



**TO: HOME OCCUPATION USE PERMIT APPLICANT**

**FROM: DEPARTMENT OF COMMUNITY DEVELOPMENT**

**SUBJECT: HOME OCCUPATION USE PERMIT (HOUP)**

Enclosed is a Home Occupation Use Permit application. Please complete both sides of the form, and sign the form in the appropriate spots (Applicant/Property Owner). If you are not the property owner, you will need the property owner's original signature.

If you are in an apartment you may have your apartment manager sign the form if they are authorized by the property owner to do so; and you need not list your three neighbors.

Once the form is complete, return it to the Community Development Department with the \$112.00 processing fee. This is a one-time only fee, valid as long as this business is conducted at this address.

If you return your application to this office in person and everything is in order, we can issue the permit to you at that time and then you may apply for your Business License at the Finance counter. Applications received by mail should be processed and returned to you within approximately two weeks. After you receive your approved Home Occupation Use Permit, you will need to contact the Business License desk (779-7059) in the finance Department to obtain your Business License. Failure to pay the business license tax is a violation of the Municipal Code; a public nuisance; and subjects the business to water service disconnection subject to noticing requirements under the law (Antioch Municipal Code Section 3-1.203 (C) and (D)).

Please be aware that when your permit is issued an inspection may be made and if there are violations of the conditions or other municipal codes, the permit may be revoked. Furthermore, if it is found that information was misrepresented on the application at the time of issuance, the permit may also be revoked.

If you have any questions, please don't hesitate to contact this department.

Community Development Department

## ARTICLE 9: SPECIAL USE REGULATIONS

### SECTION Home Occupation Use Permits

#### 1. Requirements

Home occupation use permits may be issued by the Zoning Administrator or his designee provided the proposed home occupation meets the requirements set forth in this subsection.

- a. The home occupation shall be incidental and subordinate to the use as a residence as determined by the Zoning Administrator.
- b. The appearance of the structure in no way shall be altered, nor shall the occupation be conducted in a manner which would cause the residence to differ from its original residential character, either by the use of colors, materials, construction, lighting, or signs. There shall be no outside display or storage of goods or materials.
- c. There shall be no significant interior physical alteration associated with the use of the dwelling for a home occupation.
- d. The use of a garage for the purpose of a home occupation shall not decrease the amount of off-street parking required for the residence.
- e. The occupation shall not create any noise, vibration, fumes, odors, dust, or electrical interference which is detectable to the normal senses;
  - i. Off the lot if the occupation is conducted in a single-family dwelling unit; or
  - ii. Outside the dwelling unit if the occupation is conducted in other than a single-family dwelling unit.
- f. There shall be no excessive use of, or unusual discharge into, any one or more of the following utilities: water, sewers, electrical, garbage, or storm drains.
- g. Employees working or meeting at the site shall be limited to persons who reside in the unit and one (1) nonresident, inclusive of all Home Occupation Use Permits issued for the premises.
- h. Delivery vehicles shall be limited to those types of vehicles which typically make deliveries to single-family neighborhoods, such as the United States Postal Service, United Parcel Service, pickup trucks, and light vans.

- i. There shall be no manufacturing of any kind, except for arts, crafts, and hobbies.
- j. There shall be no repair of large appliances, internal combustion engines, automobiles or motorcycles at the home.
- k. Not more than one (1) commercial vehicle shall be permitted, inclusive of all Home Occupation Use Permits issued for the premises, the maximum size thereof not exceeding one (1) ton.
- l. Food preparation shall comply with Section 51035 of the Government Code and requirements of the Health Department.
- m. Home occupation use permits apply to a specific site and owner and shall not be transferable to different persons or to different locations.
- n. No customers or clients shall be permitted to visit the home at any time in conjunction with the home occupation, however in-home lessons shall be allowed for no more than six (6) students in any 24 hour period.

## **2. Prohibited Uses**

Inappropriate home occupations shall include, but not be limited to, the following and similar types of uses:

- a. Beauty parlors, barbershops and haircut salons.
- b. Retail sales.
- c. Restaurants.
- d. Funeral chapels, funeral homes, and taxidermists.
- e. Stables, kennels, and animal breeding, except dog fanciers as authorized by the Code.
- f. Veterinary clinics.
- g. Mechanical and automobile repair and servicing.
- h. Any business that may cause customers or clients to visit the home, with the exception of in-home lessons for (6) or fewer students in any 24-hour period.

### **3. Application**

Applications for home occupation use permits shall require both the applicant's and the property owner's signatures and shall be accompanied by a fee as specified by resolution. Proof of any licenses/registrations required by the home occupation shall be submitted with the application. The applicant shall furthermore agree to comply with all applicable Federal, State and local regulations pertaining to the home occupation.

Issuance of a home occupation use permit shall be an administrative action. The applicant must agree to comply with all of the requirements for a home occupation and sign a statement to that effect. Once the application is completed the Zoning Administrator or his/her designee may issue the home occupation use permit. No public hearing shall be required, unless the Zoning Administrator's decision is appealed, as provided for in Subsection 5 of this Section.

Notices will be sent out to adjacent homes informing them that a home occupation use permit has been issued and include information who they can contact if there are any problems.

More than one home occupation use permit may be allowed per household, provided each application can meet the requirements stipulated in Section 1.

### **4. Transferability**

A home occupation use permit is not transferrable to another individual or site. An existing home occupation may be changed by reapplying for a new home occupation use permit under the requirements of this chapter.

### **5. Appeals**

In the event a home occupation use permit is denied, the applicant may appeal in writing to the Planning Commission. Such appeal shall be accompanied by the fee specified by resolution.

### **6. Revocation**

The Zoning Administrator may revoke or suspend any home occupation use permit if the provisions of this Code have been violated.

**SECTION                      Prohibited Activities – Residential Districts**

It shall be unlawful to do or permit any of the following:

1. To store, park, place or allow to remain in the front yard or in the street side yard of any improved lot, or at any place upon any unimproved lot, in any residential district, for more than seventy-two (72) consecutive hours in any thirty (30) day period, any disabled motor vehicle; motor vehicle body; motor vehicle part; machinery; tool; grease; oil; paint or paint container; or other material and equipment customarily used in the repair, construction, or assembly or mechanical apparatus, appliances, or devices;
2. To park, store, place, or allow to remain in the front yard or in the street side yard of any lot any residential district, for more than seventy-two (72) hours in any thirty (30) day period, for the purpose of disassembling, constructing, reconstructing, repairing, and/or servicing any motor vehicle, motorcycle, bicycle, boat, household appliance, or other mechanical apparatus or device; or
3. To disassemble, construct, repair, and/or service outside a building in any residential district between the hours of 9:00 p.m. and 8:00 a.m. any motor vehicle, motorcycle, bicycle, boat, household appliance, or other mechanical apparatus or device; or
4. To conduct or permit welding or burning operations at any time in any front or street side yard in any residential district.

**SECTION                      Conversion of Residential Properties**

The conversion of a residential use to a non-residential one shall be allowed upon the issuance of a use permit by the Planning Commission as outlined in this Ordinance. The proposed use must be consistent with the underlying zoning district and General Plan land use designations for the site. In reviewing a use permit application for a conversion the Commission shall consider the potential impacts of the conversion on surrounding properties and may impose any conditions necessary to mitigate those impacts.



**\*\*\*SAMPLE OF LETTER THAT WILL BE MAILED TO YOUR NEIGHBORS\*\*\***

March 21, 2013

Notice is hereby given that the Department of Community Development has issued a Home Occupation Use Permit (H0-12-XXX) for a business (Business Description) in the home at Applicant , Address, Antioch, California.

To qualify for a Home Occupation Use Permit, the business:

- Must be incidental and subordinate to the use as a residence; and will not change the appearance of the structure, either by the use of colors, materials, construction, lighting, or signs.
- Will not require the outside display or storage of goods or materials; and will no significant interior physical alteration.
- Will not decrease the amount of off-street parking required for the residence through the use of the garage.
- Will not create any noise, vibration, fumes, odors, dust, or electrical interference; and will not cause an excessive use of, or unusual discharge into, the following utilities: water, sewers, electrical, garbage, or storm drains.
- Will be operated by residents of the unit, with one nonresident employee allowed, inclusive of all Home Occupation Use Permits issued for the premises; and may receive deliveries from vehicles limited to those which typically make deliveries to single-family neighborhoods ( e.g. U.S. Postal Service, UPS, pickup trucks, and light vans)
- Will require no manufacturing, except for arts and crafts.
- Will not include the repair of large appliances, internal combustion engines, automobiles or motorcycles at the home.
- Will not require the use of more than one commercial motor vehicle, inclusive of all Home Occupation Use Permits issued for the premises, with the maximum vehicle size not to exceed one ton.
- Any food preparation shall comply with Section 51035 of the Government Code and requirements of the Health Department.
- Will not allow customers or clients to visit the home, with the exception of in-home lessons for no more than six (6) students in any 24 hour period.
- Will not include any wholesale or retail sales from the home.

If you feel your neighborhood is being negatively impacted because the above-mentioned conditions are being violated please call Neighborhood Improvement Services at 925-779-7042.



# CITY OF ANTIOCH HOME OCCUPATION USE PERMIT

Location of Home Occupation (Address)		Assessor's Parcel No.	
Applicant Name		Phone	
Applicant Address			
Property Owner Name		Phone	
Property Owner Address			
<p>Please read the Home Occupation description on the reverse side of this sheet. If your proposed business can comply with all these requirements, then please briefly <b>describe the following</b>:</p> <p>NAME OF BUSINESS: _____ Bus. Lic #: _____</p> <p>Description of Business: _____</p>			
Materials/equipment used:			
How product would be distributed or service made available to customers:			
How products/materials would be delivered to residence:			
Any chemicals/hazardous materials to be used:			
<p>The Home Occupation Use Permit Ordinance requires that the neighbors on either side of and across the street from your home be notified of the issuance of this permit. Please list the addresses of these neighbors:</p> <p>1) _____</p> <p>2) _____</p> <p>3) _____</p>			
<p>I have read and understand the requirements listed on the reverse side of this sheet and will comply with these requirements. I understand that noncompliance with any of these requirements may result in revocation of my Home Occupation Use Permit and business license. Furthermore, I also understand that complaints regarding the operation of my business may be cause for permit revocation.</p>			
Signature of Applicant		Signature of Property Owner	
Date		Date	
APP. NO.	RECEIVED BY	DATE	RECEIPT NO.

Please check each box to confirm that you have read and will comply with each requirement. To qualify for a Home Occupation Use Permit, your proposed business:

- must be incidental and subordinate to the use as a residence.
- will not change the appearance of the structure, either by the use of colors, materials, construction, lighting, or signs.
- will not require the outside display or storage of goods or materials.
- will require no significant interior physical alteration.
- will not decrease the amount of off-street parking required for the residence through the use of the garage.
- will not create any noise, vibration, fumes, odors, dust, or electrical interference.
- will not cause an excessive use of, or unusual discharge into, the following utilities: water, sewers, electrical, garbage, or storm drains.
- will be operated by residents of the unit, with one nonresident employee allowed, inclusive of all Home Occupation Use Permits issued for the premises.
- may receive deliveries from vehicles limited to those which typically make deliveries to single-family neighborhoods (e.g. the U.S. Postal Service, UPS, pickup trucks, and light vans).
- will require no manufacturing, except for arts and crafts.
- will not include the repair of large appliances, internal combustion engines, automobiles or motorcycles at the home.
- will not require the use of more than one commercial motor vehicle, inclusive of all Home Occupation Use Permits issued for the premises, with the maximum vehicle size not to exceed one ton.
- Any food preparation shall comply with Section 51035 of the Government Code and requirements of the Health Department.
- will not allow customers or clients to visit the home, with the exception of in-home lessons for no more than six (6) students in any 24 hour period.
- will not include any wholesale or retail sales from the home.
- If there are violations of the conditions or other municipal codes, the permit may be revoked. Furthermore, if it is found that information was misrepresented on the application at the time of issuance the permit may also be revoked.