

# Home-Based Businesses

## Frequently Asked Questions

The responses below are intended to clarify the adopted regulations for home-based businesses, which will be effective on July 1, 2021. An overview of the adopted standards can be found in the [Summary of Adopted Home-Based Business Provisions](#) document. A table comparing the previous and adopted standards is included below the questions.

1) What types of businesses am I allowed to operate from my home?

Any business that is conducted from or has a business license registered to the home requires a permit, but this does not apply to teleworking allowed by your employer. The following uses are allowed:

- General retail sales (such as the sale of clothing or kitchenware) when sale and delivery occur online or off-site (i.e., no on-site customers);
- Small health and exercise facility (such as yoga instruction);
- Repair of small household items (such as repair of musical instruments or watches);
- Office (such as an interior designer, accountant, or doctor's office);
- Barbershop and hair salon (no nail, facial, massage, or other services allowed) – only with special permit approval;
- Sewing and tailoring;
- Music, photography, and art studios;
- Specialized instruction center (such as tutoring, music lessons, or art classes); and
- Small-scale production (such as jewelry making), limited to items created on-site and home-based food production, when sale and delivery occurs online or off-site (i.e., no on-site customers, except to view samples only). Small-scale production does not include heavy industrial activities.

2) How many customers can I have?

Except for instructional uses, special permit approval by the BZA is required to have any customers come to your home. Teaching activities associated with health and exercise or specialized instruction (see above) may have up to four students at a time and eight in a day with administrative permit approval. A special permit may not approve customers for retail sales and small-scale production. Customers are limited to the hours of 8:00 a.m. to 9:00 p.m.

3) How many employees can I have?

With administrative permit approval, one nonresident employee is allowed in a single-family detached dwelling between 7:00 AM and 6:00 PM, but no nonresident employees are allowed in all other dwelling types (e.g., townhouses, apartments). Additional employees or different hours could be approved with a special permit.

4) How many home-based businesses can I have?

Under the previous and adopted regulations, there is no limit to the number of home businesses. However, certain standards, such as the number of employees and the limit of one commercial vehicle, apply cumulatively to the entire site.

5) My HOA covenants do not allow home-based businesses. Will the County enforce the covenants on behalf of the HOA?

HOA covenants are a private matter to be enforced by the HOA, and the State Code does not allow the County to withhold issuing a permit based on HOA or other private agreements. They may be more restrictive than the

Zoning Ordinance provisions, but they may not be more permissive. The application form for an administrative permit will advise an applicant to check as to whether any HOA or other private agreements apply to their property.

6) What kind of signage is permitted?

The Zoning Ordinance allows yard signs on all residentially zoned lots, including lots having a home-based business, regardless of the message. A single sign is limited to four feet in height and four square feet in area. Total signage on the lot is limited to 12 square feet (i.e. a maximum of three signs that are four square feet or four signs that are three square feet, etc.).

7) What are the parking requirements?

There is no specific parking rate for an accessory home-based business use, but if the home-based business is allowed to have customers, an off-street parking space that can be reserved or made available by the person operating the home-based business must be made available for those customers to park. This may include a driveway space or an assigned parking space, but public street parking cannot be used to meet this requirement.

8) Can I use my entire home for my home-based business?

No, the total area used for the home-based business, including storage, is limited to 400 square feet.

9) What if I want to do more than these limitations allow?

A special permit may be approved by the Board of Zoning Appeals to allow for outdoor activities associated with a home-based business (such as swimming or soccer lessons), a larger area used by the business, additional employees or different work hours, and customers or clients.

10) How much will this permit cost?

The administrative permit fee is \$100, and the special permit application fee is \$435.

11) Other than the home-based business administrative or special permit, do I need any other approvals?

The home-based business administrative or special permit grants zoning approval, but other approvals or licensing may be required, depending on the nature of the business. Home-based businesses are also subject to the [Business, Professional, and Occupational License \(BPOL\) Tax](#).

12) How can I find out about home-based businesses in my neighborhood?

Current home occupation permits and special permits for home professional offices and barbershops or beauty parlors are available through the [Land Development Information History website](#). This site allows you to search for a specific address, or expand the search to the block, subdivision, or quad level. Select "Use Permit" as the record type for home occupation permits, and "Zoning Applications" for special permits. Future permits will be available through this portal and new search functions will be available with the future implementation of the PLUS system.

13) Are there any additional requirements if the property is on a private well or septic system?

Yes, if the property is served by a well or septic system, Health Department approval will be required prior to an administrative permit or special permit being approved. Also, certain items are not allowed to be disposed of in a sewer, in accordance with [Ch. 67.1](#) of the County Code.

14) Are there limits on the materials or products that I may use as part of my business?

A home-based business may not use, store, or generate flammable or combustible liquids, explosives, or hazardous materials in an amount that requires a permit under [Chapter 62](#) of the County Code (Fairfax County Fire Prevention Code).

15) Am I allowed to have a commercial vehicle?

Yes, one commercial vehicle is allowed on a residential lot. The vehicle must be owned or operated by an occupant of the dwelling, must not exceed 21 feet in length, and comply with other standards of the Zoning Ordinance in subsection [4102.1.B\(2\)](#).

If you have additional questions, please email zMOD staff at [DPDzMODComments@fairfaxcounty.gov](mailto:DPDzMODComments@fairfaxcounty.gov). If you would like to receive email updates about zMOD, please visit the [zMOD website](#) and click "Add Me to the zMOD E Mail List." You may also follow us on [Facebook](#).



## Home-Based Businesses – Previous vs. Adopted zMOD Standards

Previous Home-Based Business Regulations								
Use Name	Process of Approval	Uses Allowed	Customers	Employees	Location and Size	Parking	Signage	Vehicles
Home Occupation	Administrative	Open-ended list of allowed uses and <a href="#">7 prohibited uses</a>	For instructional uses only: 4 at a time 8 in a day	1	Any type of dwelling; No specific size limit	No requirement	None (the Ordinance allows yard signs on all residential lots)	1 <a href="#">commercial vehicle</a>
Home Professional Office	Special Permit	Office for licensed or certified professional	Determined by the BZA	Up to 4; Up to 6 with 2+ ac.	Single-family detached; No size limit	No standard	No standard/ determined by the BZA	1 <a href="#">commercial vehicle</a>
Barbershop or Beauty Parlor	Special Permit	Barbershop or beauty parlor	1 patron at a time	0	Any type of dwelling; No size limit	No standard	No standard/ determined by the BZA	1 <a href="#">commercial vehicle</a>
Adopted Home-Based Business Regulations								
Use Name	Process of Approval	Uses Allowed	Customers	Employees	Location and Size	Parking	Signage	Vehicles
Home-Based Business	Administrative	May only include listed uses	For instructional uses only: 4 at a time 8 in a day	1 in single-family detached; 0 in other dwellings	Any type of dwelling; 400 sq. ft.	Designate one space for on-site customers	None (other than yard signs as allowed for any residence)	No change; Additional limits on the size of delivery or distribution vehicles
	Special Permit	Listed uses and certain outdoor uses	Determined by the BZA	Determined by the BZA	Determined by the BZA	Designate one space for on-site customers; Determined by the BZA		