

**ARTICLE #09  
AMENDMENT #8**

**Hampton Zoning Ordinance Amendment**

Article 1: General Provisions, Section 1.5. Definitions

Add the Term “Home Occupation”

Article 6: Specific Use Regulations, New Section 6.15. Home Occupation

**1.5 Definitions**

**Home Occupation:** Any occupation, profession, activity or use which is clearly an incidental and secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood. A short-term rental is a separately defined non-residential use and is not considered a home occupation.

**6.15. Home Occupation**

**6.15.1. Purpose.** The purpose of this section is to provide reasonable opportunities for the incidental and secondary use of a residential dwelling unit for limited professional purposes. A home occupation is separated into two categories depending on its size and characteristics. Any proposal that does not qualify as a “Home Occupation-1” or a “Home Occupation-2” by meeting all criteria is prohibited.

**6.15.2. Location.** A home occupation may be permitted on any owner or renter occupied residential lot in the Town of Hampton in accordance with this section. This includes residential dwellings and legally existing accessory structures which are adapted for such purposes.

**6.15.3. Home Occupation-1.** A home occupation with the following characteristics shall be permitted by right:

- a) It occupies no more than 500 square feet of floor area.
- b) The principal operator resides on the premises, has not more than one (1) other person employed on-site and does not sell on-site any manufactured products prepared by others except for any products that are incidental to the service being provided on site. Services provided electronically and off-site employees who interact electronically with the home occupation are not limited.
- c) All components of the home occupation are completely enclosed in a primary or accessory structure. There is no indication of such occupation visible on the exterior of the building or on the lot, except for one incidental sign with the name of the occupation which does not exceed 4 square feet in area and otherwise complies with applicable regulations in Article 6.5 - Signs.
- d) The home occupation does not produce noise, odor, traffic or other nuisances perceptible at the lot line at a higher level than is usual in a residential neighborhood.

**6.15.4. Home Occupation-2.** A home occupation with the following characteristics shall require Building Inspector approval:

- a) It occupies no more than 1,000 square feet of floor area.
- b) The principal operator resides on the premises, has not more than two (2) other persons employed on-site and does not sell on-site any manufactured products prepared by others except for any products that are incidental to the service being provided on site. Services provided electronically and off-site employees who interact electronically with the home occupation are not limited.
- c) All components of the home occupation, except for outdoor storage, are completely enclosed in a primary or accessory structure. Outdoor storage of materials or equipment may be permitted if located outside of any required setback and at least 10 feet from any lot line and so screened as not to be visible from any public way or abutting residential property. One incidental sign with the name of the occupation will be permitted, provided it does not exceed 4 square feet in area and otherwise complies with applicable regulations in Article 6.5 - Signs.
- d) The home occupation does not produce noise, odor, traffic or other nuisances perceptible at the lot line at a higher level than is usual in a residential neighborhood.

**6.15.5. Additional Criteria**

- a) If improvements related to the home occupation are proposed for the primary and/or accessory structure, and such improvements require permitting through the Building Department, it cannot qualify as a Home Occupation-1.
- b) If the proposed home occupation would result in more than 5 client visits on any given day, a business plan shall be submitted for review by the Building Inspector to determine whether the proposal qualifies as a Home Occupation-2 or is prohibited.
- c) The on-site sale and/or inventory storage of firearms and ammunition, martial arts weapons, fireworks, or other comparable products that could present a neighborhood safety risk is prohibited, and is not considered to be incidental to any service being provided on site.
- d) A short-term rental is not considered a home occupation.