



\$45 Application Fee

CITY OF VISTA **Home Occupation Permit**

(Revised January 26, 2009)

Business Name: _____
 Applicant: _____
 Business Address: _____
 Mailing Address: _____
 Phone Number: _____
 Type of Business: _____

This certifies that I have read and understand the contents of **Section 18.58.480** of the Vista Development Code regulating Home Occupations, and believe, to the best of my knowledge, that my proposed Home Occupation will not violate any portion of said regulations.

I understand that should this Home Occupation fail to comply with the Home Occupation regulations, this permit can be denied or revoked. In addition, responses to the questions and comments on the opposite side of this form were made by the applicant or with my full knowledge and consent.

I understand that any change in the information given or in the methods of operation or location of my Home Occupation will require that a new application be submitted. I understand that it is my responsibility to notify the property owner of my intention to operate a business at the subject address.

Applicant's Signature: _____

(This section to be filled out by the Reviewing Official)

Zoning District: _____

Permitted Home Occupation: **(YES)** **(NO)**

It is recommended that the Business License for this Home Occupation be: **(GRANTED)** **(DENIED)**

A recommendation that the Business License be granted constitutes approval of the Home Occupation Permit.

Application reviewed by: _____

Signature: _____ Title: _____

CITY OF VISTA **Home Occupation Permit Questionnaire**

1. Please provide a detailed written description of your proposed business, including: the operational characteristics of the business; where in the home the business is proposed to be conducted; the materials required to conduct the business; and the location where these materials will be stored.

2. How many household members will be involved or employed in the conduct of the proposed home occupation?
 Self: _____ Members of the family: _____ Others: _____ Total: _____
3. What type of product is produced/serviced in the conduct of your home occupation? (Example: dresses, musical instruction, business office, etc.) Explain: _____

4. Describe any alteration to the home or premises that may be required to facilitate your occupation.

5. Describe what rooms will be used in the conduct of the home occupation and how these rooms will be used. (Example: den will contain a desk and file cabinet; or extra bedroom will be used for storage.)

6. Describe the mechanical and/or electrical equipment necessary to conduct your home occupation.

7. Describe how, in what amount, and where the material, supplies and/or equipment related to your home occupation will be displayed/stored.

8. Will people come to your home to obtain any product or utilize any service connected with the home occupation? (Yes) (No). If yes, please provide details.

9. If trucks or other equipment will be used in your home occupation, where will they be parked or stored?

10. Will the home occupation involve commercial vehicle delivery of materials to or from the premises? (Yes) (No). If yes, please provide details.

11. Is your proposed home occupation in conformance with any conditions, covenants and restrictions (CC&R's) pertaining to your property? (Yes) (No) It is suggested that you check your CC&R's, particularly if you reside in a condominium or a planned residential development.
12. Describe the type and quantity of hazardous materials (including paint and pool maintenance supplies) that are proposed to be stored in the home, garage or accessory structures. Specify the location where the hazardous materials are proposed to be stored. _____

13. Does your business rent/lease an off-site storage location? (Yes) (No) If so, please provide a copy of the rental agreement/lease.

Section 18.58.480 Home occupations

No occupation, as defined by Section 18.02.335, shall be conducted in any residential, estate, agricultural or open space zoning district, except as may be permitted by a duly issued home occupation permit. The City Planner, or duly authorized representative, may issue such a permit upon submittal of a written application. Such permit shall state the home occupation to be permitted, the location, all necessary conditions, and any specific limitations thereon. The permit shall be issued only if the City Planner is satisfied that the applicant is able to comply with all conditions contained in this section, and the applicant has agreed in writing to comply with such conditions during the effective period of the home occupation permit.

A. Limitations and Conditions.

In general, a home occupation is an accessory activity or secondary use so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence. The limitations and conditions for home occupation in this section are intended to ensure compatibility with other permitted activities or uses and with the residential character of the neighborhood; thus, home occupations are permitted accessory activities or secondary uses in residential zoning districts only as long as all limitations and conditions listed herein are complied with.

1. Such occupation shall be conducted solely by persons who occupy the home as their sole residence. The occupation shall occur in no more than one room or twenty-five percent of the gross floor area of one floor of such residence, whichever is less.

2. No use shall require internal or external building alterations or involve on-site construction related activities, including land clearing or grading activities.

3. No mechanical or electrical devices, equipment or tools shall be permitted, except those items which are commonly associated with residential use or use related to home crafts.

4. No home occupation shall cause a significant increase in the use of utility services or public facilities as reasonably determined by the City Planner. Under no circumstances, shall a five percent or greater increase be considered insignificant in any of the utilities.

5. There shall be no outside storage of any kind related to the home occupation, including the parking or storage of vehicles identified with the business either on the site (out in the open) or on any public or private road. The work vehicle, regardless of it being used as private vehicle, must be parked or stored within a structure at all times and have a payload of one ton or less. The work vehicle can be used for storage of materials directly related to the operation of the home occupation. Any storage confined within a garage shall not interfere with the original intended use of a garage, that is, for parking purposes. If additional storage space is needed, the applicant shall secure an off-site location for storage purposes and provide the City with a copy of the associated lease agreement along with the home occupation application.

6. The use may not increase pedestrian or vehicular traffic flow or increase parking demand in excess of the normal expected residential demand in the surrounding area. The delivery of materials or goods to and from the location of a home occupation shall be limited to normal business hours as determined by the City Planner, with the exception of deliveries associated with the residential use.

7. No use shall be disruptive to the residential neighborhood and create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard or other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy in the district in question under normal circumstances wherein no home occupation exists. The use and/or storage of hazardous materials shall be limited to small quantities of household hazardous materials. Storage of large quantities of hazardous materials or substances, or the storage of acutely hazardous materials or substances is not permitted. Quantity and type of hazardous materials or substances shall be at the discretion of the Fire Marshal.

8. No commercial advertising or identification shall be displayed on the premises except that expressly permitted by Chapter 18.52.

9. The home occupation shall be so located and conducted in such a manner that the outward appearance of the residence gives no indication of activities or uses other than those normally associated with a residential activity or use. In addition, the activity or use is not detrimental to the residential character of the neighborhood in which it is located, and the activity or use does not create either a public or private nuisance.

10. Sale and display of goods shall not be conducted on the property, except for agricultural goods grown on the premises. This provision shall not be construed to prohibit taking sales orders where delivery of goods is not made from the property.

11. The employment of permanent or temporary workers not living at the site is prohibited.

12. Instructional services may be performed as a home occupation when conducted on an individual basis (with a maximum of four (4) students per day), excluding instruction of electronically amplified and percussion instruments. No group instructions of any kind shall be allowed as a home occupation.

13. All home occupations involving mobile water use, such as pressure washing, auto detailing and pet grooming shall be subject to obtaining a Mobile Water Use Permit in addition to a home occupation permit per this section. These uses shall be permitted as mobile uses only and all associated services shall be provided at the customer's location. No pressure washing, auto detailing, pet grooming or other associated services shall be performed at the address of the home occupation permit.

14. Mobile windshield repair and automobile dent repair shall be permitted as home occupations. These uses shall be permitted as mobile uses only and all associated services shall be provided at the customer's location. No vehicles may be brought to the address of the home occupation permit to perform any services. All other mobile repair services are prohibited.

15. Multiple home occupation permits at a residence shall not create any cumulative impacts to the surrounding area that are greater than those associated with a single home occupation permit. A complete home occupation permit shall be issued for each business license.

16. No sale or repair of any kind related to firearms or explosives will be allowed as a home occupation.

17. All on-site automotive repair work is prohibited as a home occupation.

18. No medical services are allowed as a home occupation.

19. Customers or clients of licensed professionals (i.e. accountants, attorneys, architects, engineers) may come to the site of the home occupation from 9:00 a.m. to 5:00 p.m., where no more than two (2) customers at a time may come to the site, with a maximum of four (4) customers per day. In addition, customers associated with agricultural goods grown and sold on the premises are also permitted to come to the home occupation site. No other customers, including general retail/commercial services customers, may come to the site of the home occupation use.

20. The City Planner may establish other limitations and/or conditions as may be deemed reasonably necessary in order to accomplish the intent of this section as it may relate to specific activities or uses and locations.

B. Application Procedure.

1. Application for a home occupation permit shall be made to the City Planner on a form provided by the Planning Division and shall be accompanied by such fee(s) as may be established by resolution of the City Council. The application shall be submitted concurrently with a business license application.

2. Upon receipt of the application, the City Planner shall review it for compliance with the established criteria, establish such additional limitations as deemed necessary, and approve or disapprove it. Should the City Planner deny the application, it shall be returned with a written justification of the action. Within 10 days of the written notification of denial, an appeal may be filed with the Director of Community Development presenting substantial evidence on why the denial should not take place. The decision of the Director is final and non-appealable.

3. Revocation of a home occupation permit may be executed by the City Planner if a determination is made that the applicant has failed to comply with one or more of the limitations or conditions established in approving the permit. Written notice of this determination shall be provided with a termination no earlier than 30 days from date of notice. Within 10 days of the written notification of the determination to revoke the home occupation permit, an appeal may be filed with the Director of Community Development presenting substantial evidence on why the revocation should not take place. The decision of the Director is final and non-appealable.

C. Business License Requirements.

A home occupation permit is not a business license and does not relieve the applicant of the responsibility for obtaining such license. The home occupation permit shall not relieve the holder of any other requirement of the law, code or ordinances of the City pertaining to business licenses and business tax liabilities. A business license is not a permit to allow a home occupation use and the issuance of a business license does not waive the requirements of this section.

(Prior code Appendix A 2160; Ord. No. 91-18, Amended, 05/10/90; Ord. No.2001-6, Amended, 03/27/2001; Ord. No.2009-02, Amended, 01/13/09)