

## **HOME OCCUPATION PERMIT REQUIREMENT**

### **(Title 17.228.200 of the Sacramento City Code)**

If you plan to conduct a business out of a residence in the City of Sacramento, you must obtain a Home Occupation Permit. The application fee for the permit is \$156.00. A home occupation is a secondary use, not the primary use of the residence. The intent of regulating home occupations is to reduce the impact of the business on the surrounding neighborhood and to insure compliance with applicable City codes.

NOTE: If you do not live within the city limits of the City of Sacramento, you do not need a Home Occupation Permit from the City of Sacramento. If you obtain a permit and later find out that you do not live in the city, the \$156.00 fee will not be refunded.

### **Application Process**

Applications for a Home Occupation Permit can be submitted at the same time as your application for a City Business Operations Tax (BOT) at the City Revenue Division location in Room 1214 at City Hall, 915 I Street, Sacramento, CA 95814. The application fee for a Home Occupation Permit is \$156.00. The application fee is non-refundable. As part of the application you will sign a statement that indicates that you have read and understand the Home Occupation Permit regulations described in this handout. If you have any questions regarding whether or not you are eligible for a Home Occupation Permit, you are strongly advised to visit the Planning Division Office at 300 Richards Blvd., or contact Planning staff at 311 (City Operator), 916-264-5011(outside City Limit), or via e-mail at [planning@cityofsacramento.org](mailto:planning@cityofsacramento.org).

Once you have submitted your application for a home occupation it will be reviewed by Planning Division staff. If approved, you will receive a Home Occupation Permit in the mail. This permit is good for as long as you keep your BOT current and operate the business at the location stated on the permit.

If staff has questions regarding your application, they will contact you at the e-mail address or telephone number that you provided. If you do not meet the criteria for a Home Occupation Permit your application will be denied. If your permit is denied, and you have paid for a BOT, the Revenue Division will void your BOT and refund your BOT fees. As indicated above the \$156.00 Home Occupation Permit fee will not be refunded.

## **Eligible Home Occupations**

The following occupations are eligible for a Home Occupation Permit subject to restrictions discussed in the next section. If the occupation is followed by an asterisk, the use is also subject to special conditions also discussed below. Eligible home occupations are:

1. General office uses, such as accountant, administrative assistant, answering service, appraiser, architect, attorney, bookkeeper, broker or agent (real estate, insurance, etc.), counselor, consultant, drafting service, engineer, interior decorator, secretarial service, word processing service, and other office uses whose characteristics are substantially similar to those listed.
2. Commission merchant, direct sale product distribution, internet, or mail order business.
3. Dressmaker, tailor, fashion designer.
4. Mobile vehicle glass installation and mobile vehicle detailing.\*
5. Pet services, such as pet sitting, pet grooming, pet training, and veterinarian care.\*
6. Office for contractor, handyperson, janitorial service, landscape contractor, gardening service.\*
7. Artist.
8. Tutoring.\*
9. Small equipment, appliance, and computer assembly, repair, or reconstruction.\*
10. Healing arts professional, including physician, surgeon, chiropractor, physical therapist, acupuncturist, and somatic practitioner.\*
11. Hair stylist, barber, and manicurist.
12. Swimming instructor.\*
13. Cottage food operation as defined in section 113758 of the California Health and Safety Code.

## **Restrictions on all Home Occupations**

1. The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes. The home occupation may be conducted in the principal dwelling or accessory structures on the subject property provided that the area does not exceed ten percent (10%) of the habitable floor area of the residence, including storage of items used or produced by the home occupation.
2. If the home occupation occurs in a garage, parking for the residence must still be maintained as required by the Zoning Code.
3. No more than three occupants of the residence shall be engaged in the home occupation at the subject residence. The business may have a minimum of one non-resident employee that works at the residence. If there is one employee on-site that is not a resident of the home, no more than two (2) occupants of the residence shall be engaged in the home occupation at the residence. The business may have more than one off-site employee or partner so long as they do not report for work at the subject residence.
4. Clients/customers are permitted to visit the residence, unless prohibited in the specific restrictions for certain home occupations; provided that on any single day there shall be no more than one (1) client/customer per hour and no more than eight (8) client/customers(s)

visiting the residence in a day (A family unit such as a parent and child (ren) is considered one client for purposes of this section).

5. No more than two (2) home occupations permits shall be granted per dwelling unit. The limitations noted above regarding the number of employees and clients shall apply as if there was only one home occupation at the residence (i.e. the maximum number of people engaged in home occupations at the site are three(3) not six (6); the maximum number of non-resident employees permitted to work at the site are one (1) not two; the maximum number of clients per hour are one (1) not two (2); the maximum number of clients per day are eight (8) not sixteen (16)).
6. The business operation must comply with any applicable building code requirements.
7. Only one vehicle of a size no larger than one (1) ton shall be permitted to be located at the residence in conjunction with the home occupation.
8. No sign, nameplate, or any other form of advertising shall be displayed on the premises in which a home occupation is conducted.
9. No nuisance producing activity shall be permitted as a home occupation.
10. No home occupation shall be permitted which creates noise, odor, dust, vibration, fumes or smoke readily discernible at the exterior boundaries of the parcel on which the occupation is located.
11. No home occupation shall be permitted which will create any electrical disturbance adversely affecting the operation of any equipment located in any other dwelling unit or on property not owned by the person conducting the home occupation.
12. Any home occupation which involves food handling, processing or packing, must comply with the requirements of Sacramento County Environmental Health and the California Health and Safety Code.
13. No home occupation permit shall be issued for an auto or vehicle repair shop.
14. No home occupation shall be permitted to conduct any adult-related business or establishment which is subject to the permit requirements of Chapter 5.04 of the City Code.

The Zoning Administrator may waive the requirements set forth above upon a determination that the occupation involved is a very unusual situation or hardship and that the public health, safety and general welfare will not be adversely affected. A separate application for a waiver of the regulations, which includes a public hearing, is required.

### **Special Conditions for Certain Home Occupations**

1. Mobile vehicle glass installation and mobile vehicle detailing.
  - Vehicle detailing is limited to cleaning the exterior and/or interior passenger area and truck area of a vehicle. It includes washing, waxing, and polishing the vehicle and cleaning the interior carpet and upholstery. Cleaning under the hood of a vehicle (including engine cleaning and engine steam cleaning), painting, tinting or dyeing the vehicle or parts of the vehicle is prohibited.
  - No installation of glass or vehicle detailing work is allowed at the permitted residence.

- If the installation or detailing work is to be performed on a vehicle at a location in a residential zone, the vehicle must be registered to a current occupant of the premises where work is performed.
  - The elapsed time for the installation or detailing work may not exceed forty-eight (48) hours.
  - Installation or detailing work may not be performed on more than two vehicles at one time on the same premises.
  - No installation or detailing work shall be performed within a public street.
2. Pet Services
    - No pet services shall be conducted at the permitted residence.
  3. Contractor, handyman, janitorial service, landscape contractor, gardening service.
    - The permitted residence may contain only an office related to the occupation. No employees may report to the permitted residence for work assignments. One employee who is a nonresident of the permitted residence may work at the permitted residence as provided in "Restrictions" section above.
  4. Tutoring.
    - If the tutoring is done at the location of the home occupation, all tutoring must be conducted inside the residence.
  5. Small equipment, appliance, and computer assembly, repair, or reconstruction.
    - There shall be no pickup or delivery of items to the permitted residence by the public. All storage, assembly, repair, and reconstruction work shall be performed within an enclosed building. The equipment, appliances, and computers assembled, repaired, or reconstructed at the permitted residence shall not exceed six feet in height, six feet in length, six feet in width, one hundred (100) pounds in weight, and five horsepower. No more than twelve (12) pieces of equipment, in any condition, shall be on-site at the permitted residence at any one time.
  6. Healing arts professional.
    - Office visits and treatment shall not occur at the permitted residence.
  7. Swimming instructor
    - Swimming instruction shall not be given at or in a swimming pool at the permitted residence.

The Zoning Administrator may waive the requirements set forth above upon a determination that the occupation involved is a very unusual situation or hardship and that the public health, safety and general welfare will not be adversely affected. A separate application for a waiver of the regulations, which includes a public hearing, is required.

### **Home Occupation Permits Issued by the Zoning Administrator**

The Zoning Administrator has the authority to issue home occupation permits for additional occupations that do not fit into the categories listed above. This process is a discretionary process, meaning that the request is heard at a public hearing and the permit may be approved as proposed, approved with conditions, or denied. Applications for discretionary home occupation permits may be obtained at the public counter, 300 Richards Blvd., Suite 300, Sacramento CA 95811.

## **Building Code Requirements**

The holder of a Home Occupation Permit is permitted to have one non-resident employee at the home and/or up to eight customers/clients visiting the residence per day. However, if the permittee has a non-resident employee or customers at the home building code requirements for the use must be met. If you are considering having a non-resident employee or customers at the home you are strongly encouraged to visit the Building Division Permit Counter at 300 Richards Blvd., Room 300, Sacramento, CA 95811 before paying the Home Occupation Permit application fee to see if a building permit will be required for the intended home occupation.

## **Requirement for City Business Operations Tax Certificate (BOT)**

Besides obtaining a Home Occupation Permit, if you are conducting a business within the City of Sacramento, you are required to obtain a Business Operations Tax Certificate. Please contact the City Revenue Division at 916-808-8500 for more information on this process. The Revenue Division is located at City Hall, 915 I Street, Room 1201, Sacramento, CA 95814.

## **Renewal of Home Occupation Permit**

A home occupation permit is valid only for the occupation and residence for which it is issued. It is not necessary to renew a Home Occupation Permit unless one of the following occurs:

1. You change your residence within the city limits and wish to continue to operate a business out of your home.
2. You change the type of business.
3. You discontinue the business and then decide, after a period of one (1) year, to restart the business.
4. You do not have a current Business Operations Tax Certificate (BOT).

## **Revocation of a Home Occupation Permit**

The Zoning Administrator has the authority to revoke a Home Occupation Permit, or modify or amend the conditions of a Home Occupation Permit, upon determining that the use as operated or maintained creates one or more of the following conditions:

1. A nuisance or other undesirable condition interfering with the public health, safety, or general welfare.
2. A violation of the provisions of this ordinance or any other applicable law or ordinance, or a violation of the conditions imposed upon the Home Occupation Permit.

## **Further Questions**

If you have any questions regarding Home Occupation Permits, please visit the Planning Counter of the Community Development Department located at 300 Richards Blvd., Room 300 Sacramento, CA 95811. You may also call the Planning Help Desk at 311 or contact a planner by writing: [planning@cityofsacramento.org](mailto:planning@cityofsacramento.org).