



City of Northampton

Massachusetts

DEPARTMENT OF BUILDING INSPECTIONS
212 Main Street • Municipal Building
Northampton, MA 01060
(413) 587-1240



HOME BUSINESS (ALLOWED BY RIGHT)

A vocation, trade, small business, craft, art or profession which is conducted within the principal residential or accessory building of a property by a bona fide resident of that main building and which, by nature of its limited size and scope, does not cause any significant outward manifestation (such as traffic generation, parking congestion, noise or air pollution, outdoor materials storage, and public service or utility demand) which is uncharacteristic of or an additional disturbance to the residential neighborhood in which said property is located. The following occupations are not considered home businesses if clients will be seen in the home, although other uses may be excluded on a case-by-case basis: any traditional medical/dental practice, veterinary hospital, restaurant, retail or wholesale supply shop or store, or any mortuary.
(See § 350-10.12 for additional criteria.)

A home business is allowed by right when the following conditions are met:

- A. It must not occupy more than 40% of the gross combined floor area of the main residential building and the accessory structure (if such accessory structure is utilized for said home business).
- B. It must be clearly incidental and secondary to the use of the building or property for residential dwelling purposes.
- C. Any practitioner of the home business who will work on-site must occupy the main residential building as his/her bona fide residence.
- D. There shall be no more than 25 visits per week by clients/customers/contractors, etc., related to the business being conducted unless otherwise authorized through a Zoning Board of Appeals special permit. The Building Commissioner shall make the final determination, subject to appeal to the Zoning Board, as to the likely number of visits that a proposed use will generate.
- E. For practitioners who see clients/customers or any kind of visitors, hours of operation shall be between 7:00 a.m. and 8:00 p.m. unless otherwise authorized through a Zoning Board of Appeals special permit.
- F. For practitioners who see clients/customers or any kind of visitors, registration with the Building Commissioner is required and shall include information on number of clients projected.
- G. Up to two "open studios" per year, unless otherwise authorized through a Zoning Board of Appeals special permit.
- H. No more than one sign of one square foot in area may be displayed advertising the home business, provided that:
 - (1) It is attached to the structure next to or on the entryway for said home business; and
 - (2) It is not illuminated.
- I. No goods, except for those created in the home or those sold by Internet, telephone or electronic transactions, may be sold from the premises.
- J. No outdoor storage of materials, merchandise, or equipment for the home business is allowed.
- K. If said home business takes place in an accessory structure, then said structure must conform to the setback requirements for accessory structures in that district, unless a finding by the Zoning Board of Appeals in accordance with § 350-9.3 is made.
- L. It shall produce no noise, obnoxious odors, vibrations, glare, fumes or electrical interference which would be detectable to normal sensory perception beyond the lot line.
- M. The portion of any structure utilized for a home business shall conform to all applicable Fire, Building, Electrical, Plumbing and Health Codes.

NOTE: A ZONING PERMIT APPLICATION SATISFIES SECTIONS D AND F (UNDERLINED)

§ 350-10.12 HOME OCCUPATION (ZBA SPECIAL PERMIT)

All home businesses with any practitioner, employee, partner, or other worker who is not a resident of the home, with more than 25 clients/customers or visits per day or week, with hours of operation outside of 7:00 a.m. to 8:00 p.m., with more than two open studios per year, or with outdoor storage of materials (as defined in § 350-2.1) require a special permit issued by the Zoning Board of Appeals and shall comply with the following:

- A. All provisions in the definition of "home business" in § 350-2.1.
- B. Goods may only be offered for sale from the premises if the Zoning Board of Appeals expressly permits it in the issued special permit.
- C. The hours of operation shall be expressly stated in the special permit issued by the Zoning Board of Appeals.
- D. The hours and frequency of deliveries, number of clients seen, number of employees on the premises, products and/or materials on site shall be expressly stated in the special permit issued by the Zoning Board of Appeals.
- E. All special permits for home businesses must be renewed once, immediately following the first year of operation. Permits may be renewed in perpetuity upon application to the Building Commissioner (no Zoning Board action required) if nothing has changed in the project since the initial special permit was granted.
- F. All special permits for home businesses are nontransferable and are specifically issued to a specific applicant for a specific home business.
- G. Limited outdoor storage of materials may be allowed so long as the storage is not visible from the street or by adjoining property owners and does not have a negative impact on the neighborhood.