

# **COMMUNITY DEVELOPMENT DEPARTMENT HOME OCCUPATION PERMIT APPLICATION AND INFORMATION**

**A** “Home Occupation” is a business activity which is customarily conducted in your home, provided your use is clearly incidental and secondary to the principal use of the dwelling as a residence. A home occupation shall not alter the character of the dwelling or adversely affect (impact) surrounding dwellings and/or the neighborhood. The purpose of a home occupation shall be limited to the use of the home as allowed by code.

## **WHEN WOULD I NEED THIS PERMIT?**

If you intend to use your home for commercial activities such as personal, professional, or business service, or conduct any office activity of a commercial nature, including telephone contact and receipt of mail, you will need a Home Occupation Permit. You can obtain a HOP application at the Community Development Department located at 58928 Business Center Dr., off of Indio and Yucca Trail, across from the Monterey Business Center.

## **WHAT IS THE PROCESS?**

Once a complete application is submitted, the application is scheduled for a Permit Hearing. This hearing is a staff level meeting that gives staff the opportunity to discuss and make the necessary findings with the applicant. The meeting also allows testimony from interested persons. Property owners within 300 feet are notified of the meeting. This notification is mailed 15 days prior to the hearing. If no comments are received and the applicant is in agreement with the Conditions of Approval 5 days prior to the scheduled hearing date, the Community Development Director will not hold a formal hearing and the application will be approved.

## **HOW LONG WILL IT TAKE TO RECEIVE A PERMIT?**

Home Occupation Permit applications that clearly meet the requirements and are deemed complete are scheduled for a Permit Hearing. Permit Hearings are held twice a month. As a result of the fifteen day notification requirements and staff report preparation, the processing period generally takes three to four weeks. This may vary slightly depending on completeness of the application, complexity, and time of submittal as it relates to hearing dates.

## **WILL REINSPECTION BE REQUIRED?**

Each HOP is valid for 12 months following its approval date. Prior to the permit expiring, the applicant should file a renewal. Certain types of business activities may require annual inspections. In addition, whenever a valid complaint is made against a permit holder, the Town may re-inspect

the home occupation for possible code and conditions of approval violations.

**WILL THE TOWN REQUIRE ANY OTHER LICENSE OR PERMITS?**

No. The Town currently does not require a business to obtain a Business License Certificate.

**UNDER WHAT CIRCUMSTANCES CAN THE PERMIT BE DENIED OR REVOKED?**

If, upon evaluation of the application for a home occupation, it is determined the activity does not conform to the prescribed rules and regulations for a home occupation, the application may be denied.

If the applicant refuses or fails to comply with all conditions of approval, the permit will be revoked.

**WHO HAS THE AUTHORITY TO DENY, SUSPEND, OR REVOKE THE PERMIT?**

The Community Development Director has the authority to deny or revoke Home Occupation Permits upon making the findings that a violation exists of a condition, regulation or limitation of the permit and said violation is not corrected within ten days after a notice of violation is issued.

**IS THERE AN APPEAL PROCESS?**

Yes, any decision of the Community Development Director may be appealed to the Planning Commission by filing an application of appeals with the Community Development Department within ten days following the decision. Upon receiving the notice of appeal, the request is schedule for the next possible Commission meeting. The Planning Commission may affirm, revise or modify the action. Any decision of the Planning Commission may be appealed to the Town Council within ten (10) days following the Commission Action.

**WHAT ARE SOME OF THE STANDARDS?**

Home Occupations and Cottage Industries conducted in accordance with the provision of this chapter shall be permitted in residential zones, and in areas where residential uses are allowed, provided that the occupation is clearly incidental to the use of the dwelling for residential purposes and does not alter the character nor the appearance of the residential environment. No home occupation shall be established until an application for a Home Occupation Permit has been submitted to and approved by the Director of the Community Development Department as being consistent with the requirements of this Chapter. Home Occupations and Cottage Industries shall be permitted as an accessory use to a residential land use, subject to a Home Occupation Permit and to the following standards:

Home Occupation and Cottage Industry standards are divided into three (3) groups of provisions:

1. General standards applying to both Home Occupations and Cottage Industries.

2. Home Occupation standards for properties within land use districts which allow residential uses.
3. Cottage Industry standards for land use districts which require a minimum parcel size of two and one-half (2½) acres and where the lot size is at least one (1) acre.

## PROHIBITED HOME OCCUPATIONS/COTTAGE INDUSTRY

The following home occupations are expressly prohibited as home occupations:

1. The repair, reconditioning, servicing or manufacture of any internal combustion or diesel engine or of any motor vehicle, including automobiles, trucks, motorcycles, or boats,
2. The repair or construction of motor vehicles and appliances, machine shops, and cabinet shops,
3. Uses which entail food handling, processing or packing, other than specialized minor cooking or baking.
4. Uses which may include the services of training, breeding, raising or grooming of dogs, cats or other animals shall be approved only under separate permit pursuant to animal keeping regulations.
5. Sale of produce, hay or other agricultural product,
6. Uses which require the storage or use of explosives or highly combustible or toxic materials beyond that permitted by the building, fire code, or other adopted restriction,
7. Uses which involve commercial vehicles (over a gross weight of 6,000 pounds or greater),
8. Other uses which the Community Development Director determines to be similar to those listed above or which include activities which the Director deems to be equally or more incompatible with the surrounding land uses as the activities normally found in the uses listed above and which may adversely affect the health, safety, and general welfare of the neighborhood.

## Summary of Standards

TOPIC	REGULATORY INTENT	STANDARDS
Location	To minimize unsightly conditions from disturbing surrounding neighbors.	<p>The home occupation shall be confined to an enclosed structure</p> <p>The home occupation may be conducted in the garage to the dwelling unit but shall not use any space required for off-street parking.</p> <p>All employees, partners or operators of the home occupation, shall be members of the resident family and shall reside on the premises.</p> <p>All employees, partners or operators of the home occupation, except two (2), shall be members of the resident family and shall reside on the premises (Cottage Industry)</p>
Sales Activity	Restrict scope of business activity to ensure that residential use remains primary	<p>Direct sales of products or merchandise shall be limited to seven (7) customers per week.</p> <p>Operating hours of a Home Occupation shall be between the hours of seven (7:00) a.m. and eight (8:00) p.m. (Cottage Industry).</p>
Appearance	Maintain visual character of the existing structure as a primary residence.	<p>The appearance of the structure shall not be altered nor the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs or the emission of sounds, noises and vibrations.</p> <p>The use shall not involve storage of materials outside any structures, nor shall merchandise be visible from outside of the home.</p>
Traffic	A home occupation shall not create pedestrian/automobile or truck traffic, or parking demand above normal levels for that zone.	<p>Pedestrian and vehicular traffic will be limited to that normally associated with residential districts.</p> <p>The home occupation shall not involve the use of commercial vehicles for the delivery of materials to or from the premises beyond those commercial vehicles normally associated with residential uses.</p>

TOPIC	REGULATORY INTENT	STANDARDS
Utilities	Maintain residential scale of utility services to limit business activity to an incidental use and avoid TV/radio interference.	<p>The uses of utilities and community facilities shall be limited to that normally associated with the use of property for residential purposes.</p> <p>No equipment or process shall be utilized that causes electrical or reception interference to televisions or radios of neighboring residences.</p>
Business Vehicle	Restrict number, size and keeping of vehicles to reduce parking and maintain residential streetscapes.	<p>Parking shall comply with the parking requirements specified by Division 7, Chapter 6 of this Title. One additional on-site parking space shall be provided for each non-resident employee.</p> <p>The home occupation shall not involve the use of commercial vehicles for the delivery of materials to or from the premises beyond those commercial vehicles normally associated with residential uses.</p>
Storage	Ensure that stored material do not take up required parking space or accumulate in yards	<p>Up to twenty-five percent (25%) or two hundred fifty (250) square feet, whichever is greater, of the total floor area of the dwelling unit and related accessory structures, may be used for storage of materials and supplies related to the home occupation.</p> <p>Up to thirty five percent (35%) of the total floor area of the dwelling unit and related accessory structures or five hundred (500) square feet, whichever is greater, of the home may be used for storage of materials, supplies and equipment related to the cottage (Cottage Industry).</p>
Cumulative Effects	Ensure that home occupation at a site does not exceed single-activity performance levels	The Director of the Community Development Department may impose such additional conditions as deemed necessary to safeguard the health, safety, and general welfare of the neighborhood, and carry out the intent of this section..

# Attachment "A"

## HOW TO PREPARE A 300 FOOT RADIUS MAILING LIST

All HOP Applications require the applicant to submit a list of residents and property owners that live and/or own property within a 300-foot radius of the property in question. This process is required by the State of California to notify residents and property owners in the immediate vicinity. Staff will send public notices to these individuals informing them of the proposed project and scheduled public hearings. (Please refer to the attached map)

### *Step 1 : Where to Look?*

Obtain the appropriate page(s) from the Assessor's Parcel Book.

Example: If your Assessor's Parcel Number (APN) is 587-132-04, you would look in book number 587, page 13, block number 132, parcel number 4.

### *Step 2 : Determining the Radius*

To measure the 300-foot radius, measure 300 feet from property lines (**Not from the center of the property**). The measuring scale is usually located on the page. The measurement should extend from all four sides and four corners.

Example: As illustrated on the attached map, measure 300 feet from every side of the property line. Hence, the radius extends to adjacent streets and blocks.

### *Step 3 : Obtaining Addresses*

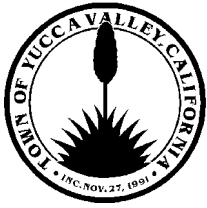
Once you have determined the 300-foot radius, you must identify the owners of those properties that are encompassed by the radius. You will then list the APNs as shown within the radius. You can obtain the corresponding names and addresses of the property owners at the San Bernardino County Assessor's Office or a Title Insurance Company. There may be a fee for this service through a title company. The list of property owners must be on Avery labels, 33 per 8½" x 11" page. This will be used for public notification.

Example: Assessor's Parcel Number  
Any Name  
Any Street  
Any Town, State 00000

### *Step 4 : Notices*

Submit your mailing list with the HOP Application and staff will send public hearing notices to these individuals.

Revised May 11, 2005



Date Received \_\_\_\_\_

By \_\_\_\_\_

Fee \_\_\_\_\_

Case # \_\_\_\_\_

## HOME OCCUPATION PERMIT APPLICATION

(Print Legibly)

APPLICANT'S NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE \_\_\_\_\_

NAME OF BUSINESS (if applicable) \_\_\_\_\_

ASSESSOR PARCEL NO. \_\_\_\_\_

REPRESENTATIVE (if other than applicant) \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

TELEPHONE \_\_\_\_\_

GENERAL LOCATION OF PROPERTY: (Include street address, property location from nearest street or intersection, and indicating which side of street the property is on).

PROPERTY OWNER \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

TELEPHONE \_\_\_\_\_

(Attach written permission from property owner, if applicable).

TYPE OF BUSINESS

NUMBER OF PEOPLE INVOLVED IN THE BUSINESS AND RELATIONSHIP TO OWNER:

TYPE OF ADVERTISING TO BE USED: \_\_\_\_\_

**Town of Yucca Valley  
Community Development Department  
58928 Business Center Dr  
Yucca Valley, CA 92284  
760 369-6575 Fax 760 228-0084**

## **HOME OCCUPATION PERMIT APPLICATION INFORMATION**

1. APPROXIMATE VOLUME, UNITS SOLD, NUMBER OF CUSTOMERS RECEIVED PER DAY, YEAR, OR OTHER TIME INCREMENTS
2. DESCRIPTION OF EQUIPMENT USED (HORSEPOWER, VOLTAGE, ETC.)
3. MATERIALS USED AND THEIR MANNER OF DELIVERY TO HOME OCCUPATION LOCATION:
4. HOW ARE CONTACTS MADE WITH CLIENTS OR CUSTOMERS?
5. SQUARE FEET OF AREA USED FOR STORAGE AND WORK AREA, AND TOTAL SQUARE FEET OF RESIDENCE, INCLUDING GARAGE:
6. BRIEF SUMMARY OF BUSINESS BEING CONDUCTED:
7. PROPERTY OWNERS LIST - WITH YOUR APPLICATION YOU MUST PROVIDE A LIST (ON AVERY LABELS, 33 PER 8½ X 11" PAGE) OF ALL PROPERTY OWNERS AND THEIR ADDRESSES WITHIN 300 FEET OF THE EXTERIOR BOUNDARIES OF THE PROPERTY IN QUESTION. THIS LIST WILL BE USED FOR PUBLIC NOTIFICATION (See Attachment "A").

I CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND THAT I HAVE READ AND UNDERSTAND AND WILL ABIDE BY SAN BERNARDINO COUNTY CODE, SECTION 84.0615 (HOME OCCUPATION / COTTAGE INDUSTRY) AS AMENDED BY ORDINANCE NO 54.

I UNDERSTAND THAT MY PERMIT MAY BE VOIDED FOR NON-COMPLIANCE WITH THE CONDITIONS SET FORTH IN THE APPROVAL.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE