



City of Arcata

Community Development Department

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www.cityofarcata.org

HOME OCCUPATION PERMIT

OVERVIEW

The City of Arcata recognizes that technology and lifestyle changes are prompting more people to work from their homes. Many successful businesses now in commercial spaces started as home based businesses. Home Occupation Permit standards have been developed to encourage home based employment where the dwelling and neighborhood residential character are preserved. The following, and other uses determined by the Community Development Director to be similar, may be approved as home occupations in compliance with Land Use Code requirements:

- Art and craft work (ceramics, painting, photography, sculpture, etc.);
- Tailors, sewing;
- Office-only uses, including an office for an architect, attorney, consultant, counselor, doctor, insurance agent, planner, tutor, writer, and electronic commerce; and
- Personal Trainers and licensed massage therapy and physical therapy.

Businesses with operating characteristics that have significant adverse impacts on the owners or occupants of the neighboring residential properties are prohibited as home occupations. Examples of such operating characteristics are: dust, glare, heat, noise, noxious gasses, odor, smoke, excessive traffic, vibration, use of explosives or highly combustible materials, and use of hazardous or toxic materials. Types of businesses that are prohibited as home occupations are defined in Land Use Code § 9.42.090.B.2.

HOW TO APPLY

Home Occupation Permit applications are available at the Community Development Department, or on the Department's website at www.cityofarcata.org. Staff can assist you with the materials needed for a complete application packet. Submit the completed application packet along with the application fee to the Department for processing.

THE PROCESS

Step 1: Application Filing and Initial Review

Once your application has been submitted and fees collected, Staff will perform an initial application review for completeness. Please follow the attached checklist carefully when preparing your application as this is what staff relies on to determine completeness. Should your application be found incomplete, you or your designated agent will be contacted and advised what items must be submitted before processing can continue.

Step 2: Review Procedure and Review Authority

The Community Development Director will review and approve Home Occupation Permit applications in compliance with Land Use Code §9.42.090.C operating standards and other applicable Land Use Code requirements. A City Business License is required for an approved Home Occupation. Before receiving a City Business License the applicant must sign an affidavit attesting that they have read, understand and will comply with applicable Land Use Code and other City ordinance standards and requirements.

A home occupation that does not comply with applicable Land Use Code requirements may be authorized by Minor Use Permit, provided that the review authority first makes the following findings, in addition to those required by Land Use Code Section 9.72.080 for Minor Use Permits:

- (1) The operating characteristics of the business will have no significant adverse impact on the owners or occupants of neighboring properties, and
- (2) The specific location, building type, orientation, access characteristics or other features of the subject property warrant the approval of the proposed use although it would not typically conform to zoning limitations.

Step 3: Appeals

Director actions are appealable to the Planning Commission. Appeals to the Planning Commission must be filed with the Community Development Department within 10 calendar days of the actual date of the final decision. Appeals must be submitted in writing and be accompanied by the required fees.

Home Occupation Permit Application Checklist

Visit the Community Development Department page at www.cityofarcata.org. Select the Land Use Code from the menu and then see § 9.42.090 for complete Home Occupation Permit regulations.

Talk with Arcata Community Development Department Planning Staff to determine which of the following items must be submitted along with a completed and signed application form. **Incomplete or inaccurate information will cause a delay in permit processing.**

- Application form with the required signatures.
- Application fee deposit as indicated on the application form.
- An affidavit attesting that the applicant has read, understands and will comply with the standards and requirements of Land Use Code Section 9.42.090, and that the applicant agrees to pay for all City costs incurred in the enforcement of the provisions, including attorneys' fees, if they are subsequently found to be operating a business in violation of the Municipal Code or other City ordinance.
- Description of type of business. One hard copy and one electronic copy compatible with MS WORD.
- Evidence of Compliance of the Home Occupation Operating Standards (LUC § 9.42.090.C.). By checking the following boxes, you are affirming that the home occupation meets following standards:
 - Accessory Use. The home occupation is clearly secondary to the full-time use of the property as a residence.
 - Visibility. The use does not require any exterior modification to the structure not customarily found in a dwelling, nor is the home occupation activity visible from a public right-of-way, or from neighboring residential properties.
 - Signs. There are no signs, other than one name plate, not exceeding two square feet in area attached flush to a wall of the structure.
 - Safety. Activities conducted and equipment or material used does not change the fire safety or occupancy classifications of the premises. The use does not employ the storage of explosive, flammable, or hazardous materials beyond those normally associated with a residential use.
 - Off-site effects. The home occupation activity does not create dust, electrical interference, fumes, gas, glare, light, noise, odor, smoke, toxic/hazardous materials, vibration, or other hazards or nuisances as determined by the Director.
 - Outdoor display or storage. There is no window display or outdoor storage or display of equipment, materials, or supplies associated with the home occupation.
 - Employees. All on-site employees are full-time residents of the dwelling, unless a Minor Use Permit has been obtained to allow on-site employees.
 - Client/customer visits. The home occupation does not require more than 12 vehicle trips per day of clients, customers, and/or visitors to the residence. On-site presence of customers is limited to one client or family at a time, and only between the hours of 9:00 a.m. and 8:00 p.m.
 - Deliveries. The home occupation does not involve the use of commercial vehicles for delivery of materials to and from the premises in a manner different from normal residential usage, except for FedEx, UPS, or USPS-type home pick-ups and deliveries.
 - Utility service modifications. No electric or gas utility service to the dwelling has been modified solely to accommodate the home occupation, other than as required for normal residential use.

Subject to changes or additions at any time. Applications may require additional information for continued processing.



CITY OF ARCATA • 736 "F" ST, ARCATA, CA 95521
COMMUNITY DEVELOPMENT DEPARTMENT • (707) 822-5955

HOME OCCUPATION AFFIDAVIT

Home Business Owner - Please Complete the Following Affidavit and Return to City of Arcata, Community Development Department.

I/we do hereby attest that I/we have read and understand the attached City of Arcata Land Use Code Section 9.42.090 Home Occupation standards and requirements. I/we agree to operate my/our business in compliance with said standards and requirements.

Furthermore, I/we agree to pay for all City costs incurred in the enforcement of these provisions, including attorneys' fees, if I/we are subsequently found to be operating a business in violation of the Arcata Municipal Code or other City ordinance.

I/we understand that if I/we do not feel my/our business can operate in compliance with said standards and requirements, I/we may apply for a Minor Use Permit, per Section 9.42.090 Home Occupation of the City of Arcata Land Use Code.

I/we hereby attest: _____
Date Signature of Business Owner

Legal Name of Business Print Name of Business Owner

Business Location (street address): _____

Contact (phone and email): _____

Specific Description of Business:

Note: Businesses shall comply with applicable City, County and State regulations for their business. Agency consultation prior to commencing business operations is recommended.

-City Use Only-

Assessor Parcel Number: _____ Zoning: _____

Business License No.: _____ Date Fee Paid: _____