



CITY OF CLOVIS

Department of Planning and Development Services

CITY HALL • 1033 FIFTH STREET • CLOVIS, CA 93612

HOME OCCUPATION APPLICATION

Please read and complete all sections of this Home Occupation Application and submit it, along with a completed Business License Application, to Finance Department Business License Division. This Application does not include an application for a business license. If your application cannot be approved, you will receive a phone call or letter to discuss what would need to occur for the home occupation to meet City requirements.

In order for the Home Occupation Permit to be approved, you must comply with all of the standards set forth in Chapter 9.58 of the Clovis Municipal Code. The operational standards set forth in the Municipal Code are intended to maintain your neighborhood as an attractive residential development. Failure to operate within your approved Permit could constitute grounds for revocation of your Home Occupation Permit and City Business License.

According to the Clovis Municipal Code, a home occupation is intended to allow for home occupations that are conducted within a dwelling located in a residential zoning district, and are clearly subordinate and secondary to the use of the dwelling and compatible with surrounding residential uses. The ordinance establishes two tiers of home occupation permits:

- A. **Small Home Occupation (\$95.00 due at time of submittal)** – A residence utilizing one room of a dwelling for business purposes.
- B. **Large Home Occupation (\$237.00 due at time of submittal)** – The use of two or more rooms in a dwelling for business purposes. Permitted uses are Group Housing Situations in compliance with Article 6 of Chapter 9.4.110 of the Clovis Municipal Code.

Please complete the following information for evaluation of your Home Occupation Permit.

Name of Applicant _____

Business Name _____

Home Address _____

Contact Phone No. _____ Business Phone No. _____

Description of Business Activity _____

Small Home Occupation

I _____ hereby certify that I have read the Home Occupation Ordinance and hereby agree to comply with the Ordinance. I understand that failure to operate in compliance with the Ordinance could constitute grounds for revocation of my Home Occupation Permit. I also understand that any incompleteness or falsification of any fact may result in denial of this application or revocation of any license issued.

Signature

Date

Large Home Occupation

I _____ hereby certify that I have read the Home Occupation Ordinance and hereby agree to comply with the Ordinance. I understand that failure to operate in compliance with the Ordinance could constitute grounds for revocation of my Home Occupation Permit. I also understand that any incompleteness or falsification of any fact may result in denial of this application or revocation of any license issued.

Signature

Date

For Office Use Only:

Planning Division

Phone Number: 324-2340

APN: _____ Zoning: _____

[] The use is permitted in the existing zone district.

[] The use is expressly not permitted in the existing zone district.

Comment: _____

Name: _____ Date: _____

Building Division

Phone Number: 324-2390

[] Permit required

[] No permit required

Comment _____

Name: _____ Date: _____

Phone Number: 324-2390

Fire Department

Phone Number: 324-2200

Comment _____

Name: _____ Date: _____

Chapter 9.58 HOME OCCUPATION PERMITS

9.58.010 Purpose of chapter.

The purpose of this chapter is to allow for the conduct of home occupations which are deemed subordinate to and compatible with surrounding residential uses. A home occupation represents a legal commercial enterprise conducted by an occupant(s) of the dwelling. (§ 2, Ord. 14-13, eff. October 8, 2014)

9.58.020 Applicability.

The home occupation permit is intended to allow for enterprises that are conducted within a dwelling located in a residential zoning district, and are clearly subordinate and secondary to the use of the dwelling and compatible with surrounding residential uses. Home occupation permits shall be consistent with the standards in Section 9.40.110 (Home occupation standards). (§ 2, Ord. 14-13, eff. October 8, 2014)

9.58.030 Application filing, processing, and review.

A. Filing. An application for a home occupation permit shall be filed with the Department in compliance with Chapter 50 of this title (Application Filing, Processing, and Fees) except for the following exempt home occupations which shall be permitted by right in residential zone districts with the issuance of a valid Clovis business license:

1. Exempt home occupations. Business involving the use of phone, computer, printer copier, fax, and/or Internet where no persons come to the site, where there is no manufacturing or shipping other than letters and where there is no on-site signage. These uses are for all practical purposes invisible to the adjacent properties.

B. Contents. The application shall be accompanied by detailed and fully dimensioned floor plans and/or any other data/materials identified in the Department handout for home occupation permit applications.

C. Project review procedures. Following receipt of a completed application, the Director shall make an investigation of the facts bearing on the case to provide the information necessary for action consistent with the purpose of this chapter.

D. Public notice not required. A public notice shall not be required for the Director's decision on a home occupation permit.

E. Director's decision. The Director shall, within ten (10) days, make a determination to approve or deny a home occupation permit that would be operated in compliance with Section 9.58.060 (Operating standards).

F. Appeals.

1. Upon denial by the Director, any appeal to the Commission to grant the home occupation permit must be submitted by the applicant within fifteen (15) days of the Director's decision.
2. The appeal shall be in writing setting forth reasons for the appeal and shall be filed with the Planning Division, subject to a fee in compliance with the City's Fee Schedule.
3. The decision on the appeal by the Commission shall be final with no further appeals.
4. The home occupation permit shall become effective after the Director has signed the permit, or in cases involving review by the Commission, once the Commission has rendered a final decision.

G. Fees. A home occupation permit fee, in compliance with the City's Fee Schedule, shall be collected when the application for a home occupation permit is submitted to the Department. (§ 2, Ord. 14-13, eff. October 8, 2014)

9.58.040 Allowed home occupations.

A. Where allowed. Home occupations are allowed in all residential zoning districts.

B. Allowed home occupations. Certain business activities are deemed appropriate when conducted by the resident(s) of a dwelling in a manner subordinate to and compatible with the residential characteristics of the surrounding neighborhood. The following list presents examples of commercial uses that are generally considered to be subordinate to and compatible with residential activities:

1. Barber and beauty services. A barber or beauty operator as sole proprietor;
2. Computer repair and service. On-site repair and service;
3. Consulting services. Consulting services whose function is one of rendering a service and does not involve the dispensation of goods or products;
4. Drafting and architectural services. Drafting, designing, architectural, and similar services, using only normal drafting and graphic equipment;
5. Internet business. Internet-based sales and services conducting all functions via the Internet;
6. Instructional lessons. The giving of health and fitness, music, self-defense, swimming, and similar lessons, on an individual (e.g., one-on-one) person basis;
7. Salespersons. The home office of a salesperson when all sales are made by written order with no commodities or displays on the premises;

8. Secondary business offices. Secondary business offices where the business has its principal office, staff, and equipment located elsewhere; and
9. Television, radio, and appliance repair. Off-site repair and service with parts available off site.

C. Allowed home occupations. Certain business activities are deemed appropriate under State law when conducted by the business operator of a dwelling in a manner subordinate to and compatible with the residential characteristics of the surrounding neighborhood. The following list presents examples of additional commercial uses that are subordinate to and compatible with residential activities under State law:

1. Group housing operations. Group housing as defined in and subject to the standards in Section 9.40.110, Group housing.
2. Food operations. Cottage food operations which are consistent with State law and County health requirements. (§ 2, Ord. 14-13, eff. October 8, 2014)

9.58.050 Prohibited home occupations.

The following list presents example commercial uses that are not subordinate to or compatible with residential activities, are suitable only in nonresidential zoning districts, and are therefore prohibited as home occupations:

- A. Adult business;
- B. Businesses which entail the breeding, grooming, harboring, raising, or training of dogs, cats, or other animals on the premises, to include kennels and boarding used for these animals;
- C. Carpentry and cabinetmaking (does not prohibit a normal woodworking hobby operation);
- D. Construction business (does not include secondary business offices where the business has its principal office, staff, and equipment located elsewhere);
- E. Dance club/nightclub;
- F. Food preparation other than cottage food operations authorized under State law;
- G. Fortune-telling (psychic);
- H. Landscaping business (does not include secondary business offices where the business has its principal office, staff, and equipment located elsewhere);
- I. Lawn mower and small engine repair;

- J. Home occupations that become detrimental to the public health, safety and welfare, or constitute a nuisance; or if the use is found to be in violation of any law, ordinance, regulation, or statute;
- K. Massage parlors;
- L. Medical and dental offices, clinics, and laboratories;
- M. Mini-storage;
- N. Plant nursery (excepting agriculturally zoned properties in the A, R-R or R-A District);
- O. Retail sales of merchandise stored and/or displayed within the property;
- P. Storage of equipment, materials, and other accessories to the construction and service trades;
- Q. Tattoo parlors, to include body piercing and permanent makeup;
- R. Vehicle repair (body or mechanical), upholstery, automobile detailing (e.g., washing, waxing, etc.) and painting (this does not prohibit mobile minor repair or detailing at the customer's location utilizing a personal, noncommercial vehicle);
- S. Vehicle sales;
- T. Welding and machining;
- U. Yard sales (as a commercial business); and
- V. Other similar uses determined by the Director not to be subordinate to or compatible with residential activities. (§ 2, Ord. 14-13, eff. October 8, 2014)

9.58.060 Operating standards.

Home occupations shall comply with the locational, developmental, and operational standards specified in Section 9.40.110 (Home occupation standards). (§ 2, Ord. 14-13, eff. October 8, 2014)

9.58.070 Findings and decision.

A. Application review. The Director or designated member of staff shall review all applications and shall record the decision in writing with the findings on which the decision is based.

B. Findings. The Director or the Commission after an appeal shall approve a home occupation if the Director or Commission find that the proposed home occupation would:

1. Be consistent with the General Plan, any applicable specific plan, and the development and design standards of the subject residential zoning district;
2. Be consistent with the home occupation criteria, guidelines, and standards of this chapter;

3. Be consistent with all other municipal codes and applicable laws. (§ 2, Ord. 14-13, eff. October 8, 2014)

9.58.080 Conditions of approval.

In approving a home occupation permit application, the Director (or the Commission on an appeal) may impose additional conditions (e.g., buffers, hours of operation, landscaping and maintenance, lighting, parking, performance guarantees, property maintenance, surfacing, time limits, traffic circulation, etc.) deemed reasonable and necessary to ensure that the approval would be in compliance with the provision of this chapter. (§ 2, Ord. 14-13, eff. October 8, 2014)

9.58.090 Permit expiration and revocation.

A. Discontinuance or cessation. Home occupation permits shall immediately expire upon discontinuance or cessation of use for a period of thirty (30) days of the home occupation.

B. Revocation of permit.

1. The Director may revoke a home occupation permit for noncompliance with the provisions of this chapter or the conditions set forth in granting the permit.
2. The revocation shall be effective upon delivery of written notice to the permittee.
3. The permittee may appeal to the Commission the revocation within fifteen (15) days of the Director's decision.
4. The Commission's decision may be appealed to the City Council within fifteen (15) days of the Commission's decision.
5. The appeal shall be in writing setting forth the reasons for the appeal and be filed, along with associated fees, with the Planning Division. (§ 2, Ord. 14-13, eff. October 8, 2014)

9.58.100 Inspections.

The Director shall have the right to inspect the premises subject to a home occupation permit to verify compliance with this chapter and the conditions set forth in granting the permit. The term "Director," as defined in Division 8 of this title (Definitions), also includes a designee of the Director. (§ 2, Ord. 14-13, eff. October 8, 2014)

9.58.110 Post decision procedures.

The procedures relating to appeals, changes, expiration, and performance guarantees that are identified in Division 6 of this title (Development Code Administration) and those identified in Chapter 82 of this title (Permit Implementation, Time Limits, and Extensions) shall apply following the decision on a home occupation permit. (§ 2, Ord. 14-13, eff. October 8, 2014)