



Home Occupation Permit

HOME OCCUPATION PERMIT (HOC) - A home occupation is an occupation conducted within the dwelling portion of a building by the occupants of the dwelling unit.

In issuing a home occupation permit the Planning and Development must ensure that the proposed use:

- Meets the definition of "home occupation";
- Does not violate the purpose and intent of the zone district, and
- Meets all of the requirements of the County zoning ordinances. (see attachment)

THIS PACKAGE CONTAINS _____

- ✓ APPLICATION FORM
- ✓ REGULATIONS GOVERNING HOME OCCUPATIONS
- ✓ CHECK PAYABLE TO THE PLANNING & DEVELOPMENT

AND, IF ✓'D, ALSO CONTAINS _____

HAZARDOUS MATERIAL AND WASTE SUPPLEMENT

<http://applications.sbcountyplanning.org/PDF/C/Hazardous%20Waste%20Materials%20Supplement%20Form.pdf>

*****Filing an application does not guarantee issuance of a Home Occupation Permit.*****

South County Office
123 E. Anapamu Street
Santa Barbara, CA 93101
Phone: (805) 568-2000
Fax: (805) 568-2030

North County Office
624 W. Foster Road, Suite C
Santa Maria, CA 93455
Phone: (805) 934-6250
Fax: (805) 934-6258

Website: www.sbcountyplanning.org



PLANNING & DEVELOPMENT
PERMIT APPLICATION

PROJECT SITE: _____

- 1. Assessor's Parcel Number(s): _____
2. Address(es): _____
3. Parcel size(s) (Acres/Sq. Ft.): Gross _____ Net _____
4. Zoning: _____
5. Comprehensive/Coastal Plan Designation: _____
6. Business Name (Actual or Proposed): _____

CONTACTS:

7. Owner of Property: _____ Phone: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

8. Applicant: _____ Phone: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

9. Agent: _____ Phone: _____

Mailing Address: _____ E-mail: _____
Street City State Zip

Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.

I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.

Signature

Print name/date

COUNTY USE ONLY

Case No.: _____
Date Accepted for Processing: _____
Project Planner: _____

Submittal Date: _____ Supervisorial District: _____
Applicable Zoning Ord.: _____ Companion Case No(s).: _____

PROJECT DESCRIPTION

(ATTACH ADDITIONAL SHEETS IF NECESSARY, REFERENCING THE QUESTION NUMBER)

1. Describe the home occupation. _____

2. In what room of the dwelling will the business be conducted? _____

3. Describe any structural alterations required for the home occupation.

4. When will any necessary structural alterations be made? _____

5. Describe any special tools, equipment, antenna, materials, chemicals, etc. required for the business? _____

6. Where will the items in question #5 be stored. If off premise, give location. _____

7. What stock will be maintained on-site? _____

 - a. Quantity of the stock. _____
 - b. Method of delivery and pick-up. _____
 - c. Time of day or night pick-up and delivery is expected. _____

 - d. Frequency of pick-up and delivery. _____
 - e. On-site storage location. _____

8. Does the product require assembly, wrapping, compounding, labeling before delivery to customers? _____
If yes, explain. _____

9. How many employees work on-site? _____
10. How many of the employees are permanent residents of the dwelling? _____
11. Do you maintain another office? Yes _____ No _____
If yes, indicate where. _____
12. Will customers be coming to your home? Yes _____ No _____
If yes, answer the following questions:
a. How many at a given time? _____
b. Hours of operation. _____
c. By appointment? Yes _____ No _____
d. Where would they park? _____
If on-site parking is permitted, attach a drawing showing location and number of spaces permitted.
13. Describe any product demonstrations on the property. _____

14. Describe any sales made on the property. _____

15. Describe your method of advertising (Vehicles are allowed to display advertising as long as it is magnetic or at least removable when the truck is parked at the residence).

16. Does your business require the use of a commercial vehicle? Yes _____ No _____
If yes, indicate how many and where they will be parked. _____

17. Does your business require a license from any governmental agency, professional organization or trade group? _____ If yes, identify and indicate if zoning clearance is required prior to issuance of the license.

For Your Information:***REGULATIONS GOVERNING HOME OCCUPATIONS***

If you work out of your home you may need a permit from Planning and Development. Permits may be obtained at 123 E. Anapamu Street, 2nd Floor in Santa Barbara or 624 Foster Road in Santa Maria.

The following regulations apply to Home Occupations in Santa Barbara County:

- Occupation must be conducted in only one room of the house.
- Occupation must not be conducted from a garage.
- No structural alterations may be required for the home.
- Occupation cannot be apparent beyond the home (no signs on the home or on vehicles parked at the home).
- No employees other than dwelling occupants may work at the home, this includes a restriction on dispatching workers from the home.
- No displaying merchandise or advertising signs on the property.
- The occupants on the premises may serve no more than 5 customers, patients, clients, students or other persons at any one time.
- Occupation shall not create any radio or TV interference or create noise audible beyond the boundaries of the premises.
- No smoke or odor shall be emitted as a result of the home occupation.
- No outdoor storage of materials related to the home occupation may occur.
- No vehicles or trailers related to the home occupation may be parked at or near the home.
- If the home is on a septic system you must also obtain clearance from the Environmental Health Department – 681-4900.

A Home Occupation Permit will not be required for consultants in management, finance, engineering, publishing, bookkeeping, accounting, phone sales, etc., which meet the following criteria:

- Meets the criteria listed above.
- No clients or customers are served at the premises.
- No business advertisements except business cards and letterhead may list the home address.
- All business transactions occurring on the premises shall occur by telephone, FAX, computer modem, written correspondence or other telecommunication medium.

ATTACHMENT
General Regulations for Home Occupation Permits

35.42.190 - Home Occupations

A. Purpose and applicability. This Section provides development and operational standards for home occupations where allowed by [Article 35.2 \(Zones and Allowable Land Uses\)](#). The intent is to prevent any adverse effects on the residential enjoyment of surrounding residential properties.

B. Applicability. The provisions of this Section shall apply to all home occupations which include Cottage Food Operations and In-home Retail Sales. Home occupations may be permitted in any dwelling in any zone including nonconforming dwellings.

C. Permit requirements.

1. Before the commencement of a home occupation within a dwelling or artist studio, a Land Use Permit in compliance with [Section 35.82.110 \(Land Use Permits\)](#) shall be issued for the home occupation unless the occupation qualifies for an exemption as stated in Subsection E. (Exceptions to permit requirements for home occupations) below.

a. Special processing requirements for applications for cottage food operations. The following special processing requirements apply to applications for Land Use Permits for home occupations that qualify as cottage food operations.

(1) Notice. Notice of the submittal of the application and pending decision of the Zoning Administrator shall be given in compliance with [Section 35.106.110 \(Land Use Permits\)](#).

(2) Hearing not required. The Zoning Administrator shall review the application for compliance with the Comprehensive Plan and any applicable community or area plan, this Development Code, and other applicable conditions and regulations, and approve, conditionally approve, or deny the application in compliance with [Section 35.82.110 \(Land Use Permits\)](#). A public hearing shall not be required.

(3) Appeal. The action of the Zoning Administrator is final subject to appeal in compliance with [Chapter 35.102 \(Appeals\)](#).

2. Prior to the issuance of a Land Use Permit in compliance with [Section 35.82.110 \(Land Use Permits\)](#) for a home occupation within a dwelling or artist studio, a Notice to Property Owner certifying that the home occupation will be conducted in compliance with the development standards of Subsection D. (Development standards) below, and any other conditions as may be made part of the Land Use Permit shall be recorded by the property owner.

D. Development standards.

1. Home occupations other than cottage food operations. A home occupation shall comply with all of the following development standards, except that if the home occupation qualifies as a cottage food operation then the development standards of Subsection D.2 (Cottage food operations) shall apply instead.

a. Only one home occupation shall be allowed on any one lot. The home occupation shall be conducted either entirely within not more than one room of the dwelling, not including garages, or entirely within an artist studio. A home occupation may not be conducted outside of the dwelling or the artist studio.

b. The home occupation shall not alter the residential character of the dwelling or the lot that contains the home occupation. There shall be no internal or external alterations to the dwelling that are not customarily found in residential structures, and the existence of the home occupation shall not be discernible from the exterior of the dwelling.

c. The home occupation shall be conducted solely by the occupant(s) of a dwelling located on the lot that contains the home occupation. No employees other than the dwelling occupant(s) shall be permitted for business purposes on the lot that contains the home occupation. The home occupation may have off-site employees or partners provided they do not report for work at the lot that contains the home occupation.

- d. No displays or signs naming or advertising the home occupation shall be permitted on or off the lot that contains the home occupation. All advertising for the home occupation (e.g., telephone directories, newspaper or other printed material) or on equipment or vehicles associated with the home occupation shall not divulge the location of the home occupation. Business cards and letterhead may list the address of the home occupation.
 - e. There shall be no more than five customers, patients, clients, students, or other persons served by the home occupation upon the lot that contains the home occupation at any one time except for in-home retail sales as allowed in compliance with Subsection E.1.a, below.
 - f. A home occupation shall not use electrical or mechanical equipment that would create any visible or audible radio or television interference or create noise audible beyond the boundaries of the lot that contains the home occupation. Noise levels associated with the home occupation shall not exceed 65 dBA outside the dwelling that contains the home occupation.
 - g. No smoke or odor shall be emitted that occurs as a result of the home occupation.
 - h. There shall be no outdoor storage of materials related to the home occupation.
 - i. No vehicles or trailers, except those incidental to the residential use and those allowed under Subsection [35.36.100.B.2](#) (Overnight parking of commercial vehicles), shall be kept on the lot that contains the home occupation.
 - j. A home occupation shall be strictly secondary and subordinate to the primary residential use and shall not change or detrimentally affect the residential character of the dwelling, the lot that contains the home occupation, or the neighborhood.
 - k. Where a home occupation will be conducted within a dwelling or artist studio that relies on a septic system, written clearance from the Public Health Department shall be required prior to approval of the Land Use Permit in compliance with [Section 35.82.110 \(Land Use Permits\)](#).
 - l. No hazardous materials other than those commonly found within a residence shall be used or stored on the site. Hazardous materials and equipment shall be limited to quantities that do not constitute a fire, health, or safety hazard.
 - m. Business-related deliveries shall be limited to a maximum of two per week. United States Mail and commercial parcel carriers' deliveries shall be exempt from this limitation.
 - n. A home occupation shall not create vehicular or pedestrian traffic that changes the residential character of the neighborhood and dwelling unit where the business is being conducted, or create a greater demand for parking than can be accommodated onsite or on the street frontage abutting the lot that contains the home occupation.
- 2. Cottage food operations.** A cottage food operation shall comply with all of the following development standards.
- a. Allowed locations.**
 - (1) No more than one cottage food operation shall be allowed within any one dwelling unit.
 - (2) Only one cottage food operation may be allowed on a lot.
 - b. Allowed location within the dwelling and the lot containing the cottage food operation.** All food preparation, packaging, sales, storage and handling of cottage food products and related ingredients, and equipment, shall be located within the registered or permitted area consisting of the dwelling's private kitchen and one or more attached rooms within the dwelling in which the cottage food operation is operated that are used exclusively for storage.
 - (1) No portion of the cottage food operation including sales and storage shall occur within any parking area required in compliance with [Chapter 35.36 \(Parking and Loading Standards\)](#).
 - c. Cottage food operators and cottage food employees.**
 - (1) The cottage food operation shall be conducted by the cottage food operator within the

- dwelling where the cottage food operator resides as their primary residence. Said dwelling shall be a legally established dwelling.
- (2) One full-time equivalent employee as defined by California Health and Safety Code Section 113758(b)(1) may participate in a cottage food operation in addition to those individuals residing within the dwelling as their primary residence.
- d. Parking.** All parking of vehicles and trailers associated with the cottage food operation on the lot on which the cottage food operation occurs shall be maintained in compliance with [Chapter 35.36 \(Parking and Loading Standards\)](#).
- (1) Customers and non-resident cottage food employees shall not park their vehicles within or upon a parking space that is required to satisfy the parking requirement for the primary use of the lot.
 - (2) On R-1/E-1 and R-2 zoned lots, the overnight parking of commercial vehicles on the lot shall be in compliance with Subsection [35.36.100.B.2](#) (Overnight parking of commercial vehicles).
- e. Sales.** Food items may only be sold, or offered for sale, from the dwelling to customers present at the dwelling between the hours of 9:00 a.m. to 6:00 p.m.
- f.** All waste containers shall be in compliance with Section 17-8 (Containers) of Chapter 17 (Solid Waste Services) of the County Code.
- g.** A cottage food operation shall not create vehicular or pedestrian traffic or other public nuisance that changes the residential character of the neighborhood and dwelling unit where the business is being conducted, or create a greater demand for parking than can be accommodated onsite or on the street frontage abutting the lot on which the home occupation occurs.
- h.** The cottage food operation shall at all times be conducted in compliance with:
- (1) The conditions and limitations of this Subsections D.2. and any other conditions and/or limitations that may be part of the Land Use Permit issued to allow the cottage food operation.
 - (2) California Health and Safety Code Section 113758.
 - (3) All other applicable State and County laws, regulations and requirements.
- i.** The cottage food operation shall be registered or permitted by the County Public Health Department in compliance with Section 114365 of the California Health and Safety Code. Prior to the issuance of a Land Use Permit for a cottage food operation the cottage food operator shall present proof of receipt of registration or permit for the cottage food operation from the County Public Health Department.

E. Exceptions to permit requirements for home occupations. A Land Use Permit shall not be required for home occupations that are in compliance with all of the following criteria:

1. The development standards of Subsection D.1 or D.2, above, as applicable to the specific home occupation except that:
 - a. Clients or customers shall not be served at the lot that contains the home occupation except for in-home retail sales provided that these sales do not exceed four times within a calendar year and that there are no more than 25 customers at each sales event.
 - b. Business advertisements, except for business cards and letterhead, shall not list the address of the artist studio or dwelling in which the home occupation occurs.
 - c. Business transactions occurring on the lot that contains the home occupation shall occur by internet, telephone, facsimile, computer modem or other telecommunication medium, or written correspondence.