

# HOME OCCUPATION PERMIT

## 1. WHAT IS A HOME OCCUPATION PERMIT?

A Home Occupation is a small scale business in the home allowed in residential zoning districts and conducted for the purposes of providing income for the household. Businesses located in a residence reflect the trend to new methods of competing in the marketplace. A business based in a residence must be subservient in its use of the land so as not to be intrusive into the character of the neighborhood. Property owners within residential zones have expectations about what is an agreeable neighboring use. The Municipal Code establishes standards for business based in residences. Any Home Occupation Permit is applicable only to the grantee and does not run with the property, or subsequent owners nor occupants.

- A The City of Mt. Shasta recognizes the need for its citizens to pursue limited business enterprises based within use their place of residence. The City believes that the need to protect the residential integrity of its neighborhoods is of paramount concern.
- B Businesses in the home within a residential area, are intended to ensure that from all outward appearance, no neighbors or passerby will be aware of the activity.

## 2. WHICH ZONING DISTRICTS ALLOW FOR A HOME OCCUPATION PERMIT?

Any residential zone where there is an existing residence.

## 3. HOW DO I KNOW WHICH ZONING DISTRICT I AM IN?

The City of Mt. Shasta has zoning Maps for your review.

## 4. HOW DO I OBTAIN A HOME OCCUPATION PERMIT?

To start the process to obtain a home occupation permit, a completed application form must be submitted to the Planning Department. The application can be filled out by the applicant; however, the property owner must sign the application and have it notarized.

The application is reviewed by the Planning Department and other agencies prior to administrative action.

There are two types of Home Occupation Permits.

If your occupation does not require anything beyond the use of the phone, the mail, or computer at the residence, then you fill out the application and provide a detailed description of your operation and pay \$124.87. Specifically the following circumstances must apply:

1. Location of business. A home-based business shall be located within the residence, garage or workshop.
2. Traffic generation. No home-based business shall be permitted when it may be reasonably determined that the success of the business is based on clients or customers coming to the residence in order to conduct business. It is understood that virtually all businesses require occasional customer visits to the place of business; however, in the case of home-based businesses, this should clearly be the exception rather than the rule.
3. Potential nuisance. Home-based businesses shall be operated in a manner so that the business use is not the cause of repeated and legitimate complaints about noise, dust, odor, traffic, truck traffic, or appearance.
4. Change in appearance. No alteration, addition, or new construction shall be permitted which would cause the property to assume any aspect of housing a business.
5. Sign. No signs visible from off-site (property) shall be permitted.
6. Employees. No more than the equivalent of one (1) employee in addition to members of the immediate family residing in the home, may be employed as part of the business

conducted in the residence. This section is not intended to limit the number of employees of the business who may work elsewhere

7. Offices for contractors, truck operators, heavy equipment operators, appliance repair business. A proprietor of one of the previously listed or similar businesses is permitted to use the provisions of this section provided that the following standards are satisfied on an ongoing basis:
  - A. Storage of materials. Materials used on a job may be stored within a garage or accessory building at the place of residence.
  - B. Contractor vehicles. Light commercial and utility-vehicles used by the proprietor for travel from home to the job site may be kept at the residence on a regular basis;
  - C. Heavy equipment, commercial trailers, rigs, back hoes. Commercial and heavy equipment shall not be stored, parked or repaired at the residence

If your occupation requires more intensive use of the residence than the use of the phone, the mail, or a computer at the residence, a public hearing is required. A public hearing will be scheduled to review your project once your application is complete. The fee is **\$345.00**.

#### **5. WHAT KIND OF INFORMATION MUST I PROVIDE ON THE APPLICATION FORMS?**

Basic information is requested such as name, address, location, Assessor's parcel number, access, square footage of home and square footage of area for the business, utilities, etc. and a detailed description of your home occupation. The idea is that the business is an accessory use, and does not dominate over the residential use of the property.

In the case of a Home Occupation Use Permit, you are also asked to describe your proposed home occupation, provide photographs of the property and a location sketch and a plot plan. In addition, you are required to submit a copy of the current Assessor's Parcel Map showing the property location. A Grant Deed is required identifying property ownership if necessary.

#### **6. HOW MUCH WILL THIS COST?**

The application fee is dependent upon the nature of the permit as described above. The base fee is **\$124.87 or \$345.00**, as applicable . Payable to the City of Mt. Shasta.

#### **7. HOW LONG WILL THIS TAKE?**

The review and public notice process can range from 5 to 45 days depending on the project.

#### **8. WHO REVIEWS AND WHO APPROVES THIS APPLICATION?**

The Planning Department reviews the application for completeness and distributes it for review to any interested or potentially affected agency; including any applicable Property Owners Association/Homeowners Association. The application is reviewed by staff and a decision is made by the City Planner or Planning Commission, depending on the project as described above.

#### **9. WHEN WILL THE PERMIT BE ISSUED?**

For a Home Occupation Use Permit, there is a 10-day appeal period after approval by the Planning Commission; if not appealed, the permit is issued and is good as long as it is in continual use. It must be put into operation within one year after approval or it is voided.

On other Home Occupation permits, the planning department will review and approve the permit. Planning Department actions can also be appealed. If the Planning Department action is appealed, the Planning Commission will decide the matter in a public hearing.



- |   | <u>YES</u> | <u>NO</u> |
|---|------------|-----------|
| 1. Will you be conducting a business, trade, profession, calling, or occupation from your residence?    | ( )        | ( )       |
| 2. Will you be receiving supplies, stocks, and/or commodities on the premises?                          | ( )        | ( )       |
| If yes, how often: _____  |            |           |
| How delivered: ( ) HomeUS Mail ( ) Post Office Box ( ) UPS/Fed Ex<br>( ) Other (Describe) _____         |            |           |
| 3. Will you be using your telephone for receiving and sending messages in connection with the business? | ( )        | ( )       |
| 4. Will you have on-site sales of merchandise?  | ( )        | ( )       |
| 5. Will you be selling merchandise door-to-door?  | ( )        | ( )       |
| 6. Will you be conducting sales or training promotions of your merchandise?                             | ( )        | ( )       |
| If yes, where are these conducted? _____  |            |           |
| 7. Will you have employees working at the residence ? (If yes, how many? _____)                         | ( )        | ( )       |
| 8. Do you understand the provisions of the Zoning Ordinance relating to Home Occupation?                | ( )        | ( )       |

As this permit is requested to allow a limited commercial-type activity in a residential area, the owner of the property must sign and approve the requested use prior to consideration by the City of Mt. Shasta. If an agent signs this application, a notarized signed letter from the owner must be received by the City stating that this person is granted permission to act as agent.

OWNER/AGENT SIGNATURE: \_\_\_\_\_

I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or denied by the City of Mt. Shasta. I further certify that I have read and fully understand all the information required in this application form and that I will abide by all conditions as set forth as conditions of permit approval.

APPLICANT SIGNATURE: \_\_\_\_\_

### HOME OCCUPATION USE PERMITS:

**Please initial each item when reviewed:**

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- \_\_\_ 7. Offices for contractors, truck operators, heavy equipment operators, appliance repair business. A proprietor of one of the previously listed or similar businesses is permitted to use the provisions of this section provided that the following standards are satisfied on an ongoing basis:
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