

FOR OFFICE USE ONLY

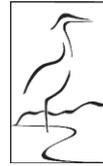
Fees received by: _____ Date of submittal: _____

Amount paid: _____ Receipt number: _____

Fee: CASH OR CHECK ACCEPTED

Staff Review: **\$250** for a staff review

Planning Commission Review: **\$350** plus **\$75** for newspaper public notice fee plus **\$1 per postcard** for required mailed notices



CITY OF
SARATOGA SPRINGS

HOME OCCUPATION APPLICATION
Updated May 2015

Applicant & Home Occupation Information

Business name: _____

Applicant / Authorized Agent: _____

Address of home occupation: _____

Phone: _____ Cell: _____

E-mail Address: _____

Property owner if different: _____

Address: _____

Phone: _____ Cell: _____

E-mail Address: _____

Hours of Operation: _____ Number of non-family employees: _____

Total Square footage of the residence: _____ Sq. ft. occupied by the occupation: _____

Please describe the proposed Home Occupation: _____

Supporting Materials

In an effort to provide the best service and most efficient review of your application, no planning application will be accepted unless an appointment is made and the application is determined to be complete, containing all items on the application checklist. To schedule an application submittal appointment, please contact the Planning Department Administrative Assistant at 801-766-9793 x126.

Plans will be routed for review the first business day after they are received. Once routed, most applications will receive a response within 10 business days. Reviews may occasionally take longer for large projects or those with complex circumstances; in these instances the City will notify the applicant of the extended review period.

Staff Use Only:

- Anticipated review of 10 business days Anticipated review of more than 10 business days

Application Materials:

Applicant Use	City Staff Use	<i>Please include the application materials listed below. Please check the applicable box to indicate the materials have been included with the application.</i>
		1. Fee: CASH OR CHECK ACCEPTED <i>Home occupation requests that will generate more than 5 customers per day shall be reviewed by the Planning Commission.</i> Staff Review: \$250 for a staff review Planning Commission Review: \$350 plus \$75 for newspaper public notice fee
		2. Fee for mailed notices: CASH OR CHECK ACCEPTED \$1.00 per postcard notice, to be invoiced after mailed by City staff. Notice of the public hearing(s) shall be mailed to property owners within 300 feet of the subject property. Invoice(s) shall be paid by applicant within 30 days of the date of the invoice.
		3. <i>Sketches. The applicant must provide five reduced (11" by 17") sketches drawn to scale of: the floor plan of the home, area to be devoted to the occupation and off-street parking.</i>
		4. <i>Professional Licenses. If applicable, the applicant must submit a copy of professional licenses to legitimize the home occupation.</i>
		5. <i>Fire Extinguishers. Evidence of a number 5 class 2A 10 BC fire extinguisher or the proper extinguisher required by the Fire Code.</i>
		<i>Signage. If any, the applicant must submit a sketch of the proposed signage and identify the location of the signage. Home occupations are permitted one sign that is a maximum of four square feet and is attached to the residence.</i>

19.08.02. Performance Standards.

Proposed Home Occupations must be in compliance with the following performance standards to ensure that adverse impacts to others are minimized and that the residential characteristics are preserved. Home Occupations are to be clearly incidental and secondary to the residential use of the property. All Home Occupations may be allowed if approved and in compliance with the terms of this Chapter and may be revoked if these performance standards are not maintained. Performance standards include:

1. **Floor Area.** A Home Occupation may be located in any single family dwelling, or an accessory building to such a dwelling, but shall not occupy or use more than one-third of the finished square footage of the dwelling in any 24 hour period.

2. **Building and Fire Codes.** A Home Occupation, including Home Occupations located in accessory buildings, shall comply with all applicable building and fire codes. For example, if a Home Occupation is located in a garage, approval for occupancy must be given by the Building Official and Fire Marshall.
3. **Employees.** Home Occupations may have no more than two on-premise employees who are not members of the resident family or household.
4. **Parking.** Home Occupations shall provide adequate off-street parking as required by Chapter 19.09. Vehicles used in the occupation, other than passenger cars, may not be parked on site, unless parked in the home's garage or other solid structure to shield the vehicles from view. Further, Home Occupations may not be located in required parking spaces (whether covered or uncovered) under Chapter 19.09.
5. **Outdoor Storage.** Outdoor storage associated with a Home Occupation shall be subject to the same performance standards governing other outdoor storage on residential lots.
6. **Outdoor Activity.** Outdoor activity may occur for a Home Occupation so long as the activity takes place in a fenced area and does not create an unreasonable disturbance to neighboring properties.
7. **Signs.** A Home Occupation may display a nameplate sign attached to the home not exceeding four square feet solely for the purpose of identifying the occupation. The design and placement of a proposed sign must receive approval from the Planning Commission or City Staff. Signs that in any manner are electronic, electric, lighted, or back-lit are strictly prohibited.
8. **Hours of Operation.** Home Occupations that receive customers, clients, or students shall operate only between 7:00 A.M. and 10:00 P.M., except for pre-schools or day care which may operate from 6:00 a.m. to 10:00 p.m.
9. **Hazardous Materials.** No Home Occupation shall generate hazardous wastes or materials that increase the danger of fire or cause fumes or odors that may be objectionable to neighboring residents.
10. **Exterior Appearance.** No Home Occupation shall alter the exterior of the home to differ from the colors, materials, construction, or lighting of the home before it was used as a Home Occupation.
11. **Retail Sales.** Service related Home Occupation may conduct incidental retail sales provided that the sales do not increase traffic or violate any other performance standard.
12. **Traffic and Utilities Use.** The Home Occupation shall not generate traffic or increase the demand for utilities that exceeds those normally associated with residential uses.
13. **Business License.** A business license is required for all Home Occupations.
14. **Additional Home Occupations.** More than one Home Occupation is allowed for each lot or parcel if the combined Home Occupations meet all requirements of this Chapter as if all were one Home Occupation.

19.08.03. Approval Process.

1. Home Occupations may be approved by the Planning Commission or City staff. All applicants are required to submit a Home Occupation application, sketch of the floor plan, signed affidavit of meeting and maintaining the requirements of this Section, and an application review fee. If applicable, the applicant shall be required to show required licenses and reviews of other governmental agencies or City departments to legitimize the proposed Home Occupation.
2. City Staff is delegated the authority to consider and issue Home Occupation permits. However, the applicant shall follow the process for considering a conditional use permit (except that the Planning Commission acts as the land use authority) if:
 - a. the Home Occupation will result in an increase in traffic caused by more than five patrons, customers, vendors, or employees visiting the Home Occupation via automobiles or motorized vehicles on a daily basis;
 - b. the Home Occupation will create a nuisance, as defined in Title 10 of the City Code; or
 - c. more than five customers or vendors will visit or patronize in person the Home Occupation per day whether by foot traffic or motorized vehicles.
3. Planning Commission Review.

- a. The Planning Commission shall review Home Occupations and determine whether they are in full compliance with performance standards of this Chapter. The Planning Commission is required to hold a public hearing. After conducting a public hearing and reviewing the application, the Planning Commission may approve the application, approve the application with conditions, or deny the application.

19.08.04. Noncompliance.

A Home Occupation that violates the City Code, Title 19, this Chapter, or any condition imposed by City staff or the planning commission may have its business license revoked in accordance with Chapter 5.01 of the City Code. City staff may investigate non-compliance and forward any complaints to the License Officer, Code Enforcement Officer, or any other responsible City department or employee.

Applicant Acknowledgment:

I hereby certify that I have read the information contained in this application form and that I have provided the required application materials.

Applicant's Signature: _____ **Date:** _____

Applicant Certification:

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that the City of Saratoga Springs may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Saratoga Springs Land Development Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I agree to reimburse the City of Saratoga Springs all amounts incurred by the City in excess of the base fee required by the Consolidated Fee Schedule to review and process this submitted application and agree to comply with Resolution No. R 08-21 and R 11-22. I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Property Owner's Signature: _____ Date: _____

Applicant's Signature: _____ Date: _____