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**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 zoning ordinance, 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. Home Occupation Permits are issued over the counter by City Staff if the proposed Home Occupation meets the following requirements from Zoning Ordinance 02-02:

§7.11 The Home Occupation Permit shall:

- 7.11.1 Be a legal and lawful business; and
- 7.11.2 Produce no evidence of its existence in the external appearance of the dwelling or premises including but not limited to exterior displays such as signs, or in the creation of offensive noise, vibration, smoke, dust, odors, heat or glare, parking or traffic, or other nuisances to a degree greater than normal for the neighborhood.
- 7.11.3 Is confined completely within the dwelling or unattached structure and occupies not more than twenty five percent (25%) of the total floor space of the main dwelling (or its equivalent in an unattached structure).
- 7.11.4 Be an owner- or renter-occupied home and business.
- 7.11.5 Meet the requirements of the building inspector and fire district of jurisdiction and
- 7.11.6 Possess a current business license. If license expires, H.O.P. expires.
- 7.11.7 At time of business license renewal, produce a copy of the applicant's Liability Insurance on which a rider has been placed for the Home Occupation.

The violation of any applicable City requirement, including but not limited to the above may result in the revocation of the permit

**PROCESS**

1. Pre-application Review (optional)

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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.
- b. Within 30 days of submission at City Hall, City Staff reviews application materials to determine whether the application includes all information required and is considered complete. City Staff may refer application materials to other staff to obtain opinions regarding application completeness.
- c. If the application is deemed to be incomplete, City Staff 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.

## 3. Application Processing

- a. City Staff reviews completed application materials for conformance with Zoning Ordinance Section 7.11 and other city requirements.
- b. Application processing may include an inspection by the Fire Department and/or the Building Inspector.
- c. City Staff prepares a written notification of the Planning Department's decision and presents to the applicant.

## **APPEALS**

All administrative decisions are subject to appeal, as set forth in Article XI of the Zoning Ordinance. 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 information as may be required by City Staff to make the required findings for permit approval.
2. Required Fees and Deposits

Consult City Clerk 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

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, application 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 [cityclerk@ci.ferndale.ca.us](mailto:cityclerk@ci.ferndale.ca.us).

**HOME OCCUPATION QUESTIONNAIRE**

The Ferndale Zoning Ordinance defines a Home Occupation as any use customarily carried out 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 the criteria specified in Section 7.11 of the Zoning Ordinance. 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?
		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 to between 7 a.m. and 10 p.m.?

Please fill out the information on the following page.

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Explanation of Yes answers on items 1-11 above \_\_\_\_\_

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\_\_\_\_\_

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 Variance, the issuance of a Home Occupation Permit for a business which does not meet all the standards set forth for a Home Occupation under Sections 3.38 and 7.11 of the Zoning Ordinance.