
**HOME OCCUPATION PERMIT
APPLICATION PROCESS**

**QUICK CHECK LIST FOR
SUBMITTAL**

- Standard Application Form
- Home Occupation
Questionnaire
- Fee Deposit

APPLICABILITY

Zoning Ordinance 02-02 defines Home Occupation as any use which, as determined by the Planning Commission, is customarily carried on within a dwelling or unattached structure by the inhabitants thereof and which is clearly incidental and secondary to the residential use of the dwelling.

PURPOSE

Home Occupations, as defined above, are permitted as appurtenant and accessory uses to any residential use with a Home Occupation permit approved by the Planning Commission. According to Section 3.38 of the Zoning Ordinance, a Home Occupation must meet certain standards (listed on the attached Home Occupation Questionnaire).

PROCESS

1. Pre-application Review (optional)

This is an optional step recommended by staff. This step can include a review of preliminary plans and/or a meeting with city staff. Staff may provide feedback in verbal and/or written form. Any feedback provided at this time is preliminary only, and subject to further refinement or change in the formal review process.

2. Application Completeness Check

- a. Applicant files application form and other information required and pays all required fees and deposits. Two (2) copies of all materials are required.
- b. Within 30 days of submission at City Hall, the City Planner reviews application materials to determine whether the application includes all information required and is considered complete. The City Planner may refer application materials to the City Engineer, or other staff, to obtain opinions regarding application completeness.
- c. If the application is deemed to be incomplete, the City Planner will provide a written explanation to the applicant within the 30-day review period.
- d. Following notification of the applicant, incomplete applications are held without processing until such time as all deficiencies are corrected. (All administrative decisions are subject to appeal, as set forth in Article XI of the Zoning Ordinance.)

3. Application Processing

- a. Once the application is deemed complete, the applicant is contacted and requested to provide additional copies of application materials. A total of ten (10) complete sets of materials are required.
 - b. City Planner will distribute materials to selected staff with a Routing Sheet that specifies the date by which response is needed, and any other relevant information.
 - c. City Staff reviews application materials in accordance with his or her area of responsibility.
 - d. City Staff provides written comments and recommendations to the City Planner within the timeframe specified in the ROUTING SHEET.
 - e. City Planner performs environmental review as required by CEQA.
 - f. City Clerk or City Planner prepares Public Hearing notice for distribution. City Clerk or City Planner is responsible for posting of notice, newspaper publication of notice, and mailing of notices in accordance with Noticing Policy for Projects Requiring Public Hearings.
 - g. City Planner prepares a Project Report to the Planning Commission which includes, at a minimum, the following information.
 - Background information
 - Analysis of Application
 - Environmental Issues
 - Ordinance and Policy Issues
 - Recommendations and comments from other City Staff and outside agencies
 - Recommendations for action
 - Environmental determination
 - Approval (may include conditions) or denial
 - h. City Clerk or City Planner distributes Project Report to applicable City Staff and applicant
 - i. City Clerk or City Planner is responsible for reproduction and inclusion of Project Report in Planning Commissioners' agenda packets.
4. Formal Consideration by Planning Commission
- a. Planning Commission considers application, including staff recommendations and public testimony, at a noticed Public Hearing.
 - b. City Planner makes note of any changes to recommended conditions which may occur at the meeting and provides written notification of Planning Commission action to the applicant. Actions are usually by motion.
 - c. Action by the Planning Commission is final, unless appealed to the City Council. Actions become effective following the mandatory 10-day appeal period.

IMPORTANT: The applicant or an authorized representative must be present at the Public Hearing to represent the application.

APPEALS

The decision of the Planning Commission is final unless appealed by the applicant or other affected party to the City Council. Appeals must be made within 10 calendar days of the date of Planning Commission action, as set forth in Zoning Ordinance Article XI.

Administrative decisions, including determinations relative to application completeness, may be appealed to the City Council within 10 days of staff's determination.

Fees for appeals are equal to the fee of the application being appealed.

APPLICATION REQUIREMENTS

A complete application consists of required forms, plans, and required fees and deposits, as described below.

1. Forms
 - a. Standard Application Form
 - b. Home Occupation Questionnaire
 - c. Other data as may be required to permit the Planning Commission to make the required findings for approval of the use permit.

2. Required Fees and Deposits

Consult City Clerk or City Planner for current fee and deposit requirements.

TIME REQUIRED FOR PROCESSING

Following are processing time limits established by state law:

- Maximum time to determine application completeness: 30 days
- Maximum time to either approve or deny application: 105 days (Negative Declaration)

Note: The preceding time limits are the maximum allowable as specified by state law, unless waived in writing by the applicant. In most instances, applications will be processed in less time than described above. In all instances, applications will be processed as quickly as possible.

FEES

City of Ferndale processing fees are intended to cover all costs typically incurred by the City in processing of applications. Fees are based on estimates of the City's administrative costs. Fees are minimum and non-refundable. If a project is determined to require more

time than covered by the minimum fee, then an estimate of additional time required and estimated actual cost will become the basis for a supplemental application fee. If the supplemental fee exceeds actual costs to the City, the balance will be refunded. Applicant shall pay all costs to City prior to filing of final decision on project application.

ADDITIONAL INFORMATION

For additional information concerning planning application requirements and procedures, contact Ferndale City Hall at 707.786.4224 or cityplanner@ci.ferndale.ca.us

HOME OCCUPATION QUESTIONNAIRE

The Ferndale Zoning Ordinance defines a Home Occupation as any use, which, as determined by the Planning Commission, is customarily carried on within a dwelling or unattached structure by the inhabitants thereof and which is clearly incidental and secondary to the residential use of the dwelling, and which meets other criteria. The following questions will help determine whether a Home Occupation Permit can be issued to you.

| Yes | No | | |
|-----|----|-----|--|
| | | 1. | Do any of the activities related to the Home Occupation that are conducted on the site occur outside the dwelling or unattached structure? |
| | | 2. | Do activities related to the occupation occupy more than 25% of the gross ground floor area of all structures on the property? |
| | | 3. | Does the occupation involve sales of merchandise other than that produced on the premises or not directly related to and incidental to the occupation? |
| | | 4. | Is the occupation carried on by persons other than family members occupying the dwelling? |
| | | 5. | Is the existence of the occupation evident in the external appearance of the dwelling or premises? |
| | | 6. | Does the occupation create noise, smoke, odors, or other nuisances to a degree greater than is normal for the neighborhood? |
| | | 7. | Does the occupation generate pedestrian or vehicular traffic beyond that which is normal for the neighborhood? |
| | | 8. | Does the occupation require any plumbing or electrical alterations to the dwelling? |
| | | 9. | Does the occupation require any additions or extensions to the dwelling? |
| | | 10. | Is a Home Occupation currently being conducted on the premises? |
| | | 11. | Does the occupation involve use of equipment other than that customarily used in dwellings? |
| | | 12. | Does your home meet the requirements of the building inspector and fire district of the jurisdiction? |
| | | 13. | Do you agree to limit hours of activity between 7 a.m. and 10 p.m.? |

Explanation of Yes answers on items 1-11 above

Zone _____ Assessor’s Parcel Number _____

Home Occupation _____

Name (Person conducting business) _____

Address _____ Phone _____

Name of Business _____

Description (please be specific) _____

Applicant’s certification: I have read and answered the questions and described my business to the best of my ability. I further agree to abide by the conditions for a Home Occupation Permit as set forth in the Ferndale Zoning Ordinance (Sections 3.38 and 7.11)

Date _____ Signature _____

Note: The Ferndale Planning Commission may, in certain cases, authorize, by Use Permit, the issuance of a Home Occupation Permit for a business which does not meet all the performance standards set forth for a Home Occupation under Section 3.38 of the Zoning Regulations. However, without exception, these occupations will not be approved as home occupation permits: hospitals, sanitariums, antique shops, eating establishments, bakeries, beauty parlors, barber shops, kennels, commercial stables, real estate offices, veterinary offices and animal hospitals.