

**APPLICATION FOR HOME OCCUPATION
ORANGE COUNTY**

A Home Occupation is an accessory business use of a residentially-zoned property. **The business must be clearly incidental and subordinate to the residential use of the property and must not result in negative impacts on the neighborhood.** The on-premises sale and delivery of goods which are not produced on the premises is prohibited, except in the case of the delivery and sale of goods incidental to the provision of a service.

Typical examples of uses which may conform to the Home Occupation provisions include: accounting, legal services, computer services, photographic studios, crafts, and sewing/tailoring.

Activities explicitly prohibited as a Home Occupation include:

- Automotive repair
- Automotive service
- Automotive detailing
- Body shop
- Hauling
- Building, electrical, plumbing, mechanical, grading, or other construction contracting

This list is not intended to include all uses which may be unsuitable as a Home Occupation. Home Occupation applications for other uses may be denied if the Standards of Evaluation listed in Article 5, Section 5.5.3 of Orange County's Unified Development Ordinance (UDO) are not fully met.

APPLICATION INFORMATION

Article 2, Section 2.21: Home Occupations

PLEASE TYPE OR PRINT (INK ONLY)

DATE: __/__/__

APPLICANT:

Must be business
owner or operator

PHONE:

ADDRESS:

APPLICANT SAME AS PROPERTY OWNER:

If no, please fill out property owner information.

YES No

PIN:

ZONING DISTRICT:

WATERSHED:

ACERAGE:

PROPERTY OWNER:

If different from
applicant

PHONE:

ADDRESS:

GENERAL OPERATION:

Article 5, Section 5.5.3 Home Occupations of Orange County Unified Development Ordinance

DESCRIPTION OF HOME OCCUPATION:

Describe in detail the nature of the home occupation and if applicable provide business name.

NOISE, VIBRATION, GLARE, ETC:

Will home occupation cause noise, vibration, glare, odor, or electrical interference YES NO, if yes describe:

ON-PREMISE SALES AND DELIVERY OF GOODS:

Delivery and sale of goods incidental to provision of service YES NO, if yes describe:

EMPLOYEES:

Total number of employees including business owner: _____
Number of employees living in residence (include business owner): _____
Number of employees not living in residence: _____

OFFICE USE ONLY

HOME OCCUPATION CONDUCTED IN RESIDENCE:

Size of Residence: _____
Portion of the residence used for home occupation (square feet): _____
*this area must be indicated on floor plan

TRAFFIC GENERATION/PARKING:

Traffic generated by customers: _____
*limited to 2 business trips per hour and no more than 8 trips per day.
Traffic generated by deliveries: _____
*limited to 2 deliveries of products or materials per week
Number of off street parking spaces provided: _____
Employee Space: _____
Customer Space: _____
*spaces must be indicated on site plan
Type of vehicle used in association with home occupation: _____

HOME OCCUPATION CONDUCTED IN ACCESSORY STRUCTURES:

Size of accessory building (square feet): _____
*building or portion of building used cannot exceed 1000 sq ft.
If larger than 1000 square feet:
Year constructed: _____
Area/portion used for home occupation: _____
*this area must be indicated on floor plan

Screening: _____
Describe how building will be screened and indicate on site plan

OUTDOOR STORAGE:

Will there be outdoor storage: _____
If yes indicate location, screening and setback (minimum 40-feet) from road right of way on site plan.
*Only allowed in the RB, AR, R1 zoning districts.

YES
 NO

YES
 NO

SIGN:

Is a sign proposed, if yes:

Sign must comply with Article 12, Section 6.12.13(E)

Limited to one sign not to exceed eight square feet in area and four feet in height and must not be illuminated.

Location must be shown on site plan.

Sign copy limited to business name and phone number.

Sign shall not be located in any right of way or sight visibility triangle, easement or other vehicular or similar area.

YES

NO

YES

NO

SUBMITTAL REQUIREMENTS:

1. Application form as required by Article 2, Section 2.21 of the Unified Development Ordinance.

2. Plot Plan:

The plot plan shall be drawn in accordance with Article 2, Section 2.4.3 of the Unified Development Ordinance and shall contain the following per Section 5.5.3:

- The location of the residence or accessory building in which the home occupation is to be located in relation to existing property lines and adjacent homes
- The location, number, and means of access to required off street parking areas
- The location and type of required landscaping and/or screening

3. Floor Plan:

The floor plan shall contain the follow:

- Location, size, and use of each room or area within the residence or accessory building

4. Application Fee – refer to most recent adopted fee schedule

I, the applicant, hereby certify that the foregoing application is complete and accurate. I understand that I am bound to comply at all times with the rules and regulations for home occupation as specified in the Orange County Unified Development Ordinance.

APPLICANT'S SIGNATURE

DATE

OWNER'S SIGNATURE

DATE

OFFICE USE ONLY

DATE RECEIVED:	
DATE ACCEPTED:	
REVIEWING STAFF:	
LEGAL DESCRIPTION:	
DATE APPROVED:	
DATE APPROVED W/ CONDITIONS:	
DATE DENIED:	
DATE DETERMINATION LETTER SENT:	
DATE APPLICANT LETTER RETURNED:	

SECTION 2.21: HOME OCCUPATIONS

2.21.1 Application Requirements

- (A) An application for a Home Occupation Permit shall be filed with the Planning Director on forms provided by the Planning Department.
- (B) Application forms shall be prepared so that when completed a full and accurate description of the proposed use, including its location, appearance, and operational characteristics are disclosed.
- (C) An application shall include a plot plan that adheres to the requirements of Sections 2.4.3 and 5.5.3.

2.21.2 Conditions of Approval

- (A) If conditions are attached to the approval of a permit, they may address deficiencies in meeting specific Ordinance requirements or they may address specific impacts which result from the operation of the home occupation.
- (B) If conditions address specific impacts which result from the operation of the home occupation, the conditions may include, but not be limited to the following limitations:
 - (1) Hours of operation;
 - (2) Number of vehicles to be parked on the premises;
 - (3) The location of an accessory building, storage area or parking on the property.
- (C) The Planning Director may require greater setbacks and/or additional landscaping or screening to adequately screen the home occupation from adjoining properties.

2.21.3 Application Approval

- (A) If the application is approved, either with or without conditions, the Planning Director shall send the applicant a permit letter informing him/her of the approval and of the requirements of the Ordinance that apply to the home occupation.
- (B) The permit letter must be signed by the applicant to indicate his/her willingness to operate the home occupation in conformance with the requirements and conditions set forth in the permit letter.
- (C) Each permit letter shall be kept on file by the Planning Director and shall constitute the Home Occupation Permit for the particular use in question.
- (D) The home occupation may be operated by the applicant as long as it is operated in conformance with the requirements and conditions set forth in the permit letter.

2.21.4 Application Denial

If the application is denied, the Planning Director shall notify the applicant of the denial and shall state the reasons for denial in writing.

2.21.5 Appeals

The applicant may appeal the decision of the Planning Director to the Board of Adjustment as set forth in Section 2.24.

2.4.3 Plot Plan Specifications

- (A)** For development types requiring a plot plan rather than a site plan, the plot plan shall contain the following:

 - (1)** A scaled drawing denoting the length of all property lines,
 - (2)** A north arrow denoting the orientation of the lot and all proposed structures,
 - (3)** The location of the proposed structure(s) and distances from all property lines,
 - (4)** The location of the proposed driveway,
 - (5)** The location of the proposed septic system and proposed drain lines on the property,
 - (6)** The location of the proposed well, and
 - (7)** The location of any protected features on the property (i.e. stream buffers, flood plain, wetlands, etc).

- (B)** Base plot plans are available from the Planning Department and can be printed for a fee in accordance with the established fee schedule. Applicants may also use other sources of base plot plans provided the requirements of this Section are met.

 - (1)** Planning staff is available to discuss compliance matters but shall not complete plot plans.

5.5.3 Home Occupations**(A) General Standards****(1) Submittal Requirements--**

In addition to the completed application form, applicants for a home occupation shall submit the following to the Planning Department:

- (a) A plot plan of the property on which the home occupation is to be located. The plot plan shall show:
 - (i) The location of the residence or accessory building in which the home occupation is to be located in relation to existing property lines and adjacent homes;
 - (ii) The location, number, and means of access to required off street parking areas; and
 - (iii) The location and type of required landscaping and/or screening.
- (b) A floor plan of the residence or accessory building in which the home occupation is to be located showing the location, size, and use of each room or area within the residence or accessory building.

(2) Standards of Evaluation -

- (a) No home occupation may be operated in a residence except as permitted under this Ordinance and only after a Home Occupation Permit has been issued in accordance with the provisions of Section 2.21 of this Ordinance.
- (b) Uses Not Permitted
 - (i) The following activities are explicitly prohibited as home occupations:
 - a. Automotive repair,
 - b. Automotive service,
 - c. Automotive detailing,
 - d. Body shop,
 - e. Hauling, and
 - f. Building, electrical, plumbing, mechanical, grading or other construction contracting.
 - (ii) The above list is not intended to include all uses which may be unsuitable as a home occupation. Home Occupation applications for other uses may be denied if the Standards of Evaluation listed herein are not fully met.
- (c) General Operations
 - (i) No equipment or process shall be employed that will cause noise, vibration, glare, odor or electrical interference detectable to the normal senses at the lot lines in the case of detached dwelling units or outside the dwelling unit, in the case of attached dwelling units.
 - (ii) The on-premises sale and delivery of goods which are not produced on the premises is prohibited, except in the case of the delivery and sale of goods incidental to the provision of a service.

- (iii) The owner or operator of the home occupation must live in a residence located on the same zoning lot as the home occupation. No more than two individuals not living in the residence may work in the home occupation.
 - (iv) In all residential districts except RB, AR and R-1, no more than 35% of the floor area of the dwelling unit or 500 square feet, whichever is less, may be used for the home occupation.
- (d) Limitations on Traffic Generation
 - (i) Traffic generated by visitors, customers, or deliveries shall not exceed more than two business trips per hour, more than eight trips per day, or more than two deliveries of products or materials per week.
 - (ii) Parking generated by the home occupation shall be met off the street and other than in a required yard area.
 - (iii) There shall be no use of a vehicle with a load capacity in excess of one ton in connection with the home occupation, including vehicles used for delivery or pick-up. Vehicles with the permitted load capacity generally include large pick-up trucks, and delivery trucks and vans such as those used by UPS, but would not include vehicles such as tractor trailers or dump trucks.
- (e) Use of Accessory Structures
 - (i) An accessory building containing up to 1000 square feet may be utilized in the RB, AR and R-1 zoning districts, provided that building has the appearance of a residential accessory structure.
 - (ii) The accessory structure must be screened from view of the road and adjacent property by a densely planted evergreen hedge of shrubs or trees. In lieu of an evergreen hedge, a six foot stockade fence and deciduous plant materials may be used for screening purposes.
 - (iii) New structures built for the purpose of conducting a home occupation shall not exceed 1000 square feet in area.
 - (iv) An existing accessory structure which is larger than 1000 square feet may be used for the home occupation provided that no more than 1000 square feet is used for the home occupation and the area is physically separated by walls or other barriers. In order to qualify as an existing accessory structure for the purpose of conducting a home occupation, the structure must have been constructed to meet building code requirements applicable to a residential accessory structure, and must have been in existence for at least 36 months.

- (f) Use of Outdoor Storage
 - (i) Up to 500 square feet of outdoor storage area may be used in the RB, AR and R-1 zoning districts provided that it:
 - a. Is clearly defined on the site plan and on the ground.
 - b. Is located at least 40 feet from any lot line or road right-of-way; and
 - c. Is totally screened from the view from the road and from adjacent property in the same manner as is required for accessory buildings.
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Article 6: Development Standards

Section 6.12: Signs

6.12.13 Sign Standards for Specific Uses

In addition to the requirements contained herein, the following land uses shall adhere to these additional standards:

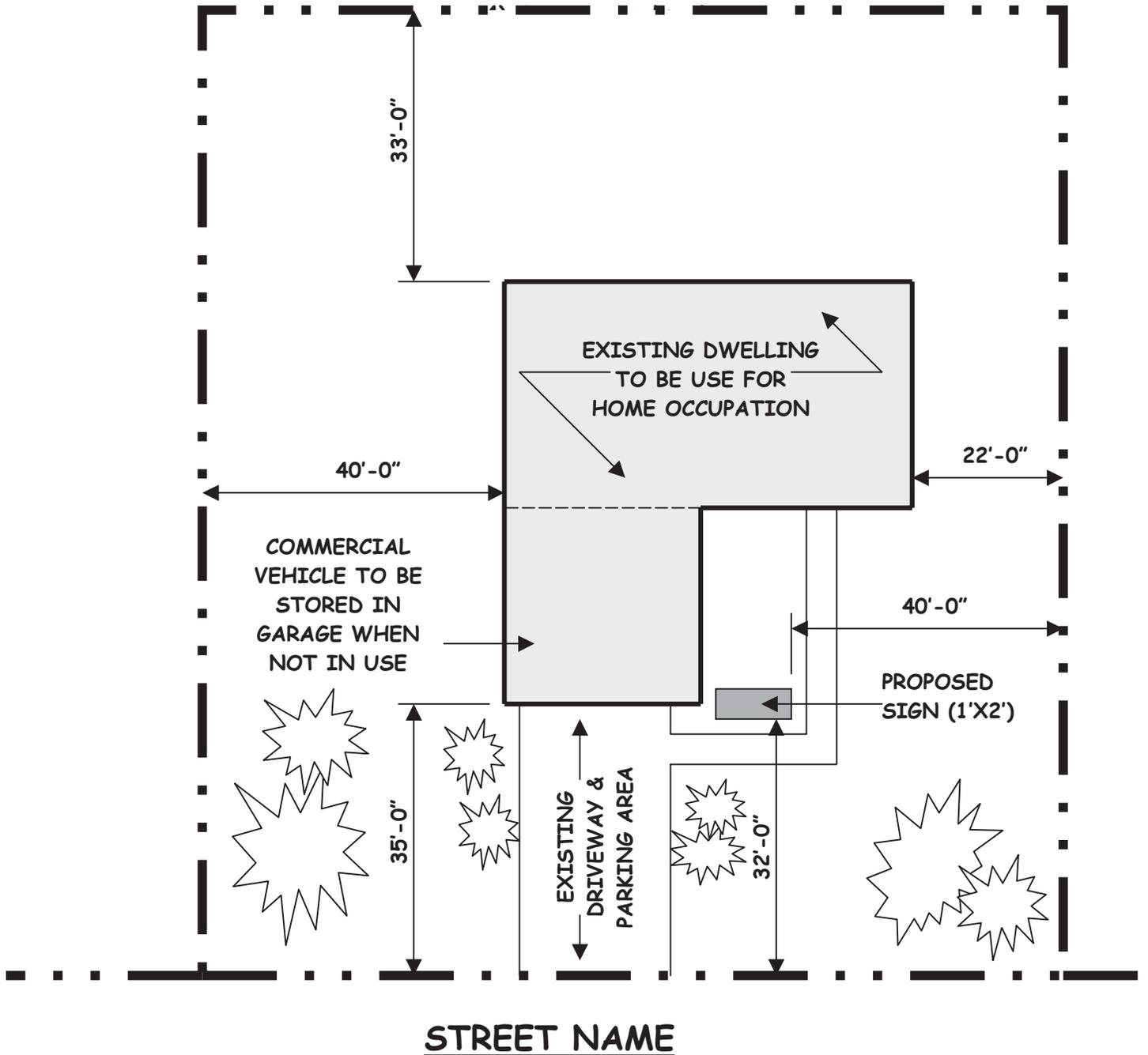
(E) Home Occupations

- (1) The Home Occupation shall have a valid Zoning Compliance Permit issued by Orange County;
- (2) There shall only be one sign limited to eight square feet in area and four feet in height;
- (3) Such sign shall not be illuminated by any means;
- (4) Sign shall not be located within any public street right-of-way, sight visibility triangle, easement, vehicular area or other similar area; and
- (5) The sign message shall be limited to the business name and telephone number.

SAMPLE SITE PLAN

Site Plan, drawn to scale, to include the following:

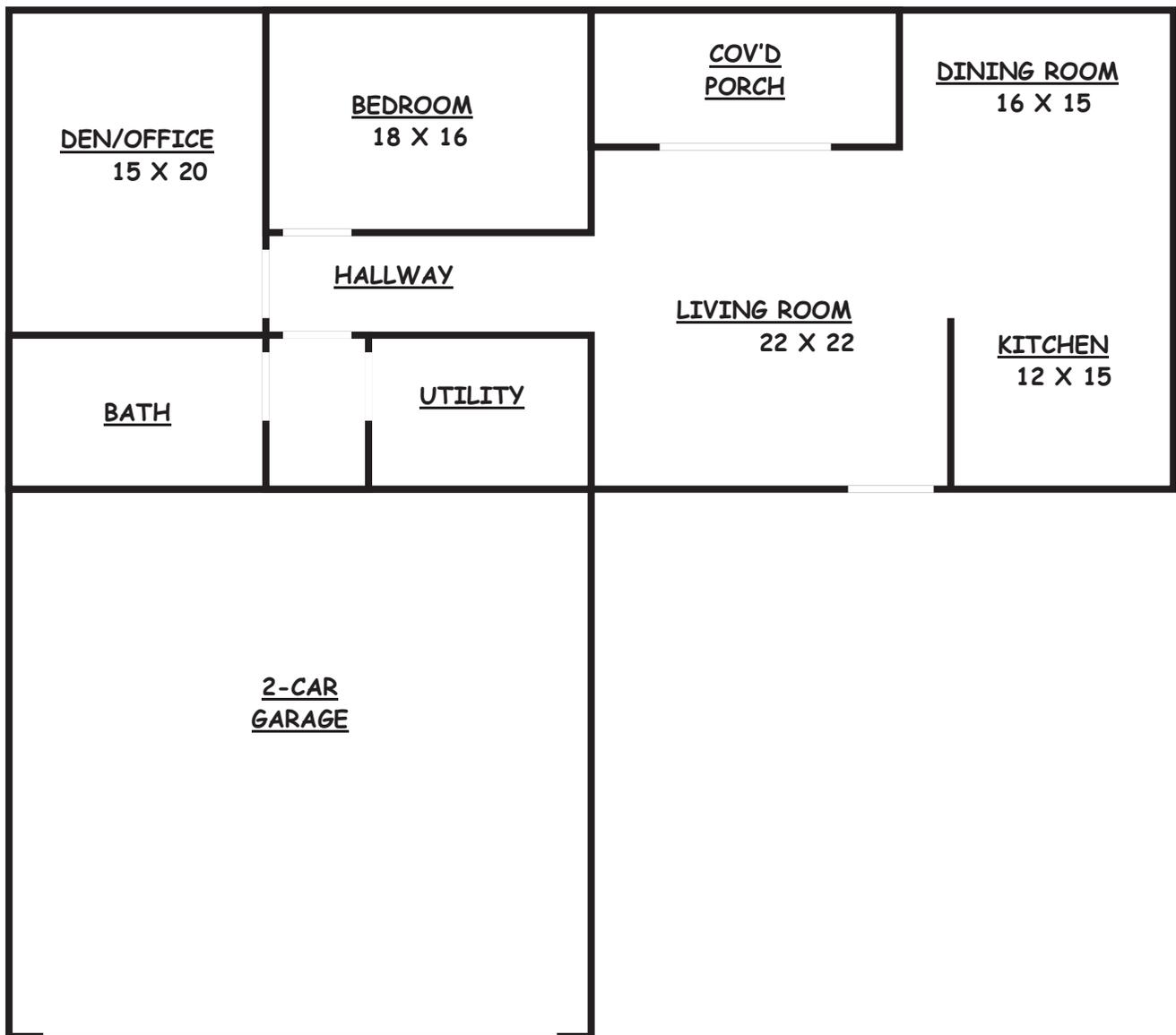
- 1) Residence
- 2) Accessory buildings
- 3) Outdoor storage area



SITE PLAN

1" = 100'

SAMPLE FLOOR PLAN
FOR HOME OCCUPATION
WITHIN RESIDENCE



FLOOR PLAN

$\frac{1}{4}'' = 1'-0''$