

Chapter 19.65 HOME OCCUPATIONS

19.65.010 Purpose.

Home occupations in residential zones are not a right but a privilege and are intended to provide, as a matter of convenience, certain types of business uses where the use is clearly ancillary to the residential use of the property. Under specific guidelines, these provisions establish a comprehensive set of regulations to determine if a business activity occurring in residential structures is appropriate. In order to minimize potential interference with the intended residential use of the property, businesses conducted as home occupations would be limited to certain types of uses with only those members of the residential family who reside at the residence being able to conduct or participate in the business. Home occupations will be reviewed on an individual basis to ensure compatibility with and avoid any impact on the residential quality of life and property values within the zone. Any use which has the significant potential to impact that quality of life or change the character of the area would not be permitted, and any use which does not conduct its operation within these guidelines would be subject to revocation.

(Ord. 713 § 5 (part), 1990.)

19.65.020 Requirements.

- A. A home occupation permit is required prior to commencing any business activity in a single residential detached unit, except for a small family day care, a large family day care, or a cottage food operation, which requires a special cottage food operation permit under Chapter 19.74 of this code. The application for a home occupation permit must be filed on an application form provided by the department of community development and accompanied by the applicable filing fee.
- B. Upon filing a complete application, the director ~~will~~may cause to be conducted an inspection of the premises for which the application was filed and will provide written notification either approving or denying the application.
- C. A home occupation permit may be issued if the director determines that such use complies with the following provisions:
 - 1. No employment at the residence other than members of the resident family who reside in the dwelling, except in the case of large family day care facility;
 - 2. No use of materials or mechanical equipment at the residence or stored at the residence except that maintained on a vehicle or not recognized as being part of a normal household or hobby use;
 - 3. No direct sale of products from the premises;

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4. The use may not create pedestrian or vehicular traffic other than normal to the single-family residential use of said premises except for certain instructional or tutorial uses;
 5. The use may not involve the use of commercial vehicles for delivery of materials to or from the premises other than normal mail delivery services;
 6. The use may not involve excessive or unsightly storage of materials or supplies indoors and outdoors;
 7. The use may not involve any advertising or signs advertising the location of said residence;
 8. Not more than one room in a dwelling may be employed by the home occupation except for small and large day care facilities;
 9. No building or space outside the main building may be used for home occupational purposes other than limited storage of materials in any garage or accessory building;
 10. The single-family residential character of the main building or of the premises may not be altered by the use or occupancy;
 11. There is no use of utility or community facilities beyond that normal to the use of the property for residential purposes;
 12. No refuse or trash may be generated in quantities or types not normally associated with a residential use;
 13. A home occupation may not create a violation and no permit will be approved if any known violations exist relating to the building code, municipal code or zoning ordinance relative to the subject property;
 14. The residential unit must be maintained in keeping with the neighborhood as to upkeep, maintenance and appearance;
 15. There may be no objectionable or offensive aspects of the home occupation which would provide quantities of the following not normal in the residential area in which the home occupation occurs: noise, light, vibration, smoke odor, humidity, radiation, heat, cold, glare, dust or dirt, electrical interference, abnormal pedestrian activity, abnormal vehicular traffic, television or radio interference or other objectionable or offensive conditions which would adversely affect the property value in the neighborhood or be detrimental to the public health, safety and general welfare as determined by the director;
 16. The home occupation may not make use of explosives or highly combustible or toxic materials in accordance with the Uniform Building Code, the fire code, and any other applicable regulations beyond that normal to a single-family residence;
 17. The use may not violate the city's sign code (Chapter 17.04) by displaying at any location on the premises, contrary to the sign code, any advertisement that a business is being conducted at the residence. No home occupation permit will

be issued if any state or other licensing permit requires any signage as prohibited by the sign code;

18. In a cluster residential project with five units per acre or greater which have been developed on the property, the use may not involve or create the need for more than the parking which has been assigned to the individual unit or occupy more parking spaces than that assigned to that unit;
 19. If the use is in a cluster housing project with a density greater than five units per acre, it may not generate sound or music for extended periods of time unless it can be shown that the use will not be an inconvenience or nuisance to adjoining uses;
 20. If the use is in a cluster housing project with a density of five units per acre or greater, the applicant must submit written evidence from the apartment owner, manager or other controlling person or entity that such use is authorized at or in the project, unless the use is exclusively office-based;
- D. Personal service uses involving the instruction or tutoring of an individual may be allowed subject to approval by the director if the use is in keeping with the stated intent of the section and not determined to be potentially detrimental to adjoining uses. Special conditions may be attached including hours of operation to help minimize any potential problems.

(Ord. 801 § 1, 1993; Ord. 773 § 15, 1993; Ord. 720 § 2, 1990; Ord. 713 § 5 (part), 1990.)

(Ord. No. 1079, § 4(Exh. B), 9-25-2013; Ord. No. 1171, §§ 3L, 3M, 3-25-2020)

19.65.030 Uses prohibited.

The following uses are expressly prohibited as home occupations:

- A. The repair, reconditioning, servicing or manufacture of any internal combustion or diesel engines or of any motor vehicle;
- B. Repair, fix-it or plumbing shops;
- C. Uses which entail the harboring, training, breeding, raising or grooming of dogs, cats or other animals on the premises;
- D. Uses which entail food handling, processing or packing;
- E. Any use which involves customers on the premises other than instructors or tutoring uses as described in Section 19.65.020(D);
- F. Uses which require the storage or use of explosives or highly combustible or toxic materials beyond that permitted by the building code, fire code, ~~Tanner Plan~~ or other adopted restriction;

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- G. Uses which involve commercial vehicles (with a gross weight of ten thousand pounds or greater) within a residential area;
 - H. Uses which require a license issued by the California Department of Alcoholic Beverage Control.

(Ord. 1001 § 2, 2007; Ord. 1000 § 2, 2007; Ord. 821 § 10, 1994; Ord. 713 § 5 (part), 1990.)

19.65.040 Denial and revocation of permit.

A home occupation permit issued in accordance with the provisions of this chapter may be revoked if the director of ~~planning and~~ community development finds that any of the following conditions exist.

- A. That any condition of the home occupation permit has been violated;
- B. That the use has become detrimental to the public health or safety, or constitutes a nuisance as designated in Chapter 9.12 of this code;
- C. That the permit was obtained in a fraudulent manner;
- D. That the use for which the permit was granted has ceased for a minimum of six consecutive months or longer;
- E. That the condition of the premises or of the area of which it is a part has changed so that the use is no longer considered compatible under the meaning and intent of this section;
- F. The business has not maintained a current business license;
- G. That complaints received by persons affected by the operation of a home occupation permit have been substantiated by the department of ~~planning and~~ community development.

(Ord. 713 § 5 (part), 1990.)

19.65.050 Permit nontransferable.

A home occupation permit issued in accordance with the provisions of this chapter shall not be transferred, assigned or used by any person other than the permittee, nor shall said use be at any location other than the one for which the permit is granted.

(Ord. 713 § 5 (part), 1990.)

19.65.060 Fees required.

The city has established by resolution a fee necessary to cover the cost of processing home occupation applications.

(Ord. 713 § 5 (part), 1990.)