



## **HUGHSON MUNICIPAL CODE- SECTION 17.03.044 Home Occupations.**

A. Purpose. This section is intended to describe the types of occupations that can be undertaken within dwellings in the city and to establish standards and regulations to ensure that home occupations do not result in adverse impacts to residential neighborhoods.

B. Applicability. The guidelines set forth in this section shall apply to the following:

1. Low-impact home occupations, as defined in this title; and
2. Moderate-impact home occupations, as defined in this title.

**All other home occupations shall be prohibited.**

C. Low-Impact Home Occupations.

1. A low-impact home occupation, as defined in this title, that is clearly incidental to the use of the structure or dwelling and meets the performance requirements of this subsection shall be permitted without an administrative permit but shall be required to obtain a zoning clearance subject to the requirements of HMC [17.04.052](#).
2. No more than one low-impact home occupation shall be permitted in any dwelling unit, except that the planning officer may, at his or her sole discretion, allow more than one upon making a finding that the provisions of this section will not be otherwise violated.
3. Such use must be conducted entirely within a dwelling or accessory building and carried on by the inhabitants thereof. If the inhabitants do not own the property, the zoning certificate application must also contain the signature of the owner of the property.
4. There shall be no storage of equipment or supplies other than samples in an accessory structure.
5. There shall be no external alteration of the appearance of the dwelling in which a home occupation is conducted.
6. A low-impact home occupation shall not involve the use of any material, other than craft or art supplies, or mechanical equipment other than customarily incidental to domestic use.
7. No advertising signs shall be placed in the yard or on the house or any part of the property.

D. Moderate-Impact Home Occupations.

1. Administrative Permit Required. Any home occupation that does not qualify as a low-impact home occupation, but that otherwise meets the requirements of this section, shall be considered a moderate-impact home occupation and shall be required to obtain an administrative permit. If the inhabitants do not own the property, the administrative permit application must also contain the signature of the owner of the property.
2. Conditions. An administrative permit for a moderate-impact home occupation shall be granted subject to the requirements of HMC [17.04.008](#), except that the following additional conditions shall apply:
  - a. The administrative permit shall be valid only as to the occupation and residence for which it is issued; and
  - b. The administrative permit shall be revoked if the occupation for which the permit is granted has been discontinued for at least one year.

E. Requirements for All Allowed Home Occupations. All home occupations shall be subject to the following requirements:

1. Home occupations shall comply with all federal, state, county and local regulations, statutes and provisions.
2. The area primarily dedicated to a home occupation shall not exceed 20 percent of the primary living area or 400 square feet, whichever is less. No storage of materials and products is allowed.
3. The home occupation shall not generate pedestrian or vehicular traffic that will cause a disturbance in the district in which it is located.
4. There shall be no excessive or unsightly storage of materials or supplies, either indoors or outdoors.
5. Signage identifying or advertising the business is prohibited.
6. The home occupation shall employ at least one resident of the dwelling unit and shall not employ more than a total of two persons.
7. No home occupation shall involve the elimination of required off-street parking spaces.

F. Uses Not Allowed as Home Occupations. The following uses are not permitted as home occupations:

1. Those which do not meet the provisions of subsections C and D of this section.
2. Those which entail the repair, manufacture, processing or alteration of goods, materials or objects, intended for sale where equipment or process is used which creates an adverse impact on the neighborhood.
3. Those which entail the harboring, training or raising of dogs, cats, birds or other animals.
4. Those which entail vehicle painting, repair and/or body and fender work.
5. Barbershops, beauty parlors, nail salons, music schools, dancing schools, business schools or schools of any kind with organized classes.
6. Those uses which involve retail sales, rental or display of goods or products at the home if such sales, rentals or display will create an adverse impact upon residential uses within 300 feet of the proposed home occupation by causing an increase in traffic, whether vehicular or pedestrian, which unreasonably interferes with parking and/or use of the streets and sidewalks by residents within 300 feet of the proposed home occupation.
7. Gun sales are prohibited in residential zones except for existing permitted uses as of the date of adoption of the ordinance codified in this title.

G. Home Day Care Facilities. Home day care facilities as defined in this title shall not be subject to the other subsections of this section. Small home day care facilities shall be permitted as of right in all residential zones and in single-family and multiple-family dwellings that are found in commercial zoning districts. Large home day care facilities in residential zones and in single-family and multiple-family dwellings that are found in commercial zoning districts shall be subject to an administrative permit.

The administrative permit shall be based upon the following findings:

1. The proposed use is either located on a lot zoned for single-family dwellings or meets a minimum standard of 75 square feet of outdoor activity space for each child who is not an infant. The outdoor area must be owned or leased by the applicant and cannot be shared with other property owners unless written permission is granted by the owner of the adjoining property.
2. The proposed use is located more than 500 feet from any other large home day care facility or child day care center.
3. The proposed use has adequate vehicular access to the residence to provide a safe drop-off and pick-up area with minimal disruption to local traffic and circulation.
4. The proposed use complies with general plan noise requirements for residential uses and the provisions of Chapter [9.30](#) HMC relating to noise.
5. The proposed use complies with any standards promulgated by the State Fire Marshal relating to the subject of fire and life safety in large home day care facilities. (Ord. 08-06 § 1, 2008)



**HOME OCCUPATION PERMIT**

***APPLICATION***

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

MAILING ADDRESS (IF DIFFERENT FROM ABOVE): \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

BUSINESS NAME: \_\_\_\_\_

DESCRIBE IN DETAIL PROPOSED HOME OCCUPATION: \_\_\_\_\_

\_\_\_\_\_

SALES AND/OR SERVICES CONDUCTED (CHECK ONE):     ON THE PREMISES     AWAY FROM THE PREMISES

HOURS OF OPERATION: \_\_\_\_\_                      DAYS OF OPERATION: \_\_\_\_\_

APPROXIMATE NUMBER OF PERSONS VISITING THE DWELLING PER WEEK: \_\_\_\_\_

WILL THE PROPOSED HOME OCCUPATION BUSINESS INVOLVE THE USE OF ANY MECHANICAL EQUIPMENT, CHEMICALS, OR OTHER MATERIALS: EXPLAIN: \_\_\_\_\_

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE FORGOING IS TRUE AND CORRECT. I HAVE READ THE RULES AND LIMITATIONS ON THE APPLICATION AND BY MY SIGNATURE BELOW, I HEREBY AGREE TO ABIDE BY ALL THE RULES AND LIMITATIONS.

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
ADDRESS

APPLICANT IS THE (CIRCLE ONE) **OWNER / RENTER** OF THE ABOVE DESCRIBED PROPERTY.

IF APPLICANT IS A RENTER, PLEASE HAVE THE FOLLOWING "CONSENT OF OWNER" PORTION SIGNED BY THE PROPERTY OWNER.

I AM THE OWNER OF THE ABOVE DESCRIBED PROPERTY AND HAVE FAMILIARIZED MYSELF WITH THE HOME OCCUPATION PROPOSED BY THE APPLICANT. I HEREBY GIVE MY CONSENT TO THE APPLICANT TO CONDUCT THE PROPOSED HOME OCCUPATION ON MY PROPERTY.

\_\_\_\_\_  
PRINTED NAME OF PROPERTY OWNER AND ADDRESS

\_\_\_\_\_  
SIGNATURE OF PROPERTY OWNER

\_\_\_\_\_  
DATE

APPROVED BY:	<i><u>FOR OFFICE USE ONLY:</u></i> DATE:	FEE: \$100.00
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