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REGULATIONS FOR LEVEL I HOME BUSINESSES

A home business is a commercial activity which is incidental and secondary to the use of the dwelling as a residence, but generally exceeds the requirements for home occupations.

A Level I home business are permitted by right, as accessory uses, in the C-1, A-1 and R-1 Zoning Districts, provided that the requirements of this section are met and a Level 1 home business permit has been issued by the Zoning Administrator. A level 1 home business may be permitted, with the issuance of a Special Use Permit, in the R-2 and R-3 Zoning Districts. The fee for a Level I Home Business Permit is \$100.00. The fee for a Special Use Permit for a Level I home business is \$400.00.

The person conducting the home business must be the owner of the dwelling in which the business is to be located or a tenant of the dwelling in which the occupation is to be located. If the operator is a tenant, written approval of the owner must be provided. The home business cannot be operated by individuals other than the owner, a tenant, or members of their family residing in the dwelling. A level I home business can employ up to two employees. One off-street parking space shall be provided for each employee, in addition to the two parking spaces per dwelling unit required for residential purposes. For off-street parking requirements for multifamily housing, please see the *Shenandoah County Zoning Ordinance*, Section 165-86(B).

The home business must be clearly incidental or secondary to the use of the dwelling as a residence. Home business activities shall not occupy a floor area, including accessory buildings, of more than twenty-five (25%) percent of the square footage of the living area of the dwelling. An accessory building may be used only for storage of inventory in conjunction with a level I home business.

The home business must not generate any additional traffic beyond what is customary to residential use. Customers are not permitted to come to the residence for business. The exterior of the dwelling must show no evidence of the attendant home business. There shall be no outside display of products, goods, or commodities in conjunction with the home business. The use of signs is prohibited.

For the purpose of this application, living area is livable floor space and excludes open porches, stoops, unfinished attic, and floor area of any accessory building.

Family is defined as one (1) or more persons related by blood, adoption or marriage, living and cooking together as a single housekeeping unit; or a number of persons, but not exceeding four (4) persons, living and cooking together as a single housekeeping unit, not related by blood, adoption, or marriage.

BUSINESS PERSONAL PROPERTY IMPORTANT FILING INFORMATION

What is business personal property tax?

An annual tax on tangible personal property used in a trade or business as of January 1 each year. Taxable items include:

- Expensed items
- Section 179 deductions
- Fully depreciated property
- Items received free, as gifts, or brought from home

Note: All assets must be listed at fair market value, even if received at no cost. Receipts are not required unless requested.

Who Must File?

All businesses (sole proprietorships, partnerships, LLCs, corporations) must file a return each year listing all tangible property owned, leased, rented, or borrowed as of January 1, regardless of business size.

How Is Property Assessed?

Assessed using a percentage of the original cost, including freight, installation, and setup, based on the year of acquisition.

What Is the Tax Rate?

The tax rate is set annually by the Shenandoah County Board of Supervisors and may vary year to year.

When Is the Filing Deadline?

February 1 annually

- Returns postmarked by February 1 are on time
- Metered mail is not accepted as proof
- 10% penalty applies to late filings

What Is a Fixed Asset List?

A list of all equipment, furniture, and tools used by your business as of January 1. Must include:

- Description of each asset
- Year acquired/placed in service
- Original cost (with setup/freight)

Example list Format:

| Date | Description | Cost |
|------------|--------------------|----------|
| 01/10/2022 | Office Desk | \$350.00 |
| 05/01/2023 | Hair Styling Chair | \$625.00 |

Maintain and update this list throughout the year.

What to Include

Include ALL property used in business, whether purchased, gifted, free, or brought from home. Examples:

- Tools: ladders, saws, sanders, yard tools
- Equipment: massage tables, hair tools, compressors, mowers
- Office/Studio: desks, chairs, shelves, filing cabinets, decor
- Technology: laptops, printers, calculators (software is not taxable)
- Miscellaneous: kitchen items, linens, wall art, heaters/fans

What Is Exempt?

- Real estate (land and buildings)
- Software packages (e.g., QuickBooks, Excel, Word)

Minimum Value Threshold?

No minimum. All items, regardless of value or age, are taxable.

Is Leased Equipment Taxable?

Yes.

- If lessor pays the tax: they must file
- If you (lessee) pay: list it on your return

If Your Business Moves or Closes

Notify the Commissioner's Office immediately if your business relocates, changes address, or closes:

Filing Reminders

- ✓ A detailed Fixed Asset List must be included each year
- ✓ Submissions stating "same as last year" or "no changes" will not be accepted
- ✓ Returns must be signed and dated by the owner or authorized person
- ✓ Provide current contact info
- ✓ If reporting \$0 in assets, include a signed letter stating:
 - The business type
 - Why no tools, furniture, or equipment are used

Important Legal Note

Willful failure to file is a violation of VA Code § 58.1-3518 and may result in a statutory assessment.

SHENANDOAH COUNTY, VIRGINIA
APPLICATION FOR LEVEL I HOME BUSINESS PERMIT
IN THE CONSERVATION, AGRICULTURE, AND
LOW DENSITY RESIDENTIAL ZONES

Date: _____

(1) The applicant is the ___ owner ___ tenant.

(2) **Owner:**

Tenant:

Name: _____ Name: _____

Address: _____ Address: _____

Phone: _____ Phone: _____

Email: _____ Email: _____

(3) This property is designated as tax map number _____ in the _____
Magisterial District.

(4) Zoning District: _____ (5) Size of Parcel: _____

(6) Location of Property (Please give exact directions): _____

(7) Type of Occupation: _____
(Attach a written statement describing the occupation.)

(8) Has a previous application been made for this occupation? _____ If yes, give date:

(9) Is the applicant the operator of the home occupation? _____

(10) How many people other than the applicant will be engaged in the occupation? _____

(11) How many are members of your family*? _____

(12) How many reside in your dwelling? _____

(13) How many off-street parking spaces are provided on the lot? _____

(14) Total living area* in dwelling: _____

(15) Total floor area to be used for home occupation: _____

(16) Will an accessory building be used with this occupation? _____

(17) Will clients or customers come to the residence for business? _____

(18) Will the exterior of the dwelling show any evidence of this occupation? _____

(19) If so, what? _____

(20) Will there be any outside display of products, goods or commodities? _____

(21) Will there be any advertising signs? _____

I (we) do hereby certify that the above information is true and correct to the best of my (our) knowledge and that I (we) have read and understand the Regulations for Level 1 Home Businesses.

Signature of Applicant _____ Date _____

Signature of Owner _____ Date _____

* - Read "Regulations for Level 1 Home Businesses" for explanation of these terms.

Office Use Only

Approved _____ Disapproved _____

Zoning Administrator _____ Date _____

Permit # _____ Fee Paid _____ Receipt # _____

SHENANDOAH COUNTY, VIRGINIA
SUPPLEMENTAL APPLICATION FOR LEVEL I HOME BUSINESS PERMIT
IN THE MEDIUM - DENSITY AND HIGH- DENSITY RESIDENTIAL ZONES

This application is to accompany the Special Use Permit Application

Date: _____

(1) The applicant is the ___ owner ___ tenant.

(2) **Owner:**

Tenant:

Name: _____ Name: _____

Address: _____ Address: _____

Phone: _____ Phone: _____

(3) Type of occupation: _____
(Attach a written statement describing the occupation)

(4) Has a previous application been made for the occupation? _____ If yes, give date: _____

(5) Is the applicant the operator of the home occupation? _____

(6) How many people other than the applicant will be engaged in the occupation? _____

(7) How many are members of your family*? _____

(8) How many reside in your dwelling? _____

(9) How many off-street parking spaces are provided on the lot? _____

(10) Total living area* in dwelling: _____

(11) Total floor area to be used for home occupation: _____

(12) Will an accessory building be used with this occupation? _____

(13) Will clients or customers come to the residence for business? _____

(14) Will the exterior of the dwelling show any evidence of this occupation? _____

(15) If so, what? _____

(16) Will there be any outside display of products, goods or commodities? _____

(17) Will there be any advertising signs? _____

I (we) do hereby certify that the above information is true and correct to the best of my (our) knowledge and that I (we) have read and understand the Regulations for Level 1 Home Businesses.

Signature of Applicant _____ Date _____

Signature of Owner _____ Date _____

* - Read "Regulations for Level 1 Home Businesses" for explanation of these terms.

Office Use Only

Approved _____ Disapproved _____

Zoning Administrator _____ Date _____
Permit # _____ Fee Paid _____ Receipt # _____

HOME OCCUPATION AND HOME BUSINESS COMPARISON CHART

| ITEM | DESCRIPTION | HOME OCCUPATION | HOME BUSINESS LEVEL 1 | HOME BUSINESS LEVEL 2 |
|------|--|--|--|--|
| 1 | Allowed as an accessory use in zones: | A-1, C-1, R-1, R-2, R-3 | A-1, C-1, R-1, R-2, R-3 | A-1, C-1, R-1, R-2, R-3 |
| 2 | Home Occupation/Business Permit issued by Zoning Administrator | YES | Yes in A-1, C-1, and R-1 zones | NO |
| 3 | Allowed by Special Use Permit (Issued by Board of Supervisors) | NO | YES, in R-2 and R-3 zones | YES |
| 4 | Owner operated or renter operated with owner approval | YES | YES | YES |
| 5 | Can be operated by people other than family residing in the dwelling | NO | NO | NO |
| 6 | Number of Employees | NONE | 2 Maximum | More than 2 Possible |
| 7 | Off-Street Parking (for multifamily housing, see Section 165-86(B)) | 2 spaces per dwelling unit, no employees allowed | 2 spaces per dwelling unit plus 1 space per employee | 2 spaces per dwelling unit plus 1 space per employee |
| 8 | Business area as a percentage of living area, maximum allowed | 25 % | 25 % | 25 % |
| 9 | Use of accessory buildings (i.e. garage, barn, shed) | NO | YES, for storage of inventory only | YES |
| 10 | Additional traffic above residents and employees | NO | NO | Possible |
| 11 | Customers allowed on site | NO | NO | Possible |
| 12 | Business use visible | NO | NO | NO |
| 13 | Outside display of Products | NO | NO | NO |
| 14 | Signs Allowed | NO | NO | 2 Sq. Feet Maximum |