

## 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 Operating Requirements and Conditions**
- 16.88.050 Allowed Home Occupations**
- 16.88.060 Prohibited Home Occupations**
- 16.88.070 Home Occupations that may be allowed upon approval by the Planning Commission**
- 16.88.080 Application Review Procedures**
- 16.88.090 Permit Expiration and Revocation**

#### **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 §1, 1999)

#### **16.88.020 Permitted Districts**

Home Occupation Permit applications may be accepted in any residential district. (Ord. 771 §1, 2009, Ord. 916 §1, 2022)

#### **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 §1, 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 §1, 1999, Ord. 771 §1, 2009)

#### **16.88.040 Operating Requirements and Conditions**

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/structure 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. A person

standing on the boundary/property line of the property should not be aware of the home occupation.

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 or detached garage/structure, 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 television 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 operator's residence to start or end the work shift or workday.

**G. Clients** A home occupation shall be limited to only one client at a time, except small residential care homes, small family home care centers, etc. licensed by the state for care of eight or fewer persons. A home occupation shall be limited to only one client at a time between the hours of 8:00 a.m. and 6:00 p.m. Monday through Friday by appointment only. For all practical purposes one client shall mean either one person or couple. Anyone desiring to have more than one, but fewer than six clients at a time must receive special approval by the Planning Commission for such request.

**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.

**I. 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 and screened from public view as approved by the Planning Director. All vehicles and associated equipment shall be owned or leased by the occupant of the dwelling.

**J. Sale of Merchandise** Home occupations involving the display or sale of products or merchandise are not permitted except by mail, telephone, internet, or other mode of electronic communication. Customers may pick-up merchandise ordered from the home occupation by appointment only.

**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. A home occupation may be transferred upon request of the permittee to another qualified location so long as all requirements of the Home Occupation ordinance can be satisfied. (Ord. 771 §1, 2009, Ord 916 §1, 2022)

#### **16.88.050 Allowed Home Occupations**

**A.** 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. Accounting/Bookkeeping services
2. Architectural/Drafting services
3. Art and Craft Work (ceramics, painting, sculpture, and minor woodworking).
4. Barber and Beauty services (operating as a sole proprietor provided all other state requirements are met).
5. Catering services (provided all other state and county requirements are met).
6. Computer repair and service
7. Consulting services
8. Data processing services
9. Engineering services
10. Financial Planning or Investment services
11. Gun and Ammunition sales
12. Health salons, gyms, dance studios and/or aerobic exercise studios of only one client and/or student at a time.
13. Internet business (internet-based sales and services conducting all functions via the internet)
14. Interior Design services
15. Instructional lessons (music, swimming, tutoring, and similar lessons on an individual basis)
16. Photographer
17. Professional/Business Office uses

18. Other uses that the Director of Planning determines to be similar in impacts to those listed above. (Ord 916 §1, 2022)

#### **16.88.060 Prohibited Home Occupations**

**A.** Certain business activities are deemed inappropriate as home occupations because their existence and operation as a home occupation are not subordinate to or compatible with the residential characteristics of the surrounding neighborhoods. The following list presents examples of commercial uses that are prohibited as home occupations:

1. Adult Businesses
2. Auto or vehicle repair or tune-ups
3. 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
4. Card reading/astrological services
5. Carpentry and cabinetmaking (does not prohibit a normal woodworking hobby operation)
6. Construction Business (does not include just an office space for a construction business where no materials are stored on-site)
7. Dance Club/Night Club
8. Fortune Telling (psychic)
9. Lawn mower and small engine repair
10. Health salons, gyms, dance studios and/or aerobic exercise studios of more than one client and/student at a time.
11. Massage parlors
12. Medical and Dental offices, clinics and laboratories
13. Mini-storage, rv storage, vehicle storage, etc.
14. On-site painting services (auto, boat, rv, appliances, etc.)
15. Retail sales of merchandise stored and/or displayed within the property

16. Storage of equipment, materials and other accessories to the construction and service trades
17. Tattoo parlors, to include body piercing
18. Vehicle Sales
19. Welding and Machine Work (not normally associated with a residential use)
20. Other uses that the Director of Planning determines is not compatible with the residential characteristics of the surrounding neighborhood. (Ord. 916 §1, 2022)

**16.88.070 Home Occupations that may be allowed upon approval by the Planning Commission**

**A.** Following is a list of home occupation activities that may be allowed subject to approval by the Planning Commission upon satisfactory evidence that the use will not be detrimental to the surrounding residential neighborhoods.

1. Assembly/Manufacturing of small items that can be demonstrated to the Planning Commission to not be detrimental or have any adverse effects on neighboring residential properties. Such home occupations shall not require any special equipment not normally associated with a residential home.
2. Any home occupation desiring to have more than one client and/or student visit the premises at a time, but no more than six clients and/or students max.
3. Any use or occupation that does not meet the criteria set forth in this chapter, may at the discretion of the Director of Planning be allowed to go before the Planning Commission for discretionary approval. (Ord. 916 §1, 2022)

**16.88.080 Application Review Procedures**

**A.** Upon submittal of a completed Home Occupation Permit application and

associated fee, the Director of Planning, or his/her designee shall review the application for compliance with this Chapter.

**B.** If the use requested in the application meets all of the operating requirements and conditions set forth in this Chapter, the Home Occupation Permit will be issued no later than fifteen (15) days after review and approval of the Home Occupation Permit by the Planning Director or his/her designee. The permit shall be denied if all requirements and conditions cannot be fulfilled.

**C.** Notices shall be mailed to adjoining properties and properties directly across from the proposed home occupation upon issuance of a Home Occupation Permit. (Ord. 916 §1, 2022)

**16.88.090 Permit Expiration and Revocation**

**A.** Home Occupation Permits are good for two (2) calendar years and shall expire upon non-renewal of a Home Occupation Permit. All 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. In the event that a Home Occupation Permit is deemed in non-compliance with this chapter or 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, the use will be deemed in violation of this Chapter and the permit may be suspended or revoked using the following procedures:

1. The Director of Planning may revoke a Home Occupation Permit for noncompliance with the provisions of this chapter and/or with noncompliance of the conditions set forth in granting the permit. If the Home Occupation Permit is revoked, any associated business

license in conjunction with the Home Occupation Permit shall also be revoked. Fees will not be refunded for any revoked Home Occupation Permits or associated business license.

2. The revocation shall be effective upon delivery of written notice to the permittee.
3. The permittee may appeal the revocation of their permit pursuant to Chapter 16.08 of the Ripon Municipal Code section 16.08.060.
4. All appeals to this chapter shall be in writing setting forth the reasons for the appeal and be filed, along with associated appeal fees, with the City of Ripon Planning Department. (Ord. 916 §1, 2022)