

HOME OCCUPATION PERMIT

The Home Occupation Permit is intended to allow for businesses that are conducted within homes existing in residential districts and that are clearly incidental and secondary to the use of the dwelling unit and compatible with surrounding residential uses.

Required Permit

The Planning Director is authorized to approve Home Occupation Permits, subject to the appeal provisions of Section 18.03.120, and only if all of the following findings of fact can be made:

1. The Home Occupation Permit is in conformance with the Cloverdale General Plan and Zoning Ordinance.
2. The home occupation will comply with all provisions of Section 18.08.120.
3. The Home Occupation Permit would not be detrimental to the health, safety and general welfare. (Ord. 675-2010 § 3 (part), 2011)

If a Home Occupation Permit application proposes a use which is controversial or needs further clarification on a policy issue, the Planning Director may forward the application to the Planning Commission for their approval.

Performance Standards

In order for a Home Occupation Permit application to be approved, the proposed business must meet all of the following performance standards:

1. No more than one home occupation shall be permitted in any dwelling unit, and the home occupation shall be clearly incidental and subordinate to the dwelling's use for residential purposes by its inhabitants.
2. No one, other than lawful residents of the premises, shall be engaged in the business activity.
3. There shall be no change in the outward appearance of the building or premises or other visible evidence of the activity.
4. No equipment or processes shall be used on the subject property that creates noise, smoke, glare, fumes, odors, vibration, electrical, radio, or television interference disruptive to surrounding properties.
5. There shall be no retail sales of products on the premises, except produce (fruit or vegetables) that are grown on the subject property.
6. There shall not be a significant increase in parking demand or in automobile, pedestrian or truck traffic as a result of the home occupation. Customers or clientele shall not regularly visit the dwelling. However, incidental visits may be permitted such as, but not limited to, the sale of produce grown on the property or music lessons.
7. No home occupation shall cause the loss or reduction of covered parking or be conducted in a garage. The garage should be kept clear for the parking of vehicles at all times.
8. There shall be no storage of materials or supplies used in the home occupation outdoors or within a garage.

9. Any hazardous materials to be used in the home occupation shall be listed on the application and material safety data sheets (MSDS) shall be provided with the application for each material.
10. No signs shall be displayed in conjunction with the home occupation, other than a nameplate as provided for in Chapter 18.10.
11. A Home Occupation Permit shall be valid only for the person to whom it is issued, and the permit is not valid until a current city business license is obtained.

Prohibited Home Occupation Uses

The following uses, either by operation or nature, are considered not to be incidental to or compatible with residential activities and therefore are not permitted:

1. Automotive and other vehicle repair (body or mechanical), painting, or storage.
2. Barber and beauty shop.
3. Carpentry and cabinet making.
4. Welding and machine operation.
5. Medical offices, clinics and laboratories.
6. Animal hospitals and grooming facilities.
7. Contractor's storage yards; provided, however, that the parking of one commercial vehicle with an unladen weight of four thousand five hundred pounds or less may be permitted.
8. Adult entertainment.
9. Exercise studios.
10. Music instruction having more than one student at any one time.
11. Dancing and educational instruction having more than five students at any one time and more than three classes per day.
12. Junk yards.
13. Other uses the Planning Commission determines to be similar to those listed above.

Application Submittal Requirements

1. Planning Application Form (completed and signed by both the applicant and property owner, if different);
2. Home Occupation Permit Application Fee;
3. Project description, including a description of:
 - a. Proposed business including the nature of the business (i.e. activities to be conducted on-site including services to rendered or products sold), expected days and hours of operations, expected number of employees (do not include family members) and patrons;
 - b. Location within residence of proposed business and square footage to be devoted to the proposed business;
4. Home Occupation Permit Supplemental Questionnaire; and
5. Business License Application Form (completed and signed; Business License Tax will be due upon approval of Home Occupation Permit).



124 N. Cloverdale Blvd., Cloverdale CA 95425
 Ph. 707 894-1701 Fx. 707 894-4673

City Use Only – do not write in this area

Date Received _____
 Case Number(s) _____
 Land Use Designation _____
 Zoning _____

Mark	Application Type	Fee	Account No.
	Appeal: If fee based application has been filed and paid	\$680* + project fees	100-000-34147
	Appeal: If application is City initiated	\$220*per appeal	
	Annexation/Prezone; Zoning Text or Map Amendment	\$4,230* minimum	100-000-34133
X	CEQA: Categorical Exemption	\$50*	100-000-34139
	CEQA: Initial Study w/Neg Dec	\$2,380* minimum	
	CEQA: Initial Study w/EIR	\$15,000* deposit+cost to prepare EIR	
	Certificate of Compliance	\$990* minimum per parcel	100-000-34130
	Conditional Use Permit	\$2,065* minimum	100-000-34131
	Design Review: Major	\$2,685* minimum	100-000-34138
	Design Review: Minor	\$1,405* minimum	
	General Plan Amendment	\$3,850* minimum	100-000-34134
X	Home Occupation Permit	\$100* minimum	100-000-34131
	Lot Line Adjustment	\$1,520* minimum	100-000-34135
	Lot Merger	\$755* minimum	100-000-34130
	Minor Exception	\$275* minimum	100-000-34132
	Plot Plan Review	\$450* minimum	100-000-34131
	Precise Development Plan	\$3,850* minimum	100-000-34130
	Preliminary Development Plan	\$3,850* minimum	100-000-34130
	Preliminary and/or Precise Development Plan - AMENDMENT	\$2,065* minimum	100-000-34130
	Public Hearing Notice	\$150* minimum per notice	100-000-36620
	PUD Permit	\$2,040* minimum	100-000-34149
	Reversion to Acreage	\$1,140* minimum	100-000-34148
	Sign Permit: Administrative Program	\$210* minimum	100-000-32214
	Sign Permit: Planned Program	\$855* minimum	
	Specific Plan	\$3,850* minimum	100-000-34150
	Tentative Subdivision Map: Major	\$10,085* minimum	100-000-34130
	Tentative Subdivision Map: Minor	\$2,445* minimum	
	Variance	\$2,445* minimum	100-000-34132
TOTAL FEES*:			

* Note: The Fee Schedule reflects the City's minimum processing costs. If there are costs incurred in excess of the minimum, a deposit for future processing will be required. City services over and above the minimum project costs specified herein are recoverable on a time and materials bases. Failure to timely replenish deposits may delay project processing. All fees are charged per the current City of Cloverdale billing rates applicable to the position and department completing the service. Overtime rates apply. For services requested of City staff for which no fee is listed on the Master Fee Schedule, the Director of the Department whose services are requested shall determine the appropriate fee based on hourly rates for staff time involved in the service or activity.

Application Details:

Project title _____

Project address _____ APN(s) _____ - _____ - _____ , _____ - _____ - _____ (list all)

Existing Use(s) of Property _____

Project Description _____

Project title _____

Applicant _____

Mailing Address _____

City, State, ZIP _____

Telephone _____

Fax _____

E-mail _____

Property Owner _____

Mailing Address _____

City, State, ZIP _____

Telephone _____

Fax _____

E-mail _____

Applicant/Owner Certifications, Agreements and Acknowledgements:

- a) In the event the Property Owner is different from the Applicant, the Applicant must provide satisfactory evidence of authorization to sign on behalf of the Property Owner. If the Property Owner is an entity, satisfactory evidence must also be provided the individual acting on behalf of the entity is authorized to do so.
- b) In the event the Property Owner is different from the Applicant, the Property Owner must sign to indicate their consent to the filing and agreement to be liable with the Applicant for payment of the processing fees.
- c) Additional property owners and/or applicants (name, address, telephone number, and signature) shall be included on the application. In the case of a partnership, all general and limited partners shall be identified. In the case of a corporation, all shareholders owning 10% or more of the stock and all officers and directors shall be identified.
- d) If you desire project correspondence and notice of meetings to be sent to parties other than the Applicant and Property Owner, please list their names, address and telephone numbers below.
- e) As part of this application, the applicant agrees to defend, indemnify, and hold harmless the City of Cloverdale, its agents, officers, employees, boards, commissions and Council from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul any approval of the application or related decision, or the adoption of any environmental documents or negative declaration which relates to the approval. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees that may be awarded to the prevailing party arising out of or in connection with the approval of the application or related decision, whether or not there is concurrent, passive or active negligence on the part of the City, its agents, officers, councilmembers, employees, boards, commissions and Council. If for any reason, any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.
- f) The City of Cloverdale shall have the right to appear and defend its interests in any action through its City Attorney or outside counsel. The applicant shall not be required to reimburse the City for attorney's fees incurred by the City Attorney or the City's outside counsel if the City chooses to appear and defend itself in the litigation.
- g) The fees reflect the City's minimum processing costs including, but not limited to, all fees that will be recovered. If there are costs incurred in excess of the minimum, a deposit for future processing will be required. Failure to timely replenish deposits may delay project processing. All fees are charged per the current City of Cloverdale billing rates applicable to the position and department completing the service. Overtime rates apply.

I have read and agree with all of the above.

Property Owner Signature(s) _____ **Date** _____

_____ **Date** _____

Applicant Signature(s) _____ **Date** _____

_____ **Date** _____

Additional space provided to list the following as applicable:

Partnerships: All general and limited partners shall be identified.

Corporations: All shareholders owning 10% or more of the stock and all officers and directors shall be identified.

Name	Address	Telephone No.	Signature
_____	_____	_____	_____
_____	_____	_____	_____

Project correspondence to be provided to (in addition to the Applicant and Property Owner):

Name	Address	Telephone No.
_____	_____	_____
_____	_____	_____



124 North Cloverdale Boulevard
Cloverdale, CA 95425-0217
Telephone (707) 894-1701
FAX (707) 894-4673

HOME OCCUPATION PERMIT SUPPLEMENTAL QUESTIONNAIRE

Please respond to the following questions, as it relates to the proposed business, by indicating 'Yes' or 'No' in the space provided. If the answer to any of the questions below is 'Yes' please provide additional information in the space provided below. Please submit this completed, signed questionnaire along with the other required application materials to the Community Development Department.

- _____ Will there be more than one home occupation in the residence?
- _____ Will any one, other than lawful residents of the premises, be engaged in the business activity?
- _____ Will the outward appearance of the residence or premises be changed in any way?
- _____ Will there be visible evidence of the proposed activity?
- _____ Will any equipment or processes be used on the premises that creates noise, smoke, glare, fumes, odors, vibration, electrical, radio, or television interference disruptive to surrounding properties?
- _____ Will there be any retail sales of products on the premises (other than fruit or vegetables)?
- _____ Will there be a significant increase in parking demand or in automobile, pedestrian or truck traffic as a result of the home occupation?
- _____ Will customers or clientele visit the residence?
- _____ Will the home occupation cause the loss or reduction of covered parking?
- _____ Will the home occupation be conducted in a garage?
- _____ Will materials or supplies used in the home occupation be stored outdoors or within a garage?
- _____ Will any hazardous materials be used in the home occupation? (If yes, please list below, provide material safety data sheets (MSDS) for each material, and indicate the proposed place of storage).
- _____ Will any signs be displayed in conjunction with the home occupation? (A nameplate may be allowed, as provided for in Chapter 18.10).

If yes, please describe: _____

I declare that the foregoing is true and correct and understand that non-compliance with any provision of Section 18.09.120 of the Cloverdale Municipal Code may be cause for revocation of my Home Occupation Permit.

Signature _____

Print Name _____ Date _____