

ORDINANCE NO. 26-21
INTRODUCTION DATE: 10-21-2026
ADOPTION DATE:

AN ORDINANCE AMENDING CHAPTER 35 (LAND USE AND DEVELOPMENT REGULATIONS), ARTICLE 4 (REGULATIONS APPLICABLE TO ALL ZONING DISTRICTS), SECTION 10 (HOME OCCUPATION) OF THE CODE OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

BE IT ORDAINED, by the Township Committee of the Township of Millstone, County of Monmouth, State of New Jersey as follows (additions are **bold underlined**, and deletions are in **~~bold-strikeouts~~**):

SECTION I.

CHAPTER 35 (LAND USE AND DEVELOPMENT REGULATIONS) is hereby amended as follows:

35-4-10 HOME OCCUPATION.

Home occupations shall be conducted solely by resident occupants of the lot and shall meet the following standards:

- a. No more than one person not a resident of the building may be employed on the premises at any one time.
- b. No more than 500 square feet, or the equivalent of 40% of the first floor area of the building, whichever is smaller, shall be used for such purposes.
- c. The home occupation remains subordinate and incidental to the principal residential use.
- d. No display of products shall be visible from the street.
- e. The residential character of the neighborhood and building shall not be changed.
- f. The occupation shall be conducted entirely within either the dwelling or accessory building, but not both.
- g. No occupational sound shall be audible outside the building.
- h. No machinery or equipment shall be used which will cause interference with radio and television reception in the neighboring residences.
- i. Adequate parking is provided.

- j. The use does not reduce the parking supply or yard requirements of the principal residential use.
- k. No home occupation shall involve the use, handling or production of any kind of hazardous materials as defined by the New Jersey Department of Environmental Protection (NJDEP), the U. S. Environmental Protection Agency (EPA), and the Township of Millstone Code at §21-3.2.
- l. No home occupation shall produce wastewater or utilize substances that cause an adverse impact on private or public water supply wells, individual subsurface sewage disposal systems (septic systems), or disposal fields (leach fields).
- m. The home occupation use must be a commercial activity that is expressly permitted within at least one zoning district within the Township. The absence of an express prohibition of a use does not imply that the use is permitted.
- n. The Zoning Officer shall review all applications to ensure strict compliance with the performance standards set forth in Township Code §35-4-11 and within this section to ensure the use does not cause a nuisance and preserves the residential character of the zone.
- o. No home occupation shall be established, altered or expanded without first obtaining a Zoning Permit and registering for a business license. The continued operation of any home occupation is contingent upon the annual renewal of said business license in accordance with the requirements of Township Code §4-1 and continued compliance with all applicable zoning performance standards as set forth in Township Code §35-4-11 and within this section.
- p. In the event that more than one home occupation is conducted on the premises, all of the limitations of this section shall apply as if only one such home occupation is being conducted thereon.

SECTION II.

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

SECTION III.

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

SECTION IV.

The Ordinance shall take effect upon adoption and publication according to law and filing with the Monmouth County Planning Board.

EXPLANATORY STATEMENT: This Ordinance amends Chapter 35 (Land Use and Development Regulations), Article 4 (Regulations Applicable To All Zoning Districts), Section 10 (Home Occupation) regulating home occupation use to clarify the restrictions and limitations on permitted uses, compliance with performance standards, compliance with business licensing requirements, and prohibition on hazardous materials and wastewater for home occupation uses.