

## **APPLICATION FOR HOME OCCUPATION PERMIT**

### **Requirements, Process and Application Packet**

It is through the development, redevelopment and preservation of the City, in accordance with the City's Comprehensive Plan, development standards and zoning requirements, that the City is shaped to the form and characteristics deemed desirable and suitable. In order to mitigate potential impacts on surrounding areas or neighborhoods, certain land uses require the approval of a home occupation permit.

Once submitted, the permit application will be reviewed by the Community Development Department and presented to the City Planner, the Planning Commission and/or Council, if applicable. Additional information may be requested or required to process the application after submission.

Packet includes:

- Brief description of permit use and requirements
- Application/Questionnaire
- Application deadlines if Interim Use Permit (IUP) is required

If items and narrative listed are not adequately addressed, the permit may be denied.

The City of St. Francis has two types of home occupation permits that are determined through the process. Once the application questions are answered, city staff will be able to determine if the proposed home occupation meets the requirements of a permitted application or if the application will require a full IUP process. The determination of which a permit is required is outlined in the City Code applicable to this application.

The purpose of the home occupation permit process and Code regulations is to provide a means through the establishment of specific standards and procedures by which home occupations can be conducted in residential neighborhoods without jeopardizing the health, safety, and general welfare of the surrounding neighborhood.

#### **Prohibited Home Occupation Uses, as outlined in Code:**

The following uses have a tendency to be too intense for or potentially disruptive for home occupation and thereby adversely affect residential areas:

- Repair services which produce objectionable light, glare, noise, odor or vibration
- Teaching instruction which customarily consists of more than two (2) non-family pupils at a time
- Manufacturing

#### **Summary of General Requirements applicable to ALL Home Occupations (for full details see Code):**

- No home occupation shall produce light, glare, noise, odor or vibration that will effect adjacent or nearby properties
- No equipment shall be used that will create electrical interference to surrounding properties
- The home occupation shall be clearly incidental and secondary to the residential use

- No home occupation shall require internal or external alteration or involve construction features not customarily found in dwellings, except to comply with local and State fire and police recommendations
- There shall be no exterior storage of equipment or materials used in the home occupation
- The home occupation shall meet all applicable building and fire codes
- No home occupation shall be conducted between the hours of 10:00 p.m. and 7:00 a.m. where business is detectable outside of the residence.
- All home occupations shall comply with the provisions of City Nuisance Ordinances including noise, outdoor storage, parking and other standards.

**Non-Conforming:**

Any existing home occupation that is discontinued for a period of more than thirty (30) days, or is in violation of the provisions, under which it was initially established, shall be brought into conformity.

**Right of Entry:**

By signing this application, applicant is agreeing to right-of-entry stating that the City and its officers have permission to enter the land for purpose of determining compliance with all applicable condition imposed in the permit.

**Fees:**

Application and IUP fees are set annually through the adopted Fee Schedule. See Fee schedule for applicable fee for application required.

**Permitted Use Permit – City Code Chapter 10, Section 21**

In addition to meeting all general requirements for ALL Home Occupations, a “Permitted” Home Occupation must also be able to meet all of the following:

- There shall be no exterior display or signs
- No person other than those who customarily reside on the premises shall be employed
- The operation of any wholesale or retail business shall not be permitted unless
  - Conducted entirely by telephone, mail or electronic medium
  - Merchandise is not stored on the premises
  - The business does not include the sale of equipment or delivery of merchandise to the premises
  - Customers do not come to the home for any part of the transaction
- The home occupation shall be conducted entirely within the principal dwelling
- No more than twenty-five (25%) percent of the gross floor area of the principal dwelling shall be used
- Does not create a parking demand of more than two (2) vehicles at one time
- Does not create a demand for on-street parking. All parking shall be off street and accommodate within the garage and existing driveway area.
- The home occupation does not create a need for an additional driveway access to the property

For full language, directly reference City Code. If your home occupation cannot meet all of the items listed above, an IUP will be required to meet the application requirements.

**Interim Use Permit (IUP) – City Code Chapter 10 Section 7 and Section 21**

Home occupations which are not specifically prohibited AND fail to satisfy the permitted home occupation criteria shall require an Interim Use Permit and shall comply with the following requirements:

The purpose and intent of allowing interim uses is to allow use for a temporary period of time until a permanent location is obtained or while the permanent location is under construction; to allow a use that is presently judged acceptable by the City Council, but that with anticipated development or redevelopment, will not be acceptable in the future or will be replaced in the future by a permitted or conditional use allowed within the respective district to allow a use which is reflective of anticipated long-range change to an area and which is in compliance with the Comprehensive Plan provided that said use maintains harmony and compatibility with surrounding uses and is in keeping with the

architectural character and design standards of existing uses and development.

### **General Information Regarding IUP permits**

- Interim use is identified within the applicable zoning code for the property.
- The application process must be completed.
- Completing the application process does not guarantee approval.
- Conditional use permits are recorded against the property.

### **Requirements for Home Occupations that meet the IUP thresholds:**

- Conditions of City Code Chapter 4: Building Regulation and Permits, must be satisfied
- No more than one (1) person other than those who reside shall be employed
- Teaching of no more than two non-family pupils at a time
- Activity does not cause any adverse changes to character of neighborhood
- Exterior changes necessary to conduct the home occupation are screened, properly designed or separated by distance
- Interior changes necessary shall comply with all building, electrical, mechanical and fire codes
- Traffic volumes are that of a typical single-family residence and no does constitute a nuisance or safety hazard
- Signs are in accordance with Chapter 10, Section 23
- No more than twenty-five (25) percent of gross floor area is used for home occupation
- Attached accessory structure may be used provided the use does not occupy required parking.
- Any wholesale or retail sales must be incidental to the home occupation or low volume sales restricted by appointment.

For full language, directly reference City Code.

### **Home Extended Businesses**

Businesses that may be conducted within a detached accessory building are allowed as an interim use in properties Zoned A-1, A-2, A-3, RR and ML-PUD provided:

- Conditions of General Requirements applicable to ALL Home Occupations shall be satisfied
- No more than two (2) persons other than those who reside shall be employed
- All activity associated with the home business shall not cause any adverse change to residential character of the neighborhood.
- Exterior changes necessary are screened, properly designed or separated by distance to be compatible with residential occupancy
- Interior changes necessary comply with building, electrical, mechanical and fire codes
- Traffic generated shall be that typically associated with a single-family residence
- On parcels greater than five (5) acres, small engine and appliance repair may be conducted, provided the applicant can sufficiently limit noise and other disturbances and the detached building is in a location that will not allow for disturbances to neighboring residences.

For full language, directly reference City Code.

Application Date:	
Fee:	Escrow:

## HOME OCCUPATION PERMIT APPLICATION

LOCATION OF HOME OCCUPATION	ADDRESS:	PARCEL ID #:	
APPLICANT INFORMATION	NAME:		
	ADDRESS:		
	CITY:	STATE:	ZIP:
	PHONE:	EMAIL:	
	DO YOU OWN OR RENT:      OWN                      RENT		
PROPERTY OWNER (if different than applicant)	NAME:		
	ADDRESS:		
	CITY:	STATE:	ZIP:
	PHONE:	EMAIL:	
<b>Applicant to complete</b>			<b>City</b>
<b>Please Answer the Following Questions</b>			<b>Permitted</b>
<p>1. Description of the proposed home occupation: (Include the potential for noise, odor, light or other business characteristics.)</p> <hr/> <hr/> <hr/> <hr/>			<b>IUP</b>

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<p>2. Describe the character of the existing surrounding property:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	<b>Permitted</b>	<b>IUP</b>

<p>3. Who will be employed in this occupation?</p> <hr/> <hr/>	<b>Permitted</b>	<b>IUP</b>

<p>4. Are there to be any person(s) employed who do not live at the address of the occupation listed in the application?</p> <p style="text-align: center;">Yes      No      If YES, number of persons: _____</p>	<b>Permitted</b>	<b>IUP</b>

<p>5. How many customers will be served at one time? _____</p>	<b>Permitted</b>	<b>IUP</b>

<p>6. What are the intended days and hours of this occupation?</p> <p>_____</p>	<b>Permitted</b>	<b>IUP</b>

<p>7. Is there service to the public? _____</p> <p>If YES, describe type and/or process:</p>	<b>Permitted</b>	<b>IUP</b>

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<p>8. Do you intend to have a sign? _____</p> <p>If YES, describe site and provide location on a site plan:</p> <hr/> <hr/> <hr/>	<b>Permitted</b>	<b>IUP</b>

<p>9. Do you have off-street parking available? _____</p> <p>If YES, describe location, capacity and surface type:</p> <hr/> <hr/> <hr/>	<b>Permitted</b>	<b>IUP</b>

<p>10. Will there be a need to use City streets for parking? _____</p> <p>If YES, explain:</p> <hr/> <hr/>	<b>Permitted</b>	<b>IUP</b>

<p>11. Will the occupation require the use of an accessory building? _____</p> <p>If YES, describe the reason for the use of the accessory building:</p> <hr/> <hr/> <hr/> <hr/> <p>Describe the facility in detail:</p> <hr/> <hr/> <hr/> <hr/>	<b>Permitted</b>	<b>IUP</b>

<p>12. Will the home occupation involve any equipment not normally found in a dwelling unit? _____</p> <p>If YES, describe the equipment in detail:</p> <p>_____</p> <p>_____</p> <p>_____</p>	<table border="1"> <thead> <tr> <th>Permitted</th> <th>IUP</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Permitted	IUP			<table border="1"> <thead> <tr> <th>Permitted</th> <th>IUP</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Permitted	IUP		
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<p>13. Will the occupation involve the sale of merchandise over-the-counter that is produced off the premise? _____</p> <p>If YES, describe merchandise to be sold.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<table border="1"> <thead> <tr> <th>Permitted</th> <th>IUP</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Permitted	IUP			<table border="1"> <thead> <tr> <th>Permitted</th> <th>IUP</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Permitted	IUP		
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<p>14. How long do you anticipate the occupation will carry on at this address?</p> <p>_____</p>	<table border="1"> <thead> <tr> <th>Permitted</th> <th>IUP</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Permitted	IUP			<table border="1"> <thead> <tr> <th>Permitted</th> <th>IUP</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Permitted	IUP		
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<p>15. How much of an investment in the premise is required for this occupation?</p> <p>_____</p> <p>Does this include any alterations, interior or exterior? _____</p>	<table border="1"> <thead> <tr> <th>Permitted</th> <th>IUP</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Permitted	IUP			<table border="1"> <thead> <tr> <th>Permitted</th> <th>IUP</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Permitted	IUP		
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<p>16. Are there any license or permits that are required from any other governmental agencies to legally conduct this occupation? _____</p> <p>If YES, list the licenses or permits:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<table border="1"> <thead> <tr> <th>Permitted</th> <th>IUP</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Permitted	IUP			<table border="1"> <thead> <tr> <th>Permitted</th> <th>IUP</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Permitted	IUP		
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