

**19.14.490 Home occupations – Permit required when – Restrictions and requirements – Revocation when – Appeals.**

In any R zone, a customary home occupation may be permitted subject to a home occupation permit granted by the Development Services ~~Department~~Director which is merely incidental and secondary to residence use. Each such permit shall be accompanied by the required filing fee(s). The following are typical home occupations: fine arts, handicrafts, dressmaking, millinery, laundering, preserving, home cooking, route salesman; or office of a doctor, dentist, lawyer, architect, engineer, teacher or member of another recognized profession. In approving a home occupation permit, the Development Services Department must find that the use can be conducted safely, will not have an adverse effect on the neighborhood or other adjacent uses, and can reasonably be expected to conform to the following restrictions: The home occupation shall not:

A.– No use shall create or cause noise, dust, vibration, smell, glare or electrical interference or other hazards or nuisances.

B. No employees other than residents of the dwelling shall be allowed in connection with a home occupation. (Babysitters or domestic servants are not considered employees of a home occupation.)

C. There shall be no clients or customers on the premises at any time, except where the Development Services Department determines that limited customer traffic may be warranted due to the nature of the business.

D. If a home occupation is to be conducted on rental property, the property owner's authorization for the proposed use shall be obtained prior to the issuance of a home occupation permit.

E. Where the person conducting the home occupation serves as an agent or intermediary between outside suppliers and outside customers, all articles, except for samples, shall be received, stored and sold directly to customers at an off-premises location.

F. There shall be no use of material or mechanical equipment not recognized as being part of a normal household or hobby use.

G. No vehicle larger than a one-ton, four-wheel truck may be used in connection with a home occupation.

H. Activities conducted, and equipment or material used, shall not change the fire safety or occupancy classifications of the premises nor use utilities in amounts greater than normally provided for residential use.

I. There shall be no direct (in-person) sale of products or services on the premises.

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J. The use shall not involve the special use of commercial vehicles for delivery to or from the premises.

K. There shall be no storage of material and/or supplies, indoor or outdoor for purposes other than those permitted in the residential zone.

L. The home occupation shall not be identified by a sign.

M. A structure or space outside of the main building or an accessory structure, including the garage, may be used for home occupation purposes. Whenever a garage is used, the home occupation shall not reduce the required parking area as established in Section 19.62.050.

N. In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner which causes the premises to differ from its residential character either by use of colors, materials or construction, lighting, signs, sounds or noises, vibrations, or similar distinctive workings.

O. The Development Services Department may impose such conditions on the issuance of the permit as are necessary to ensure that the use will have no adverse effect on the neighborhood, and it shall be unlawful for a home occupation to be carried on in violation of such conditions or so as not to conform with the requirements of this Section.

~~Involve the use of power equipment using motors of more than a total of one horsepower capacity or the equivalent thereof, unless a use permit therefor shall have been issued by the Planning Commission;~~

~~B. Generate vehicular traffic in excess of that associated with a residential use;~~

~~C. Create a nuisance by reason of noise, dust, odor, vibration, fumes, smoke, electrical interference, or other causes;~~

~~D. Permit any external display of products, merchandise, or any sign to identify the home occupation.~~

A home occupation permit shall be revoked by the Director of Development Services upon violation of any requirement of this chapter, or of any condition or limitation of any permit issued, unless such violation is corrected within 15 days of notice of such violation, and any such permit may be revoked for repeated violation of the requirements of this section or of the conditions of such permit.

In the event of denial of any permit, or the revocation thereof, or of objection to the limitations placed thereon, an interested party may then appeal the determination within 10 business days to the Planning Commission by filing a written statement with the Development Services Department, stating the reasons for appeal. Once a valid application for appeal has been filed, the Development Services Department shall take no longer than 30 calendar days to set the matter for public hearing

in front of the Planning Commission. The meeting date shall also be no more than 60 calendar days from the application's filing date.

Upon the hearing of such appeal, the Planning Commission may, by resolution, affirm, reverse or modify, in whole or in part, any determination of the Director of Development Services. The resolution must contain a finding of facts showing wherein the project meets or fails to meet the requirements of this chapter and the provisions of the design review manual. The decision of the Planning Commission shall be final.