

## Chapter 16.88

### HOME OCCUPATION PERMIT

#### Sections:

- 16.88.010 Purpose.**
- 16.88.020 Permitted Districts**
- 16.88.030 Requirements for Application**
- 16.88.040 Review Procedures.**
- 16.88.050 Development Requirements.**
- 16.88.060 Revocation of Permits**
- 16.88.070 Home Occupation Uses.**
- 16.88.080 Exemptions.**

#### **16.88.010 Purpose.**

It is the purpose of this Chapter to provide for business uses in association with residences in cases where the uses clearly will not alter the character or appearance of the residence and the use must be clearly secondary or incidental to the use of the dwelling for residential purposes. This section is intended to protect the rights of residents to engage in certain home occupations that are harmonious with a residential environment and to protect neighborhoods from the negative impacts that home occupations may have on a residential area. (Ord. 606, 1999)

#### **16.88.020 Permitted Uses.**

Home occupation permit applications may be accepted in any residential district. (Ord. 774 §1, 2009)

#### **16.88.030 Requirements for Application.**

A. Persons conducting a home occupation shall secure and maintain a home occupation permit from the City of Ripon. Home occupation applications shall be filed with the Planning Department. A request for a home occupation permit must clearly describe the location and characteristics of the proposed home occupation.

B. Persons conducting a home occupation shall secure and maintain a Business License from

the City of Ripon.

C. Applications for a home occupation may be initialized by the property owner(s) or the property owner's authorized agent. If the home occupation is to be conducted in rental property, the city shall be provided with evidence of the property owner's authorization for the proposed use.

D. A fee, as specified by resolution of the City Council is required with the application. (Ord. 606, 1999)

E. The applicant agrees to make the premises available, for inspection by the Planning Director, or his/her designee, at all reasonable times and without an inspection warrant for the purpose of assuring compliance with the requirements of this code. (Ord. 606, 1999; Ord. 774 §1, 2009)

#### **16.88.040 Review Procedures.**

A. The home occupation permits shall be reviewed by the Director of Planning and Economic Development.

B. If the use requested in the application meets all of the development requirements and standards set forth in this Chapter the home occupation permit will be issued fifteen (15) days after notices have been mailed to surrounding property owners. The permit shall be denied if all standards and conditions are not fulfilled.

C. Notices shall be mailed to adjoining properties and properties directly across from the proposed home occupation. (Ord. 774 §1, 2009)

#### **16.88.050 Development Requirements.**

Home occupations approved under the provisions of this Chapter shall comply with the provisions of this Section.

A. Location The home occupation shall be confined within the main building. A detached garage is considered as part of the main building,

When conducted in a garage, the home occupation cannot eliminate the use of the garage as space for the required parking.

**B. Appearance**

1. There shall be no external alteration of the appearance of the dwelling in which the home occupation is conducted that would reflect the existence of the home occupation, either by color, materials, construction, lighting, signs, or sounds.

2. There shall be no exterior signs or displays to identify the home occupation. Signage may be allowed on a vehicle primarily used for the home occupation, no more than 2 signs per vehicle and no greater than a 2 foot by 2 foot area per sign.

**C. Size Limits** One room or twenty (20%) percent of the floor area of the main residence, whichever is greater, may be used for the home occupation and any related storage of materials and supplies.

**D. Materials**

1. The home occupation shall not entail the use or storage of explosive, flammable or otherwise hazardous materials, beyond that normally incidental to a typical residential use, or change the fire rating of the structure or the neighborhood.

2. No goods, supplies, equipment, materials or product related to a home occupation shall be stored outside, or be visible from the outside of any structure or unit conducting a home occupation.

**E Emissions**, Noise and Equipment Dust, noise, odor, vibration, fumes, or smoke shall not be created so that they are readily discernable at the exterior boundaries of the parcel used for the home occupation. Electrical or mechanical equipment that creates audible interference in radio receivers or visual or audible interference in televisions receivers or causes fluctuation in line voltage outside the dwelling is prohibited. No mechanical equipment which is larger than that normally associated with a residence, shall be

installed on the exterior of the structure.

**F. Employees** All employees must be members of the resident family and shall reside on the premises. Any other employees must meet the home occupation operator at the off-site job location and may not leave from or arrive at the home occupation operators residence to start or end the work shift or workday.

**G. Clients/Customers**

1. Clients or customers shall not visit the home, unless first receiving approval of the Planning Commission. The home occupation shall not create vehicular or pedestrian traffic above and beyond that normally generated by residential use of the dwelling unit.

2. Hours - Clients/Customers may come to the residence upon receipt of approval from the Planning Commission between the hours of 8:00 a.m. to 5:00 p.m.

**H. Deliveries** Deliveries at the home occupation residence by large commercial semi-trucks will be prohibited, but deliveries of parcels and small packages by delivery vans will be permissible so long as they do not exceed what is normally incidental to typical residential use.

**L Vehicles** No more than one vehicle or truck of not more than one ton capacity may be kept on the site in association with the Home Occupation. Any additional vehicles, trailers, or wheeled equipment incidental to the home occupation must be kept within an enclosure, such as a garage, or behind the front setback of the residence. All vehicles and associated equipment shall be owned or leased by the occupant of the dwelling.

**J. Sale of Merchandise** No direct sale to customers of any item related to a home occupation shall occur on the premises, and there shall be no display of products and/or equipment produced or used by the home occupation so as to be visible from outside the home.

K. Transferability A home occupation granted in accordance with the provisions of this title shall not be transferred, assigned or used by a person other than the permittee, nor be transferred to any location other than the one for which the permit was granted. (Ord. 774 §1, 2009)

**16.88.060 Revocation of Permits**

In the event that any letter of complaint is submitted to the Ripon planning department concerning a home occupation and contains substantive evidence of violations as corroborated by city officials and deemed valid by the planning commission, the use will be deemed in violation of this Title and the permit may be suspended or revoked.. (Ord. 774 §1, 2009)

**16.88.070 Home Occupation Uses**

Table 16.88.1 indicates those uses permitted

(Y) and prohibited (N) as home occupations under this chapter and shall be established by resolution of the planning commission. The list as shown in Table 16.88.1, may be amended from time to time by resolution of the planning commission. (Ord. 606, 1999; Ord. 774 §1, 2009)

**16.88.080 Exemptions.**

Washing, ironing, sewing, landlords, sales representatives, telecommuters, babysitting (including family day care of fourteen (14) or fewer children), tutoring (one on one), swimming lessons, music, dance, and/or art lessons (one on one), and independent sales associates are exempted from the home occupation regulations as long as they are clearly incidental and normally associated with the residential use. (Ord. 606, 1999; Ord. 774 §1, 2009)

Table 16.88.1

<b>TABLE 16.88.1 HOME OCCUPATION USES</b>	
1. Accounting/Bookkeeping services (office use only)	Y
2. Adult Entertainment Activities/Businesses	N
3. Adult or child care of more than fourteen (14) persons	N
4. Appliance repair	N
5. Architectural service (office use only)	Y
6. Art and Craft Work (ceramics, painting, sculpture, and minor woodworking)	Y
6. Art restoration (as approved by the Director of Planning)	Y
7. Artist studio	Y
8. Automobile repairs, parts sales, upholstery, detailing, washing service	N
9. Beauty salons and Barber shops	N
10. Bicycle repair	N
11. Boardinghouse, bed and breakfast, hotel, time-share unit	N
12. Carpentry and/or cabinet makers	N
13. Catering service (provided all other state and county requirements are met)	Y
14. Churches, and/or religious instruction and/or services	N
15. Commercial Laundry	N
16. Commercial photography studio that includes onsite chemical processing	N
17. Consulting services (office use only)	Y
18. Contracting (office use only)	Y
19. Data processing (office use only)	Y
20. Dating services	N
21. Day spas and skin care	N
22. Dental laboratory	N
23. Dismantling, junk, scrap, or storage yards	N
24. Drafting and Graphic services (office use only)	Y
25. Engineering services (office use only)	Y
26. Financial Planning or Investment services (office use only)	Y
27. Furniture Manufacturer	N
28. Gardening and/or Landscape maintenance (office use only)	Y
29. Gun Sales (office use only)	Y
30. Health salons, gyms, dance studios, and/or aerobic exercise studios	N
31. Housecleaning service (office use only)	Y
32. Insurance sales or broker (office use only)	Y
33. Interior design	Y
34. Knife sharpening	N
35. Jewelry making and/or jeweler	Y
36. Limousine or taxicab service (office use only)	Y
37. Locksmith (office use only)	Y
38. Mail order (not from home retail sales)	Y
39. Manicure and Pedicure services	N

(Y) = Permitted (N) = Prohibited

continued:

Table 16.88.1 continued:

40. Massage parlors	N
41. Medical, Dental, or Chiropractor offices or clinics	N
42. Medical Marijuana dispensaries	N
43. Millinery	Y
44. Mortician, hearse service	N
45. Music, dancing, and/or art schools of any kind with organized classes of less than four students at any one time and no more than eight students per day	Y
46. Painter (office use only)	Y
47. Palm reading, fortune telling	N
48. Photographer	Y
49. Print shops	N
50. Private clubs	N
51. Real Estate sales or broker (office use only)	Y
52. Restaurants, taverns, or commercial food preparation	N
53. Retail Sales from site	N
54. Security service (office use only)	Y
55. Small engine repair	N
56. Swimming pool cleaning services (office use only)	Y
57. Tax preparation (office use only)	N
58. Telephone answering, switchboard, call forwarding	Y
59. Tow truck service	N
60. Typing, word processing	Y
61. Upholstery	N
62. Veterinary uses and Animal Hospitals (including care, grooming or boarding)	N
63. Wall papering (office use only)	Y
64. Watch repair	Y
65. Welding and/or Machine work	N
66. Writing, computer programming	Y
67. Other uses that the Director of Planning determines to be similar in impact to those listed above.	N/A

(Y) = Permitted (N) = Prohibited