shall be limited in volume and frequency which are normally associated with residential uses.
  11. Parking
    - Must be off-street.
    - Must provide 2 parking spaces if generating client and/or customer traffic.
    - One spot allowed for each nonresident employee.
  12. Visitors: No reference
  13. General regulations: The use of the property for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants.
- B. Process Details
- Minor HBB: A license is not required.
  - Major HBB: Applicants for a major home occupation must appear before the Planning Board for approval prior to acquiring a license from the Zoning Officer. Must apply for a home occupation license. (\$35) and must be renewed annually. The Zoning officer approves or denies the license application within 10 days of receipt. Licensed home occupations are subject to inspections by the Zoning Officer.



C. Constraints

- Limits the types of HBB's
- HBB's only allowed in one residential district (R-1).
- Not a permitted accessory use in other residential districts (R-1 ½ single family residential, AR Agricultural residential, MR Mountain residential, Affordable Housing Overlay districts).
- A total prohibition on any signage that advertises the HBB could limit the potential number of clients that would be using the services of the business.
- Limiting the number of nonresident employees to one person (with an exception for family day care and medical professions) could potentially limit the future growth of the business.

D. Opportunities

- Many of the HBB's that are currently the most popular and successful throughout the country (Web designer, Baker, Home Daycare, Personal Trainer, etc....) are not included within the list of prohibited occupations.
- By bifurcating HBB's into minor and major classifications, an entrepreneur just starting a HBB in their home can bypass some of the expenses and permit requirements that a major HBB would incur. A more regulatory approach towards major HBB's will help minimize impacts to the surrounding residential neighborhood

**Town of Clinton**

A. Ordinance Review: HBB Design and Performance Standards

Definitions

Minor Home Occupation Definition: Criteria defined below

Major Home Occupation Definition: Criteria define below

1. Prohibited occupations:

- Animal breeding and boarding.
- Barber shops, beauty salons and health spas.
- Bed-and-breakfast accommodations; boarding houses.
- Body piercing and tattooing.





- Medical, chiropractic, dental or veterinarian offices or clinics.
  - Motorized vehicle repair, refurbishing or servicing.
  - Real estate offices.
  - Spray painting and refinishing operations.
  - Taxi and limousine services.
  - Uses involving hazardous, flammable, or explosive materials.
2. Regulation by zone: (permitted accessory use)
- Minor - Allowed in all residential districts and residential uses in nonresidential zones
  - Major - Only allowed in residential uses of the C-1 (Downtown Commercial District) zone and in dwelling units in R-3 (One & Two family Residence) zones fronting West Main Street between C-1 and C-3 zone and in R-3 zone fronting Leigh Street.
3. Area occupied (dwelling unit):
- Minor - No more that 50% of floor/basement area or 250 sq ft whichever is less
  - Major - No more that 50% of floor/basement area or 500 sq ft whichever is less
4. Noise / Odor: No off-site noise, smoke, odors allowed.
5. Employment:
- Minor - Must reside in house and shall be limited to one home occupation per dwelling unit.
  - Major - Shall employ not more than two persons not residing in the dwelling and shall be limited to one home occupation per dwelling unit.
6. Accessory buildings:
- Minor - Dwelling resident only.
  - Major - Max of 50% of building space devoted to home occupation.
7. Sale of goods:
- Minor - No goods sold from premises.
  - Major – Same
8. Hours of Operation
- Minor - No reference



- Major - Hours of Operation: 8:00AM – 8:30PM Monday thru Saturday. No Sunday hours.

9. Display / Signage

- Minor – No signs advertising or identifying the HBB is allowed.
- Major – Signage identifying or advertising HBB allowed as defined in sign ordinance §88-64.

10. Delivery: - Limited to package services (e.g., United Parcel Service, FedEx) or use of the resident's passenger vehicle.

11. Parking:

- Minor – No additional off-street parking to accommodate the home occupation.
- Major - C-1 zone (as permitted in zone). R-3 zone: Based on Site Plan Review. Screened from adjacent dwellings.

12. Visitors: No reference

13. General regulations: The residential character of the dwelling shall not be changed. The home occupation shall not result in any off-site noise, smoke, odors, particulate emissions, noxious gases, glare, or heat. Any liquid or solid waste shall be consistent with that normally generated by a residential dwelling unit.

B. Process Details

- Minor: A zoning permit shall be issued by the Zoning Officer, upon proof of compliance with all of the Minor home occupation criteria.
- Major: A Major conditional use permit shall be obtained from the Land Use Board upon site plan review and proof of compliance with all of these criteria. Failure to meet all the criteria shall necessitate a use variance application to the Land Use Board for deviation(s) from a conditional use.

C. Constraints

- The inability to sell goods directly from the home can negatively impact the potential revenue for HBB's especially those that can now sell baked goods from the home. Other HBB's that could be potentially limited by this constraint would be jewelry makers, artists and clothing designers.
- There are limited areas where major HBB's are allowed in the Town. The residential area within the R-2 zone does not permit Major HBB's in their homes and precludes a large residential zoning district in the town.
- There are several HBB's which could potentially be categorized as "major" but have minimal impact on the surrounding neighborhood.

D. Opportunities

- By bifurcating HBB's into minor and major classifications, an entrepreneur just starting a HBB in their home can bypass some of the expenses and permit requirements that a major HBB would incur. However, if a minor HBB needs to expand due to increased business activity and is reclassified as a major HBB, the needs of the business may go beyond the current criteria (employment, parking, etc..).
- Hours of operation are supportive of HBB's within the Town.

**Clinton Township**

A. Ordinance Review: HBB Design and Performance Standards

Definition – None given

1. Permitted occupations: office or studio of a doctor, physician, surgeon, dentist, teacher of academic subjects, artist, musician, lawyer, architect, engineer or like professional person, customary home occupations which may include family day-care home, millinery, dressmaking, cabinetmaking, handicraft and radio, television or small appliance repair shops. ("Repair shop" shall not include the repair of motor vehicles or other large equipment or machinery.)
2. Regulation by zone: Allowable accessory use within all Residential districts.
3. Area occupied: Not more than 1/3 of the floor area of one story of the dwelling nor 500 square feet, whichever is the lesser.
4. Noise / Odor: No reference
5. Employment: not more than one person not a resident in said dwelling is employed in such office
6. Accessory buildings: No reference
7. Sale of goods: No reference
8. Hours of Operation: No reference
9. Display / Signage: No advertising display visible from the street, other than a sign not exceeding two square feet in area
10. Delivery: No reference
11. Parking: No reference

12. Visitors: No reference

13. General regulations: No reference

B. Process Details

- No reference

C. Constraints

- Permitted occupations should be expanded to include internet based service-oriented businesses that are completely on-line and have minimal impacts to the surrounding neighborhood. These would include accounting services, software development, editorial assistance, social media consultant and Ebook writers to name just a few.

D. Opportunities

- Regulations are not overly prohibitive

### **Franklin Township**

A. Ordinance Review: HBB Design and Performance Standards

“Home Occupation” Definition: Any use conducted entirely within a dwelling or in an accessory structure, which use is clearly incidental and secondary to the residential use of the dwelling and does not change the character thereof...”

“Live-Work Unit” Definition: A residential unit that contains space in which to conduct a business or trade.

1. Occupations allowed:

Home Occupation: Not referenced

Live-Work Unit: Retail, personal service, office or medical office.

2. Regulation by zone:

Home Occupation: Permitted use in Rural Residential (“RR-5.0”), Agricultural Residential (“AR-7.0”) and Neighborhood Business (“NB”)

Live-Work Unit: Conditional use in any zone on any parcel with frontage along a county road or be located on a parcel within the Neighborhood Business Zone (“NB”).

3. Area occupied:

Home Occupation:

Live-Work Unit: Not more than 45% of the total principal structure’s square footage.

4. Noise / Odor:



Home Occupation: Should not cause any objectionable odor, fumes or noise.

Live-Work Unit: No reference

5. Employment:

Home Occupation: Maximum of 2 nonresident employees.

Live-Work Unit: Maximum of 5 nonresident employees. Building shall be owner occupied.

6. Accessory buildings:

Home Occupation: Permitted

Live-Work Unit: No reference

7. Sale of goods: The activity does not involve merchandising trade, or the exchange of commodities by sale to persons who come to the premises.

Home Occupation: No reference

Live-Work Unit: No reference

8. Hours of Operation:

Home Occupation: No reference

Live-Work Unit: No reference

9. Display / Signage:

Home Occupation: No sign allowed except an unlighted sign not greater than four square feet in face area.

Live-Work Unit: A maximum of one ground sign for the nonresidential use is permitted. Sign shall be a maximum of 5 feet tall and a maximum of 15 square feet in area and be located at least 10 feet from the property line and may be illuminated.

10. Delivery: No reference.

Home Occupation: No reference

Live-Work Unit: No reference

11. Parking:

Home Occupation: No reference

Live-Work Unit: Shall be provided in accordance with RSIS for the residential use and in accordance with §220-52 for the nonresidential use.

12. Visitors:

Home Occupation: No reference

Live-Work Unit: No reference

13. General regulations:



Home Occupation: Should not cause objectionable noise, fumes, odor, dust, electrical interference or hazardous waste.

Live-Work Unit:

B. Process Details

- Home Occupation: Issuance of zoning permit
- Live-Work Unit: Not referenced

C. Constraints

- Internet based service-oriented businesses are not included as permissible occupations in areas that allow Live-Work units.

D. Opportunities

- The Township's Home Occupation ordinance permits HBB activity in the majority of its residential areas to help support the establishment of a thriving HBB environment.
- Permitting up to 5 nonresidents to be employed in Live-Work areas creates the potential for larger scale HBB opportunities.
- Township Master Plan Reexamination (Adopted October 2019)  
This Plan lists the Land Use Board's recommendations for Home Based Businesses (referenced as "Live-work units"). These recommendations were included in the Reexam report to expand economic opportunities in the Township. These recommendations include:
  - A maximum of 45% of the total principal structure's square footage for non-residential use.
  - The building shall be owner-occupied.
  - There shall be a maximum of five non-resident employees.
  - A maximum of one ground sign for the non-residential use is permitted. Said ground sign shall be a maximum of five feet tall and a maximum of 15 square feet in area. Said sign shall be located at least 15 feet from a property line.
  - Parking shall be provided in accordance with RSIS for the residential use and in accordance with Section 220-52 for the non-residential use.
  - The non-residential use may include retail, personal service, office or medical office.

These Live-Work Unit recommendations were adopted via Ord. No. 2020-06. (See above)

## **High Bridge Borough**

A. Ordinance Review: HBB Design and Performance Standards

Definition - Any activity carried out for gain by a resident in the resident's dwelling unit where the activity is clearly accessory to the principal use of the structure. Home occupations are permitted as an accessory use.



1. Prohibited occupations: Include but are not limited to, medical and dental offices, beauty salons, manufacturing, kennels, raising of animals or birds for commercial purposes, and automobile and truck repairs and bodywork.
2. Regulation by zone: Home occupations shall be a conditionally permitted accessory use in residential buildings in the R-1, R-2, R-3 and R-4 Zones. B&Bs are allowed in R-1 and R-2 zones.
3. Area occupied: The occupation shall be conducted entirely within either the principal building or an accessory building, but not both. Except for family day care homes, no more than 1/3 of the area of one of the habitable floors of the principal building shall be used for such purpose.
4. Noise / Odor: No reference
5. Employment: No more than one person not a resident of the building may be employed on the premises.
6. Accessory buildings: No reference
7. Sale of goods: No article shall be offered for sale on the premises.
8. Hours of Operation: No reference
9. Display / Signage: No display of products shall be visible from the street. No sign to advertise the business will be permitted.
10. Delivery: No reference
11. Parking: The use shall not reduce the parking and yard requirements of the principal use.
12. Visitors: No clients or customers are permitted to visit the home business on a regular basis.
13. General regulations: Machinery or equipment shall not be used which will cause interference with radio and television reception in neighboring residences.

B. Process Details:

None referenced

C. Constraints:

- A total prohibition on any signage that advertises the HBB could limit the potential number of clients that would be using the services of the business.

- The ordinance needs to be more specific concerning the types of “manufacturing” that are prohibited.
- Limiting visitors on a regular basis could limit the potential number of clients that would be using the services of the business.

D. Opportunities

- All residential zones are available for the establishment of HBB’s.

**Lebanon Borough**

A. Ordinance Review: HBB Design and Performance Standards

Definition: no reference

1. Allowable occupations: Office of a Doctor of Medicine, dentist, osteopath, chiropractor, optometrist, podiatrist, or any similar or recognized professional person as approved by Planning Board.  
Usage shall not include commercial laboratory facilities, the manufacturing of appliances, the grinding of lenses or similar activities.  
Permitted occupations in “Transition” residential areas: Accountants, architects, attorneys, dentists, engineers insurance agents, physicians and real estate brokers.
2. Regulation by zone: HBB’s are permitted within the entire One-Family Residential Zone-Professional district. (R-1-15P)).  
Transitional HBB uses are also permitted within R-1-15 and R-1-15P zones for those lots that have a side yard adjoining the side line of a lot in a business zone fronting on the same street and a frontage of not more than two residential lots.
3. Area occupied: Such office shall be situated entirely within the residential structure. Office shall be limited to the first floor or the basement of such residence and shall not occupy more than fifty (50) percent of the first floor or the basement.
4. Noise / Odor: No reference.
5. Employment: Said practitioner is the owner of such residence and maintains his permanent residence therein. Not more than four (4) persons including the practitioner, associates, assistants, partners, and office personnel of the above listed professions, conducting such office, will be allowed to operate therein.





6. Accessory buildings: No reference
7. Sale of goods: No reference
8. Hours of Operation: No reference
9. Display / Signage: There shall be no display of goods or advertising on the premises, other than one name plate as permitted in Article 7.
10. Delivery: No reference
11. Parking: Must be consistent with all residential off-street parking requirements as permitted in Article 6.
12. Visitors: No reference
13. General regulations: Any use characterized as a nuisance is prohibited.

B. Process Details

None Referenced

C. Constraints

- HBB's are allowed within two residential zones (R-1-15 and R-1-15P) but limited to only "transitional" areas in the R-1-15 zone. Only "traditional" professional office service HBB's are allowed within these areas. This excludes the myriad number of home occupations that are now in demand. Establishment of HBB opportunities will be limited until the list of allowable home occupations are greatly expanded.

D. Opportunities

- Ability to create new opportunities for HBB without having to make sweeping revisions to the existing ordinance.

**Readington Township**

A. Ordinance Review: HBB Design and Performance Standards

Definition - An operation or business conducted in or from a single-family detached dwelling incidental and subordinate to its principal residential use.

1. Prohibited occupations: Welding, autobody repair, automobile repair, lawnmower/engine repair, boats/recreational vehicle repair, retail sales, kennels, veterinary office, dental and medical offices and real estate offices and any business or occupation requiring outside storing or parking of equipment.

2. Regulation by zone: HBBs allowed in all residential zones R-1 (Residential One-Acre), VR (Village Residential), PND, PND-1 and PND-2 (Planned Neighborhood Development), SRR (Special Resource Residential) and AR (Agricultural Residential)
3. Area occupied: (See “Process Detail” section below)
4. Noise / Odor: no occupational sounds shall be audible outside the building; and no equipment shall be used which will cause interference with radio or television reception in neighboring residences.
5. Employment: (See “Process Detail” section below)
6. Accessory buildings: No reference
7. Sale of goods: Not allowed
8. Hours of Operation: No reference
9. Display / Signage: (See “Process Detail” section below)
10. Delivery: No goods, materials, equipment, supplies or other items of any kind shall be delivered to or from the subject property in connection with the home occupation except in the passenger automobile of the home occupation proprietor.
11. Parking: One registered commercial vehicle of a rated capacity not exceeding seven feet high, eight feet wide and 22 feet long, owned or used by a resident of the premises, shall be permitted to be regularly parked or garaged on a lot in any residential district, provided that said vehicle is parked in a side or rear yard area, which area is screened from neighboring properties by plantings at least five feet in height.
12. Visitors: (See “Process Detail” section below)
13. General regulations: Owner occupied only. here shall be no exterior evidence of the home occupations. No merchandise, products, waste, equipment or similar material or objects shall be displayed, stored or otherwise located outdoors except as permitted by this chapter

B. Process Details

HBBs that have the following characteristics do not require Site Plan or Conditional Use approvals:

- Employment: No person other than one member of the household residing on the premises shall be engaged in the occupation.
- Area Occupied: The use of the property for the home occupations shall be clearly subordinate and ancillary to its use for residential purposes by its occupants and no area of the residence shall be

dedicated solely for or used in the conduct of the home occupation.

- Delivery: No goods, materials, equipment, supplies or other items of any kind shall be delivered to or from the subject property in connection with the home occupation except in the passenger automobile of the home occupation proprietor.
- Visitors: No clients, patrons, customers or other persons shall be permitted on the property in regards to the home occupations.

Minor Site Plan approval is required if the HBB has one or more of the following characteristics:

- Employment: No person other than one or two members of the household owning and residing in the premises shall be engaged in the occupation.
- Area occupied: The use of the property for the home occupations shall be clearly subordinate and ancillary to its use for residential purposes by its occupants. Up to 200 square feet of the principal dwelling unit may be dedicated solely for the conduct of the home occupation.
- Delivery: No goods, materials, equipment, supplies or other items of any kind shall be delivered to or from the subject property in connection with the home occupation except in the passenger automobile of the home occupation proprietor or two-axle, four-wheel delivery service vehicles.
- Visitors: Clients, patrons, customers or other persons shall be permitted on the property in regards to the home occupation, provided that such visitation shall not create the need to park more than two vehicles at any time in addition to those ordinarily used by the residents of the home and said additional two vehicles shall be limited to passenger automobiles and must be parked off-street.

Site Plan and Conditional Use approvals are required if the HBB has one or more of the following characteristics:

- Employment: No person other than members of the household residing on the premises plus no more than one nonhousehold employee shall be engaged in the home occupation on the property.
- Area occupied: The use of the property for the home occupation shall be clearly subordinate and ancillary to its use for residential purposes by its occupants and shall not occupy more than 25% of the net habitable floor area of the primary residential structure on the property or 1,000 square feet, whichever is less.
- Display / Signage: One unlighted nameplate identifying the home occupation, not exceeding one square foot in area, either attached to the residence or attached to a lamppost set back at least 15 feet from all street and property lines or attached to the mailbox post. All such signs shall be of professional quality.
- Parking: The home occupation shall not necessitate the need to park than two vehicles at any time in addition to those ordinarily used by the residents of the home, and said additional two vehicles shall be limited to passenger automobiles and must be parked off-street and screened from view from neighboring properties and the street.

C. Constraints

- Some criteria that require Site Plan approval (and additional cost to the HBB owner) would not have a major impact on the health and safety of the neighborhood. This would include the Site Plan criteria for a HBB that employs 2 members of the household as well as HBB's that has less than 200 square feet dedicated to the business. Also, the need for Site Plan approval for the display of any business signs (only up to 1 square foot and 15 feet setback from street unless attached to mailbox) could be an additional disincentive for a HBB startup.

D. Opportunities

- If not overly restrictive, this multi-layered regulatory approach can help to help clarify to the HBB owner what is and what isn't permitted for each portion of their business model.

**Union Township**

A. Ordinance Review: HBB Design and Performance Standards

Definition: H-1 Home Occupation: This use shall include any activity carried out for gain by a resident and carried out within the resident's dwelling unless otherwise indicated below:

1. Prohibited occupations: Animal hospital; barber shop and beauty parlor; commercial stable and kennel; funeral parlor and undertaking establishment; tourist home; restaurant; rooming, boarding, and lodging house; and medical and dental office, clinic, and hospital.
2. Regulation by zone: HBBs are permitted in the following districts: Village Residential (VR), Country Residential (CR), Multi Family Residential (RM), Watershed Management (WM), Conservation Management (CM), and Agricultural Preservation (AP1 and AP2).  
Not permitted : Institutional (INS), Planned Commercial (PC), Office Research (OR), Professional Office (PO), Quarry (Q), Utility (U), Parkland (P) and Multifamily Inclusionary (MFO) zones. Dwellings in combination with a business ("H-8" use) are allowed in the Planned Commercial zone.
3. Area occupied: The area devoted to the permitted professional use shall be located within either the practitioner's dwelling or a building accessory thereto. The floor area devoted to such professional use shall be equivalent to not more than 25% of the floor area covered by the practitioner's dwelling.
4. Noise / Odor: No reference

5. Employment: The home occupation shall be carried on only by inhabitants of dwelling and not more than two additional employees with the exception of Family Day Care which is allowed up to three outside employees.
  6. Accessory buildings: Accessory home offices are permitted.
  7. Sale of goods: No articles shall be sold or offered for sale at the premises except such as may be produced on the premises
  8. Hours of Operation: No reference
  9. Display / Signage: There shall be no use of show windows, display, or advertising visible outside the premises, except as provided for signs as follows:
    - Either one wall sign or one ground sign, not exceeding four square feet in area, advertising or indicating the home or office of a member of a recognized professional or home occupation as permitted in the district. Any such ground sign shall be set back at least 15 feet from the street right-of-way.
  10. Delivery: Servicing by commercial vehicles for supplies and materials shall not be permitted.
  11. Parking: No more than two off-street parking spaces in addition to spaces otherwise required. Any use that requires off-street parking must be reviewed by the Planning Board prior to the issuance of an occupancy permit
  12. Visitors: No reference
  13. General regulations: In no way shall the appearance of the residential structure be altered or the occupation within the residences be conducted in a manner which would cause the premises to differ from the residential character by the use of colors, materials, construction, lighting, show windows or advertising visible outside the premises to attract customers or clients, other than those signs permitted by §30-8 . (See above)
- B. Process Details
- There is a \$50 Zoning Permit Fee for operating a HBB.
- C. Constraints
- The prohibition against any deliveries of supplies and materials by commercial vehicles could potentially curtail the establishment and/or expansion of certain types of HBB's.

D. Opportunities

- HBB's are permitted in most of the Township's zoning districts that allow for single and/or multi-family residential uses.

Regional Reports/Documents Review

A. **Hunterdon County Economic Development Strategy ("CEDS") (Adopted 2014)**

This report creates a vision for the future economic health of the County. The CEDS enumerates the strengths and opportunities within the County's economy:

**Strengths:**

- Hunterdon is a wealthy County with a highly educated and well trained workforce.
- Superior educational system (Public school, community college).
- Healthiest County in New Jersey.
- Unique cultural and historical assets.
- Advantageous location with respect to market size and potential.
- Tourism attractions (river communities, wineries, historic villages, parks and trails)

**Opportunities:**

- Revitalization of historic downtowns
- Create and nurture walkable communities
- Promote recreational and tourism opportunities

The report recognizes that home offices will be important for the Hunterdon County's Economic Development future. No other detailed information or analysis is provided concerning home based businesses.

B. **Hunterdon County Master Plan Element (Adopted February 2021)**

This document was submitted to the Highlands Council as part of the County's petition for Plan conformance with the Highlands Regional Master Plan (RMP). The Master Plan Element recommends that the County continue its sustainable economic development goals which is consistent with the RMP goal to expand innovative technology and entrepreneurial businesses including home office enterprises withing the Highlands Region.

C. **Highlands Municipal Master Plan Elements**

Bethlehem Township, Clinton Town, Clinton Township and Lebanon Borough have all had their petitions for Plan conformance with the Highlands Regional Master Plan approved. As part of the conformance process all of these municipalities were required to submit Master Plan Elements to the Highlands Council which were then eventually approved by the Council. These plans were required to ensure that each municipality's Master Plans be in conformance with the Highlands Regional Master Plan. The text from each municipality's Plan Element concerning HBB's reads the same for each Municipality:

- “To develop appropriate strategies to improve the local tax base and create jobs and economic opportunities, while remaining consistent with the other policies and objectives of the Highlands Element.
- To ensure opportunities for home office, entrepreneurial and other small business activities, as appropriate.
- To encourage development of small business incubator programs, particularly those focused on advancing specific goals and objectives of the Highlands Element, such as initiatives in compact design, native species landscaping, Low Impact Development, energy efficiency and resource conservation.

**D. New Jersey enacted regulation for Home-Based Cottage Food Operators (adopted October 2021)**

These new rules which create a cottage food operator (home baker) permit became effective as of October 2021. Residents cannot exceed \$50,000 in annual income from baked goods sales, according to the regulations. Initial and periodic inspections are not mandatory. Permits are renewable every two years and will be issued on a first-come, first-serve basis. Allowable products - baked goods, jams and jellies, dried herbs, dried pasta, fudge, and granola. Can be sold at farmer’s markets, events, from home, and online; mail deliveries also permitted.

**Materials Reviewed**

- *Bethlehem Township Land Use and Development Ordinances*
- *Clinton Town Zoning Ordinances*
- *Clinton Town Master Plan (Adopted May 2008)*
- *Clinton Town Master Plan Reexamination (Adopted December 2018)*
- *Clinton Township Land Use Ordinances*
- *Clinton Township Master Plan Reexamination Report (Adopted March 2020)*
- *Franklin Township Land Development Ordinances*
- *Franklin Township Master Plan Reexamination (Adopted October 2019)*
- *High Bridge Land Use and Development Ordinances*
- *High Bridge Master Plan Reexamination (Adopted March 2021)*
- *High Bridge Sustainable Economic Development Plan (Adopted October 2011)*
- *Borough of Lebanon Land Use Ordinances*
- *Borough of Lebanon Master Plan Reexamination (Adopted July 2020)*
- *Readington Township Land Development Ordinances*
- *Readington Township Master Plan Reexamination (Adopted February 2019)*
- *Union Township Land Use Ordinances*
- *Hunterdon County Economic Development Strategy (“CEDS”) ((Adopted 2014)*
- *Hunterdon County Highlands Master Plan Element (Adopted February 2021)*
- *Highlands Municipal Master Plan Elements (Bethlehem Township (November 2010), Clinton Town (November 2010), Clinton Township (January 2015), High Bridge Borough (November 2010), Lebanon Borough (November 2010)*
- *New Jersey Register (Published October 4, 2021). (Rule N.J.A.C. 8:24-11 (Cottage Food Operator Permit))*

## EXHIBIT D: INTERVIEW SUMMARY



## **Route 78/22 Coalition Home Based Business Initiative Interviews**

### **Bethlehem Township – Interview with Paul Muir 4/28**

- Paul mentioned that the existing home occupation ordinance was adopted in 2013
- They were and are challenged with identifying specific occupations/businesses to permit and prohibit as time goes on the occupations/businesses change and they want to be as flexible as possible but can't think of every conceivable future business. I indicated that we could begin to think about categories of business based on the intensity of use and not necessarily the specific type of business.
- He has seen success in two existing home occupations that started in the home and have grown and are now renting space in the business district with several employees.
- He likes the idea of HBB as incubators for future growth of businesses.
- He has not received complaints from existing neighbors/residents next to HBB's
- He would like to see an easier process that would not require PB review unless it is a highly intensive business

### **Clinton Town – Interview with Janice Kovach on 4/13**

- Wants HBB to be flexible but not too flexible where neighbors are negatively impacted
- Existing HBB's have gone through an administrative permit process with the Zoning Officer and that works well but is ad hoc much of the time
- Doesn't want something that would tie the Zoning Officer's hands in issuing permits for the right HBB
- The town has smaller lots and concerns with too much traffic, so protection of the existing residents is important
- She doesn't want to see businesses that provide health related services (hairdresser, tattoo artist, etc. - that require licensing as an HBB. She stated she is concerned with liability issues.
- Airbnb's have been an issue due to the small lot sizes.

### **Franklin Township – Interview with Craig Repmann on 4/26 and Carey Bell on 4/26**

#### **Craig Interview**

- Wants to ensure that excessive on and off-street parking doesn't become an issue in residential neighborhoods
- There are a few existing HBB (landscaping businesses) that have some issues with not storing equipment or materials appropriately and it is unsightly.
- He likes the idea of HBB's and a simple permit process so that there is an understanding of who is operating from their homes
- Having a formal process would be beneficial for the town but also for the businesses especially if they will be highlighted in a county wide marketing effort

#### **Carey Interview**

- Carey owns an existing HBB – Sweet Caroline’s Bake Shop
- She was very positive about her experience in the Township gaining approvals and permits
- She feels that not permitting customer pick-up limits her potential growth
- Signage limits also are constraining for advertising and wayfinding purposes
- She is interested in expanding her business to allow customer pick up and possible a pastry/coffee cart
- She said that people who sell items on the side of the road without getting a HBB permit is not treating all HBB consistently
- She said the fee for food handling license is a bit expensive

#### **High Bridge – Interview with Mayor Michele Lee**

- She supports HBB – especially baking/cooking/catering
- The municipality has a few existing HBB’s that did not go through any permit process
- Not aware of any complaints from neighbors of HBB’s
- She is concerned for existing/future HBB’s that have hazardous/dangerous materials
- She wants to ensure that if cooking is occurring that the appropriate infrastructure (grease traps) is implemented to protect the public sewer system
- There is not street parking on County roadways and wants to make sure that on street parking doesn’t become an issue
- We talked about tiers/levels of use and process as a potential for the format of a model ordinance

#### **Lebanon Borough – Interview with James Pittinger (Mayor), Richard Burton (Council president), Karen Romano (Borough Clerk) on 04/19**

- Questions concerning the purpose of the project. “Where are we going with this?”. Kendra addressed all questions concerning the purpose and direction of the project.
- Kendra discussed ongoing HBB opportunities for the borough such as the New Jersey rules governing cottage industries (home bakeries)
- Richard was concerned that HBB definitions would include people working remotely from home. The mayor explained that the HBB definition would not include remote workers
- Richard expressed concern that people will perceive an HBB ordinance as limiting their rights to operate a business from home.
- There was a discussion concerning a need for an accurate HBB definition within the model ordinance. I
- Kendra mentioned Clinton Town’s concern with allowing HBB’s that require licensing.
- Kendra said that If the HBB is not permitted then it is basically prohibited.
- There was agreement that the model ordinance needs to be more expansive in scope. Kendra said that we are looking at structuring the model ordinance with a menu of choices to allow flexibility. Each muni can tweak the ordinance as needed.
- Richard said that Bethlehem Township is a different HBB situation than Lebanon Borough since the Borough is much more urbanized.

- The mayor and clerk said that no residents of the Borough have inquired about the Borough's HBB regulations with them.
- Karen said she is concerned about the allowable occupations that will be listed in the ordinance.
- Richard requested that the language in the model ordinance not be too broad. Must use common language.
- Karen expressed her concerns about regulating noise issues from HBB's.

#### **Readington Township = Interview with Ron Monaco 04/15**

- Ron reviewed HBB summary report and HBB ordinance with zoning officer.
- No site plan applications have been submitted to the Township for the approval of HBB as far as Ron is aware.
- Township PB members are concerned about potential abuses of HBB's
- Kendra offered the possibility of using a tiered permitting and administrative use process via the zoning officer. Example - 1<sup>st</sup> tier (lowest impact HBB) could be governed by a permit. A permit can specify the # of signs and # of parking spaces allowed. The permit could also list the fines for violations. Other Munis use a permit process for HBB's.
- The Township has concerns about potential heavy traffic and additional trucks on Township roads.
- The Township is not keen on the use of sign for HBBs.
- There is concern about potential expansion of HBB's which could take business away from existing conventional businesses. There is a lot of vacant business sites in town.
- Discussion concerning different performance standards for HBBs in larger lot residential zones: Agricultural Residential (AR) and Rural Residential (RR)).  
 "Double edged sword" – Wide open lots can be an advantage concerning parking, traffic, etc.... but there is a concern concerning the impact to the rural character of the area.  
 A tiered administrative use process could be based on lot size.
- Impetus - More people are leaving their jobs and creating HBB's at home.
- The Township Zoning officer has been seeing people who are interested in starting a HBB but don't want to go through the township's approval process.
- Ron – Not many complaints by neighbors of existing HBBs. More complaints from non-HBB issues such as outside storage.

#### **Union Township – Interview with Page Stiger and Alan Ford on 4/18**

- They have an existing HBB that they like
- Residents have not been asking about the HBB permit process
- Although they are interested in creating a tiered format (low, mid, high intensity uses) and regulating them according to their intensity (parking, employees, delivery, outside storage, etc.)
- There is an existing HBB that provides Reiki services – they thought that was a good use
- There was a HBB that provided auto repair – that was shut down after complaints from neighbors
- They are content with the current HBB situation in the Township.

## EXHIBIT E: SAMPLE FAQ DOCUMENT

## ***Municipality Website Header Banner***

### **HOME BASED BUSINESSES (HBB's)**

#### **Frequently Asked Questions**

#### **Does my proposed business qualify as a Home Based Business (HBB)?**

- Any business use conducted on a property, within a dwelling or in an accessory structure or dwelling, zoned for or developed as a residential use, which is incidental and secondary to the residential use and is used as a business, profession or service for financial gain or as a nonprofit will qualify as an HBB. Please refer to the attached ordinance regarding the criteria and permit process for different levels of HBB uses.

#### **Are there Home Based Businesses that are prohibited?**

- Yes. Any business that generates excessive disturbances (noise, vibration, odor, etc...) and/or changes the character of the neighborhood. These include Heavy manufacturing, vehicle repair, equipment rentals, storage rental space and restaurant/café. Reference (Township/Borough) HBB Ordinance # for a full list of prohibited HBB's at (website address).

#### **Do I need submit a permit application to operate my proposed Home Based Business?**

- Yes.

#### **Do I need to submit a permit application if I am currently operating a Home Based Business?**

- To be consistent and to maintain an up-to-date HBB inventory within the (Township/Borough) the municipal HBB ordinance does require applications to be submitted for all HBB's currently operating within the (Township/Borough).

#### **Which zoning districts allow for Home Based Businesses?**

- All districts zoned for Residential as the principle permitted use (this would be updated as necessary by each Township/Borough).

#### **Will the (Township/Borough) pursue violations of the Home Based Business ordinance?**

- The (Township/Borough) will not monitor HBB's after a permit has been granted but will respond to complaints.
- Any complaints received will be reviewed by the zoning officer to determine if the HBB is in violation of the conditions stated on the permit. If determined to be in violation the permit will be revoked unless modifications are made to bring up to code.

- If an HBB is operating without a permit, a fine of \$ will be assessed and the owner must submit a permit application.

**How are Home Based Businesses classified?**

- There are three classifications of HBB’s based upon intensity of use and permit process:

**Summary of Home Based Business Classifications**

HBB Category	Permit	Shipping from Home	Customer Visits per Day	Non-Resident Employees	Signs Allowed	Off-Street Parking
Class I	Permit by Right	None	Up to 5	None	None	No additional
Class II	Reviewed and issued by Zoning Officer	None	Up to 10	Up to 3	1 with max of 12 sf	Minimum of 3 spaces provided
Class III	Minor Site Plan review	Allowed	Up to 10	Up to 5	1 with max of 12 sf	Minimum of 3 spaces provided

**How often will HBB permits need to be renewed?**

- On an annual basis.

**Do I need a HBB permit if I work from home?**

- You do not need a permit if you are working remotely for an employer.

**For additional information, please contact the Municipal Zoning Officer at (Phone #) or (Email address)**