

CHAPTER 19.54
HOME OCCUPATION PERMITS

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19.54.010 PURPOSE

These provisions allow for the conduct of home enterprises which are incidental to and compatible with surrounding residential uses. A home occupation represents a legal income producing activity by the occupant of the dwelling.

19.54.020 APPLICATION

The conduct of a home occupation requires the approval of the Director who may establish conditions to further the intent of this Chapter. An application for a Home Occupation Permit shall be on a form prescribed by the Director and shall be filed with the Department pursuant to Chapter 19.32 (Applications and Fees).

No home occupation permit shall be required for an in-home educational activity including, but not limited to, music lessons, academic tutoring, or religious instruction, provided that no more than 5 students are present at any one time, and the use complies with all of the operating standards outlined below. In addition, no home occupation permit nor Certificate of Occupancy shall be required for a business using the owner(s) or any partner(s) home as its business address provided: 1) that there is no signage at the home address; 2) there are no building materials stored at the home address; 3) that no manufacturing takes place at the home address; and, 4) that in the course of doing business, no employees or customers appear at the home address to transact business.

19.54.030 OPERATING STANDARDS

Home occupations shall comply with all of the following operating standards:

1. The home occupation shall not alter the appearance of the dwelling unit;
2. There shall be no displays, sale or delivery of merchandise, or advertising signs on the premises;
3. There shall be no signs other than the address and name of the resident;
4. There shall be no advertising which identifies the home occupation by street address;

5. The home occupation shall be confined completely to 1 room located within the dwelling. It shall not occupy an area equivalent to more than 10 percent of the gross area of 1 floor. No portion of any garage, carport, or other accessory structure shall be used for home occupation purposes. Horticulture activities may be conducted outdoors, but within the rear 1/3 of the lot;
6. Only 1 vehicle no larger than a 3/4 ton truck may be used by the occupant directly or indirectly in connection with a home occupation;
7. The home occupation shall not encroach into any required parking, setback, or open space areas;
8. There shall be no use or storage of material or mechanical equipment not recognized as being part of a normal household or hobby use;
9. Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises. Utility consumption shall not exceed normal residential usage;
10. No use shall create or cause noise, dust, light, vibration, odor, gas, fumes, toxic/hazardous materials, smoke, glare, or electrical interference or other hazards or nuisances;
11. Only the occupants of the dwelling may be engaged in the home occupation;
12. The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises;
13. The home occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the land use district in which it is located;
14. No home occupation shall be initiated until a current business license is obtained, pursuant to Title 5 of the Municipal Code;
15. A Home Occupation Permit shall not be transferable;
16. There shall be no more than 1 home occupation in any dwelling unit;
17. If the home occupation is to be conducted on rental property, the property owner's written authorization for the proposed use shall be obtained prior to the submittal for a Home Occupation Permit; and
18. Any special condition established by the Director and made part of the record of the Home Occupation Permit, as deemed necessary to carry out the intent of this Chapter.

19.54.040 PROHIBITED HOME OCCUPATION USES

The following list presents example uses that are not incidental to nor compatible with residential activities, and are prohibited:

1. Barber and beauty shop;
2. Businesses which entail the harboring, training, breeding, raising, or grooming of dogs, cats, or other animals on the premises;
3. Carpentry and cabinet making;
4. Medical and dental offices, clinics, and laboratories;
5. Mini storage;
6. Repair, fix-it, or plumbing shops;
7. Storage of equipment, materials, and other accessories to the construction and service trades;
8. Vehicle repair (body or mechanical), upholstery, and painting;
9. Welding and machining; and
10. Any other use determined by the Director to be not incidental nor compatible with residential activities.

19.54.050 REVOCATION

A Home Occupation Permit may be revoked or modified by the Director if any one of the following findings can be made:

1. That the use has become detrimental to the public health, safety, or traffic, or constitutes a nuisance;
2. That the permit was obtained by misrepresentation or fraud;
3. That the use for which the permit was granted has ceased or was suspended for 6 or more consecutive calendar months;
4. That the condition of the premises, or the area of which it is a part, has changed so that the use is no longer justified under the meaning and intent of this Chapter;
5. That 1 or more of the conditions of the Home Occupation Permit have not been met; or
6. That the use is in violation of any statute, ordinance, law, or regulation.

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