



Planning Department

Home-Based Business Informational Guide

Definitions

“Home-Based Business” Any business, occupation, or activity undertaken for gain where the principal office or place of business is located within a residential structure or a permitted accessory structure, that is incidental and secondary to the use of that structure as a dwelling unit. A home-based business shall include Level 1 permitted accessory and Level 2 conditional use home-based businesses.

- **“Level 1 permitted accessory Home-Based Business”** Any home-based business in which the work conducted on the premises includes, but is not limited to, receiving or initiating correspondence, such as phone calls, mail, faxes, or e-mail; preparing or maintaining business records; word and data processing; and telephone, mail order, and off-premise sales.
- **“Level 2 conditional use Home-Based Business”** Any home-based business that may require clients or customers to visit the premises providing the business does not create an adverse impact on the surrounding neighborhood as determined by the Board of Zoning Appeals.

Home-based businesses shall not include dance studios, commercial repair or storage of automobiles, medical or dental clinics or offices where patients are treated, restaurants, bars/nightclubs, mortuary or funeral establishments, boarding/rooming/tourist homes, kennels, stables, veterinarian clinics/hospitals, nor adult uses. Uses not specifically mentioned shall not be permitted when the Planning Director determines that such use is of the same general character as at least one of those stated above.

Permitting and Enforcement

All proposed home-based businesses shall apply to the City Collector for a Municipal License and to the City Planning Department for zoning review. The Planning Director shall determine whether the proposed home-based business meets the level 1 permitted accessory or level 2 conditional use home-based business definition and requirements.

- Level 1 permitted accessory Home-based businesses that meet the requirements set forth shall be approved by the Planning Director. The Planning Director shall endorse the Municipal License Application upon approval.
- Level 2 conditional use Home-based businesses may be approved only by the granting of a conditional use permit by the Board of Zoning Appeals upon their determination that the proposed home-based business will not constitute a nuisance or otherwise be detrimental to the neighborhood and is in compliance with all the conditional use regulations outlined in the Zoning Ordinance of the City of Charleston. The Planning Director shall endorse the Municipal License Application upon approval by the Board of Zoning Appeals.
- Level 2 conditional use Home-based businesses granted by the Board of Zoning Appeals shall be specific in nature in that they shall be granted to a designated person or persons who reside at a residential address. Permits are not transferable from person to person or address to address.

Home-based businesses may have their permits revoked for the following reasons:

- ✓ Any change in use or any modification to the granted home-based business that is not first approved by the Planning Director or the Board of Zoning Appeals.
- ✓ Any nuisance, including noise, vibration, smoke, electrical interference, dust, heat, glare, or obnoxious odor, detectable beyond the property lines or beyond the walls of the dwelling unit, if the unit is part of a multifamily structure.

- ✓ Failure to register with the City Collector and pay any annual municipal license fee within thirty days after the due date or to renew the municipal license.

Standards

Level 1 permitted accessory Home-based businesses shall be distinguished from Level 2 home-based businesses requiring a conditional use permit in that they shall not be permitted to:

1. Sell articles or products on the premises.
2. Generate any additional pedestrian or vehicular traffic not normally associated with the residential use of the dwelling.
3. Receive deliveries to or from the dwelling, except by the occupant, U.S. Mail or by courier, and by no customers or clients.
4. Display signs for the business use.
5. Have employees who are not members of the resident dwelling unit.

Level 2 conditional use Home-based businesses shall be regulated and monitored to assure that the use does not create any adverse impact on the surrounding area. Applicants must present the following information to the Board of Zoning Appeals:

1. The type of business and business activities.
2. The total number of resident employees.
3. The location and floor area of the home-based business.
4. The vehicles used in the home-based business.
5. The number of expected customer visits per day and at any one time.

Level 2 conditional use Home-based businesses shall meet the following performance standards:

1. Hours of operation shall be limited to hours between 8:00 a.m. and 7 p.m.
2. Employees working at the subject property must be permanent residents of that dwelling.
3. Delivery vehicles used to deliver goods to the home-based business are limited to passenger vehicles, mail carriers, and express carriers. Deliveries shall be permitted between 8:00 a.m. and 6:00 p.m.
4. The home-based business shall be limited to the parking/storage of one commercial vehicle on the premises, not exceeding a one-ton capacity.
5. The home-based business shall not generate traffic in greater volume than would normally be expected in a residential neighborhood.
6. The home-based business must provide one off-street parking space in addition to the parking requirement for the dwelling as required in Article XXI-Parking and Loading.
7. The home-based business shall not create a nuisance due to noise, vibration, smoke, electrical interference, dust, heat, glare, or obnoxious odor. Any noise, vibration, smoke, electrical interference, dust, heat, glare, or obnoxious odor detectable beyond the property lines or beyond the walls of the dwelling unit, if the unit is part of a multifamily structure, shall constitute a violation of the terms of this provision.
8. The home-based business shall not increase demand on water, sewer, or garbage collection services to the extent that the combined demand for the dwelling and the home-based business is significantly more than is normal to the use of the property for residential purposes.
9. The Board of Zoning Appeals may establish a limit on the number of clients permitted per day or at any one time.
10. Structural alterations that are not customarily found in a residential structure are prohibited.
11. Equipment and materials related to the home-based business must be stored in a manner that is out of view to the public.
12. Signs advertising the home-based business are not permitted.

Level 2 conditional use Home-based businesses shall include, but not be limited to:

1. Professional offices where some clientele may be required, such as architects, brokers, counselors, clergy, engineers, insurance agents, real estate agents, lawyers, accountants, editors, publishers, journalists, cleaning services, salespersons, travel agents, and psychologists.
2. Personal services, such as barbershops, beauty parlors, manicure and pedicure shops, catering, chauffeuring services, and physical therapists (no more than 2 people being tended to at any one time).
3. Instructional services such as music, dance, art and craft classes, and tutoring (no more than 2 people being instructed at any one time).
4. Repair services for small appliances, computers, watches and clocks, electronic devices.
5. Workrooms for tailors, dressmakers, milliners, and craft persons, including jewelry making, cabinetry and woodworking.
6. The Board of Zoning Appeals shall make the determination whether an unlisted business is similar to a listed permitted use and issue or deny the Level 2 Home-based business special permit.

Level 2 conditional use Home-based businesses shall require one additional on-site parking space in addition to those required for the dwelling.

QUESTIONS RELATING TO HOME-BASED BUSINESS USE SHOULD BE DIRCTED TO THE
CHARLESTON PLANNING DEPARTMENT AT (304) 348-8105