



City of Sonora

FEE \$25.00  
Acct # 303-04107-001

## HOME OCCUPATION PERMIT APPLICATION

Name of Applicant \_\_\_\_\_ Phone # \_\_\_\_\_

Address: \_\_\_\_\_

Name of Property Owner \_\_\_\_\_ Phone # \_\_\_\_\_

Address: \_\_\_\_\_

I hereby make an application for a Home Occupation Permit, under the terms of Section 17.04.155 and Chapter 17.59 of the Sonora Municipal Code.

### 17.04.155 - Home Occupation

“Home Occupation” means any use customarily carried on within a residential dwelling by the inhabitants thereof for which the inhabitants receive some form of remuneration, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, and does not adversely affect the uses permitted in the zone and vicinity in which it is located, provided the home occupation is approved pursuant to the provisions of Chapter 17.59.

Please describe in detail, the Home Occupation you are proposing:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Will you have employees for the home based business?  Yes  No  
(If you answered yes, do not continue with this application: Only members of the family occupying the dwelling where the business is being conducted can be included. No other person or employees can be employed under the provisions of a Home Occupancy).

Where will the business operations be conducted?  Residence  Garage

Number of rooms designated for business use? \_\_\_\_\_  
(Attach floor plan of the proposed business use area)

Will the public access this home to conduct business?  Yes  No

### If you checked “yes” in the box above:

How many clients will access the home? \_\_\_\_\_ per day \_\_\_\_\_ per week

**If the public will be accessing the home for business purposes the following ADA requirements apply:**

**Commercial facilities located in private residences – Section 11B-245 of the California Building Code and all other applicable Chapters will be enforced.**

1. **11B-245.2 Application.** When a commercial facility is located in a private residence, that portion

of the residence used exclusively in the operation of the commercial facility or that portion used both for the commercial facility and for residential purposes is covered by the new construction and alterations requirements of this chapter.

**Exception:** The portion of the residence used exclusively as a residence is not required to be accessible in accordance with this chapter.

2. **11B-245.3 Accessible elements required.** The accessible portion of the residence extends to those elements used to enter the commercial facility, including the front sidewalk, if any, the door or entryway, and hallways; and those portions of the residence, interior or exterior, available to or used by employees or visitors of the commercial facility, including restrooms.

**Note: A building permit, payment of permit fees and an inspection will be required for needed ADA Improvements, prior to issuance of a Home Occupation Permit.**

### **Certification by Applicant**

**I certify under penalty of perjury under the laws of the State of California that the business will not occupy more than one room and in no case occupy more than 25% of the existing residence. I further certify that the information on this application is true and correct and by my signature below, I hereby agree to abide by Ordinance 613, related to Home Occupancies in the City of Sonora, attached to this application.**

*Note: If we receive a complaint about the operation of the business, it is our duty to investigate so that we can verify the facts and help make corrections or adjustments so that the problems can be solved. Our desire is to help both the complainant and the licensee. If you have any questions, please contact the Community Development Department at (209) 532-3508.*

**Business License:** Upon approval by the Community Development Director of a Home Occupation permit, the applicant shall obtain a city business license, except for those occupations whose total gross income is less than \$5,000.00.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### **OFFICE USE ONLY:**

<b>Received:</b>	
Fees:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Floor Plan:	<input type="checkbox"/> Yes <input type="checkbox"/> No
ADA Building Permit Required	<input type="checkbox"/> Yes <input type="checkbox"/> No
Inspection Completed:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Business License Required	<input type="checkbox"/> Yes <input type="checkbox"/> No

**APPROVAL: Community Development Director** \_\_\_\_\_ **Date** \_\_\_\_\_

ORDINANCE NO. 613

AN ORDINANCE OF THE CITY OF SONORA, CALIFORNIA, AMENDING TITLE 17 OF THE SONORA MUNICIPAL CODE, PROVIDING FOR HOME OCCUPATION PROVISIONS.

The City Council of the City of Sonora does ordain as follows:

SECTION 1: Section 17.04.155 is hereby added to the Sonora Municipal Code, to read as follows:

17.04.155 Home occupation.

"Home occupation" means any use customarily carried on within a residential dwelling by the inhabitants thereof for which the inhabitants receive some form of remuneration, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, and does not adversely affect the uses permitted in the zone and vicinity in which it is located, provided the home occupation is approved pursuant to the provisions of Chapter 17.59.

SECTION 2: Chapter 17.59 is hereby added to the Sonora Municipal Code, to read as follows:

Chapter 17.59

HOME OCCUPATIONS

Sections:

- 17.59.010 Intent and purpose.
- 17.59.020 Criteria and conditions.
- 17.59.030 Application - Filing.
- 17.59.040 Decision by planning director.
- 17.59.050 Appeals.
- 17.59.060 Business license required.

17.59.010 Intent and purpose.

The intent and purpose of the home occupation provisions is to authorize and regulate the conduct of a business in residential dwellings.

17.59.020 Criteria and conditions.

A home occupation, as defined in Section 17.04.155, may be engaged upon approval according to procedures set forth in this chapter. The following criteria shall apply in review of a proposed home occupation:

- A. The dwelling is located in a residential zone; is primarily confined within the living area or garage of the dwelling and does not occupy any accessory structure, open space or yard; does not occupy more than one room within a dwelling; and does not occupy more than 25 percent of the floor area of the dwelling;
- B. Is carried on by members of the family occupying the dwelling with no other person being employed;
- C. Involves no on-premises sales or vending of merchandise or services not produced on the premises;
- D. Produces no evidence or advertising of its existence beyond the dwelling,

- except for signs or structures otherwise permitted in the zone; and no display of any kind shall be visible from the exterior of the dwelling designed to attract customers, clients, or the general public;
- E. No excessive or unsightly storage of materials or supplies outdoors or in a required garage parking space;
  - F. Creates no noise, odor, dust, vibrations, fumes, or smoke readily discernible at the exterior boundaries of the parcel on which the occupation is situated;
  - G. No generation of additional pedestrian or vehicular traffic or parking beyond that normal to the zone; does not involve the repeated use of commercial vehicles to deliver materials to and from the premises; and does not preempt, in a garage or otherwise, a required parking space;
  - H. Additional criteria and conditions may be imposed by the planning director as deemed necessary to safeguard the health, safety, and general welfare of the neighborhood.

#### 17.59.030 Application - Filing.

An application for a home occupation permit shall be filed with the planning department on a form provided by said department. Information required will include the following:

- A. The location and address of the proposed occupation;
- B. The nature of the occupation;
- C. The number of individuals involved in the occupation;
- D. If the applicant is not the owner of the property, a written statement from the property owner or his representative agreeing to the conduct of the subject business.

A filing fee of \$25.00 to defray costs incurred by the city in processing the application shall also be required. The planning director shall review the application, and shall consult with those departments of the city which might have jurisdiction over some phase of the proposed occupation. As part of the review proceedings, the planning director shall post notice of the proposed occupation in a conspicuous place close to the property where the occupation is to be located at least 10 days prior to a decision being rendered.

#### 17.59.040 Decision by the planning director.

Upon completion of review of the application, all statements, and relevant data, and within 30 days after the filing of the application, the planning director shall render a decision in writing, either approving or denying the request, and the findings for such action. One copy of the written decision shall be given to the applicant, one copy shall be forwarded to the city clerk's office for business license purposes, and one copy shall be kept on file in the planning department.

#### 17.59.050 Appeals.

Any person may appeal the decision of the planning director to the planning commission and city council. Such appeal shall be filed with the planning department within 10 days after the date of the decision by the planning director. Upon receipt of such an appeal, the planning director shall place the matter for consideration on the commission agenda of the first regular meeting of the commission 10 days written notice to the appellant and/or applicant. The commission shall either approve the application with conditions or deny the application based upon its findings. The decision of the commission shall be final, unless it is appealed to the city council pursuant to the provisions of Section 17.62.100 of this title.

17.59.060 Business license required.

Upon approval by the planning director of a home occupation permit, the applicant shall obtain a city business license, except for those occupations whose total gross income is less than five thousand dollars.

Introduced and read at a regular meeting of the City Council of the City of Sonora, California, duly and regularly held on November 4, 1985, and passed and adopted as an ordinance of said City at a regular meeting of said Council held on November 18, 1985, by the following vote:

AYES: Councilmembers Donald A. Calvert, Jack T. Cassinetto, Jim W. Hildreth,  
Sharon L. Marovich and Mayor Ronald E. Stearn.

NOES: None.

ABSENT: None.

Signed and approved on November 18, 1985.

Ronald E. Stearn  
Ronald E. Stearn, Mayor

ATTEST:

Betty M. Castle  
Betty M. Castle, City Clerk

Publication Date: November 25, 1985, The Union Democrat, Sonora, CA