

APPLICATION FOR HOME OCCUPATION
ORANGE COUNTY

March, 2001

DATE: _____

A Home Occupation is an accessory business use of 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 neighborhoods.*** The on-premises sale and delivery of goods which are not produced on the property, except where such sales are 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.

Certain uses, due to the nature of their operation with regard to traffic generation and potential visual and other impacts, are not intended to be permitted as home occupations. Activities explicitly prohibited as home occupations include: automotive repair; automotive service; automotive detailing; body shops; hauling; and building, electrical, plumbing, mechanical, grading or other construction contracting. Home Occupation applications for other uses may be denied if each of the Standards of Approval listed in Article 6.16.6.2 of the Zoning Ordinance is not fully met.

APPLICANT (must be business owner or operator): _____

ADDRESS: _____ **PHONE:** _____

PROPERTY OWNER (if different) _____

ADDRESS: _____ **PHONE:** _____

A GENERAL INFORMATION

Tax Map Number _____ Acreage _____ Zoning District _____

PIN Number _____ - _____ - _____

Description of Home Occupation _____

B OPERATION OF HOME OCCUPATION

Employees

Total number of employees including business owner: _____

Number of employees (including business owner) living in residence: _____

For Home Occupations Conducted in Residence

Size of residence (square feet) _____

Portion of residence used for home occupation (square feet) _____

For Home Occupations Conducted in Accessory Building

Size of accessory building (square feet) _____ If larger than 1000 square feet:

Year constructed _____

Area used for home occupation _____

Outdoor Storage Areas

Will any outdoor areas be used for storage of materials associated with the home occupation? If yes, indicate the size of the storage area, materials to be stored, and how the area will be identified on the ground.

Traffic Generation

Describe amount and frequency of traffic generated by the home occupation. Include delivery traffic as well as customer or client traffic.

Describe the types of vehicles which may be used in connection with the home occupation. Include the size and load capacity of any vehicles used for delivery or pick-up, and whether or not they will be stored or parked on the property.

C OTHER SUBMITTAL REQUIREMENTS

1. Floor plan of dwelling unit (to scale) – if residence houses home occupation.
2. Site plan of property (to scale) which includes:
 - Residence
 - Accessory buildings
 - Outdoor storage area
 - Driveway and parking areas
 - Size and location of any proposed sign.
3. One (1) full size copy of a current Orange County Tax Map (tax parcel involved clearly marked).
4. Photo of accessory building (if used for home occupation).
5. Landscape Plan (to indicate screening of accessory building or outdoor storage area).
6. Application Fee (\$90.00).

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 Zoning Ordinance.

APPLICANT'S SIGNATURE	DATE	OWNER'S SIGNATURE	DATE
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CERTIFICATION (OFFICE USE ONLY)

- _____ Use is allowed as Home Occupation.
- _____ Dwelling unit exists on tax lot.
- _____ Proposed use satisfies definition of home occupation.
- _____ Impacts (noise, vibration, glare) within limits specified for district.
- _____ Number and residency of employees/business owner complies with ordinance requirements.
- _____ Floor and/or storage area complies with ordinance requirements.
- _____ Accessory structure and/or storage area complies with applicable setback and screening requirements.
- _____ Signage meets standards.
- _____ Traffic generation within applicable limits.
- _____ Vehicle size within applicable limits.

HOME OCCUPATION REQUEST: _____ **ACCEPTED** _____ **REJECTED** **Date** _____ **Staff Initials** _____

6.16.6
Amended
9-3-96

Regulations Concerning Home Occupations

6.16.6.1 Purpose and Intent

Home Occupation regulations are intended to provide an opportunity for home-based businesses in residential districts, provided that the business use is clearly incidental and secondary to the residential use of the property and does not have a negative impact on the residential character of the neighborhood.

Certain uses, due to the nature of their operation with regard to traffic generation and potential visual and other impacts, are not intended to be permitted as home occupation. The following activities are explicitly prohibited as home occupations: automotive repair, automotive service, automotive detailing, body shop, hauling, and building, electrical, plumbing, mechanical, grading or other construction contracting.

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 each of the Standards of Approval listed in Article 6.16.6.2 is not fully met.

6.16.6.2 Standards of Approval

a. General Operation

1. One sign no larger than two square feet in area is permitted.
2. 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.
3. 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.
4. 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 (2) individuals not living in the residence may work in the home occupation.
5. 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.

b. Limitations on Traffic Generation

1. 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.
2. Parking generated by the home occupation shall be met off the street and other than in a required yard area.
3. 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.

c. Use of Accessory Structures

1. 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.
2. 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 (6) foot stockade fence and deciduous plant materials may be used for screening purposes.
3. New structures built for the purpose of conducting a home occupation shall not exceed 1000 square feet in area.
4. 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 thirty-six months.

d. Use of Outdoor Storage

Up to 500 square feet of outdoor storage area may be used in the RB, AR and R-1 zoning districts provided that it:

1. is clearly defined on the site plan and on the ground.
2. is located at least 40 feet from any lot line or road right-of-way; and

3. is totally screened from the view from the road and from adjacent property in the same manner as is required for accessory buildings.

6.16.6.3 Home Occupation Permit - Application Procedure

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 by the Zoning Officer.

An application for a Home Occupation Permit shall be filed with the Zoning Officer and shall be submitted on forms provided by the Zoning Officer. Such 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.

In addition to the application, the applicant is required to submit a site plan of the property on which the home occupation is to be located. The site plan shall show 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; and the location and type of required landscaping and/or screening.

The applicant is also required to submit a floor plan of the residence or accessory building in which the home occupation is to be located. The plan shall show the location, size, and use of each room or area within the residence or accessory building.

No review will occur until all required materials are submitted. Failure to submit all materials is grounds for denial and rejection of the application.

Upon a determination that the application is complete, the Zoning Officer shall cause a review of the application to be made. The review shall determine if the proposed home occupation conforms with all requirements of this Ordinance. Based on the review, the application will be approved, approved with conditions, or denied.

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. In the latter case, the conditions may include, but not be limited to, limitations on the hours of operation, the number of vehicles to be parked on the premises, and the location of an accessory building, storage area or parking on the property. In addition, the Zoning Officer may require greater setbacks and/or additional landscaping or screening to adequately screen the home occupation from adjoining properties.

If the application is approved, either with or without conditions, the Zoning Officer shall send the applicant a permit letter informing him of the approval

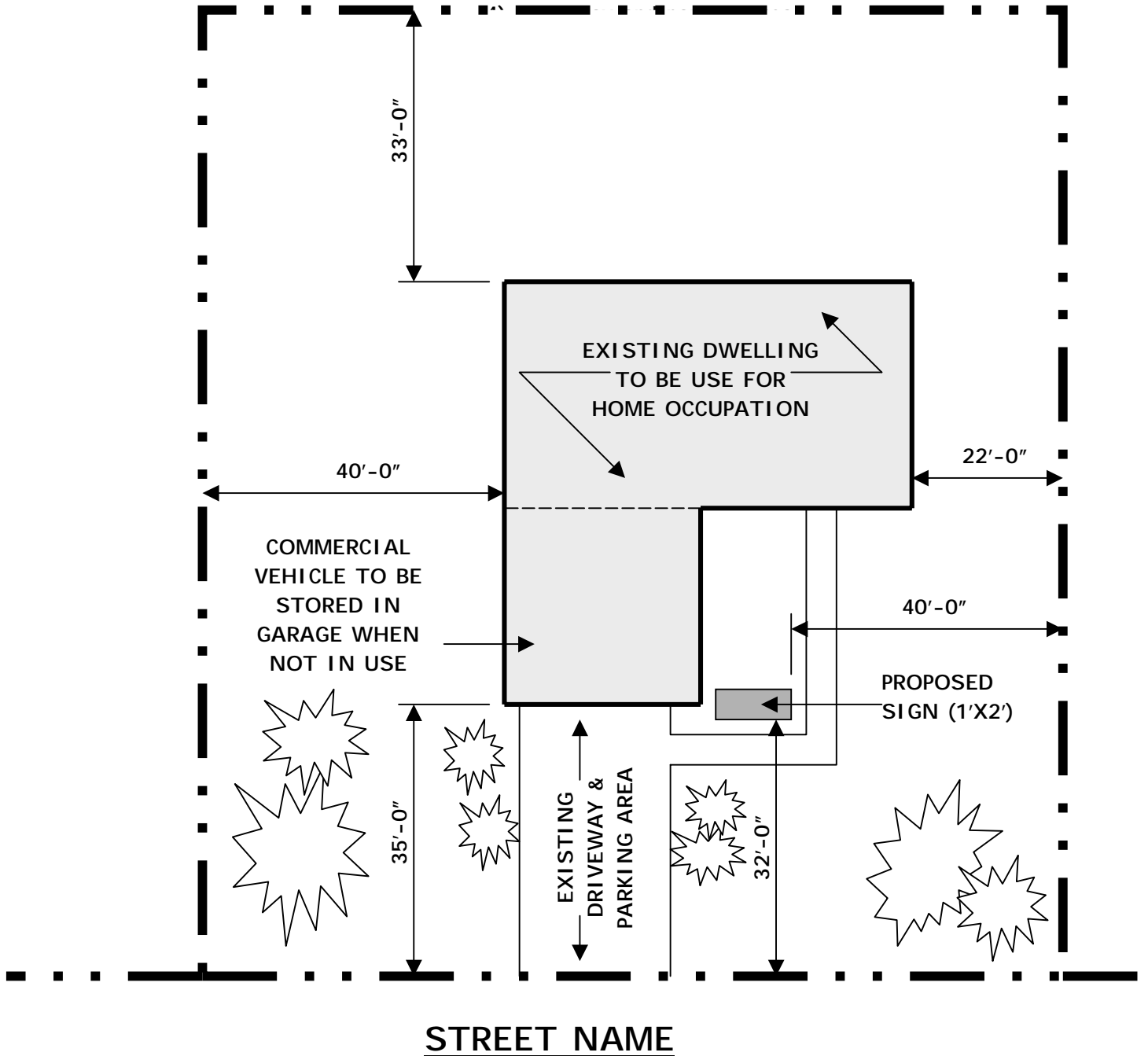
and of the requirements of the Ordinance that apply to the home occupation. The permit letter must be signed by the applicant to indicate his/her willingness to operate the home occupation in conformance with the requirements and conditions set forth in the permit letter. Each permit letter shall be kept on file by the Zoning Officer and shall constitute the Home Occupation Permit for the particular use in question. 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.

If the application is denied, the Zoning Officer shall notify the applicant of the denial and shall state the reasons for denial in writing. The applicant may appeal the decision of the Zoning Officer to the Board of Adjustment as set forth in Article 21 of this Ordinance.

SAMPLE SITE PLAN

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

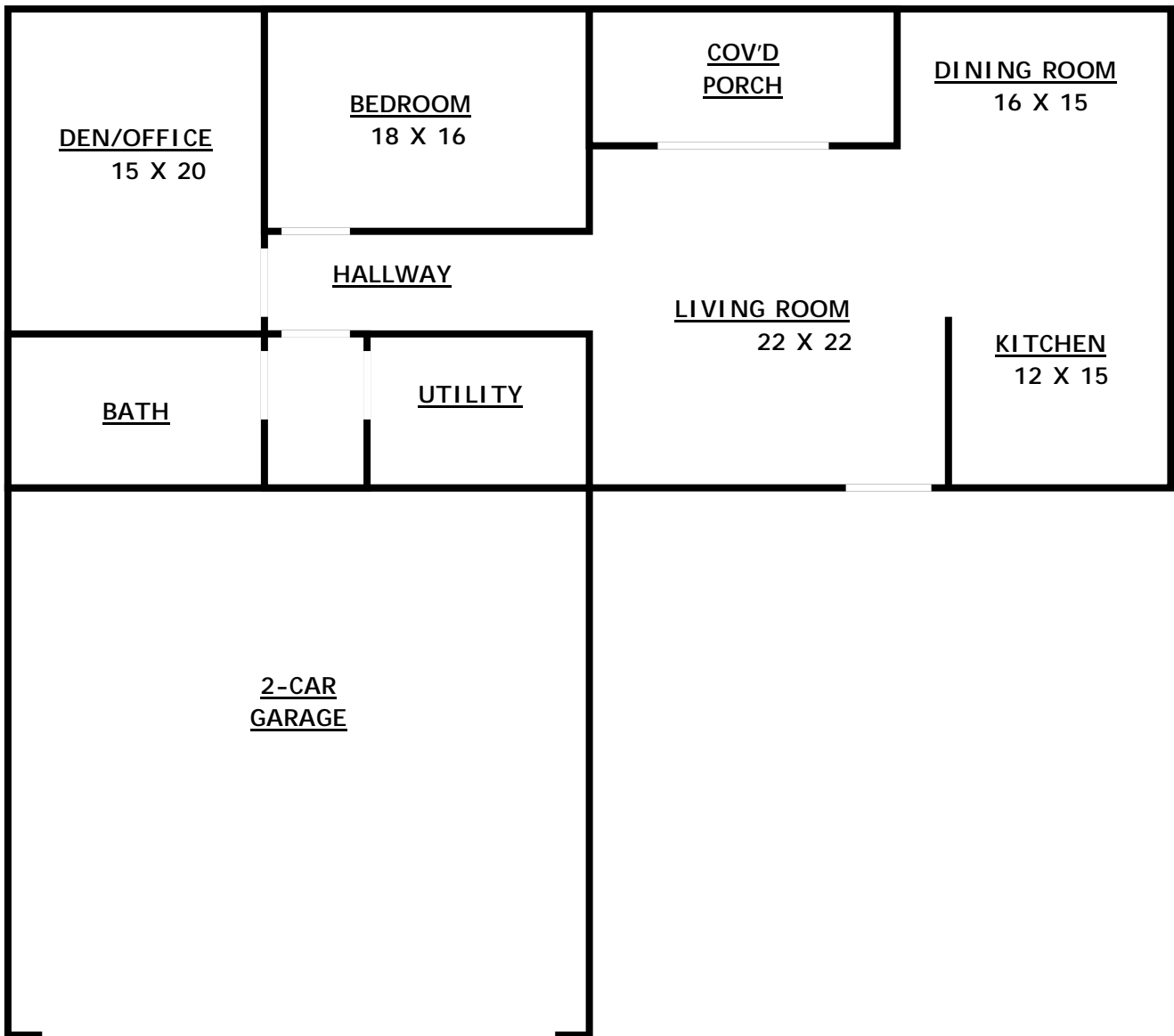
- 1) Residence
- 2) Accessory buildings
- 3) Outdoor storage area



SITE PLAN

1" = 100'

SAMPLE FLOOR PLAN
FOR HOME OCCUPATION
WITHIN RESIDENCE



FLOOR PLAN

1/4" = 1'-0"