

## ORDINANCE NO. 843

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA Home Occupation

**Amending Section 17.59.020, Criteria and conditions, to amend the criteria and conditions required for a Home Occupation; and amending Section 17.58.030, Application - Filing, to revise application information, fee and eliminate posting requirements; and amending Section 17.59.050, Appeals, to clarify the appeal process.**

The City Council of the City of Sonora does hereby ordain as follows:

SECTION ONE: Amend Section 17.59 Home Occupations as follows:

#### **17.59.010 Intent and purpose.**

The intent and purpose of the home occupation provisions is to authorize and regulate the conduct of a business in residential dwellings. [Ord. 613 § 2 (part), 1985.]

#### **17.59.020 Criteria and conditions.**

A home occupation, as defined in Section 17.04.155, may be engaged upon approval according to procedures set forth in this Chapter. The following criteria shall apply in review of a proposed home occupation:

- A. Is confined within the living area or garage of the dwelling and does not occupy any accessory structure, open space, required parking space or yard: and does not occupy more than one room within a dwelling; and does not occupy more than twenty-five percent of the floor area of the dwelling;
- B. The person conducting the business shall reside on the premises on a regular full-time basis and the business shall be clearly incidental and secondary to the residential use.
- C. Employees shall not work at or be dispatched from the premises nor otherwise be on or about the premises for business purposes;
- D. Involves no on-premises sales or vending of merchandise;
- E. Signs shall not be used to identify the business, its products or services; and no display of any kind shall be visible from the exterior of the dwelling designed to attract customers, clients or the general public;
- F. There shall be no advertising of the home occupation by street address except that the street address may be included on business cards and business correspondence originating from the home;
- G. No outdoor storage of materials, supplies or equipment used to conduct a home occupation;
- H. Creates no noise, odor, dust, vibrations, fumes, glare, smoke, or electrical interference readily discernible at the exterior boundaries of the parcel on which the occupation is situated;
- I. The use will not result in a substantial increase in traffic. Traffic related to the operation of the business shall be limited to six vehicle trips per day (three visits).

- J. No generation of additional pedestrian traffic or parking beyond that normal to a single-family dwelling; and does not involve the repeated use of commercial vehicles to deliver materials to and from the premises;
- K. No vehicle larger than a van or three-quarter-ton truck may be used in connection with a home occupation. A marked commercial vehicle used in conjunction with the occupation shall have no more than two square feet of advertising. Licensed vehicles and trailers used in connection with a home occupation are limited to one additional vehicle and/or trailer.
- L. Parking for additional vehicles used in connection with the home occupation shall be provided on the parcel in addition to parking required for the residence.
- M. The residential appearance of the premises shall not be altered through remodeling or new construction so as to give the appearance of other than normal residential premises or to call attention to the premises;
- N. No use involving the storage, sale or use of any hazardous, flammable or explosive materials, beyond that normally found in a single-family residence shall be allowed as a home occupation.
- O. Additional criteria and conditions may be imposed by the Community Development Director as deemed necessary to safeguard the health, safety, and general welfare of the neighborhood.

[Ord. 843     ][Ord. 613 2 (part), 1985.]

**17.59.030 Application - Filing.**

An application for a home occupation permit shall be filed with the Community Development Department on a form provided by the department. Information required will include the following:

- A. The location and address of the proposed occupation;
- B. The nature of the occupation;
- C. The name of individuals involved in the occupation;
- D. If the applicant is not the owner of the property, a written statement from the property owner or his representative agreeing to the conduct of the subject business.
- E. Any additional information required by the Community Development Department to verify compliance with this Chapter.

A filing fee of fifty dollars to defray costs incurred by the City in processing the application shall also be required. The Community Development Director shall review the application, and shall consult with those departments of the City which might have jurisdiction over some phase of the proposed occupation. [Ord. 843     ][Ord. 613 § 2 (part), 1985.]

**17.59.040 Decision by Community Development Director.**

Upon completion of review of the application, all statements and relevant data, and within thirty days after the filing of the application, the Community Development Director shall render a decision in writing, either approving or denying the request and the findings for such action. One copy of the written decision shall be given to the applicant, one copy shall be forwarded to the City Administrator's Office for business license purposes, and one copy shall be kept on file in the Community Development Department. [Ord. 613 § 2 (part), 1985.]

**17.59.050 Appeals.**

Any person may appeal the decision of the Community Development Director to the Planning Commission. Such appeal shall be filed with the Community Development Department within ten days after the date of the decision by the Community Development Director. Upon receipt of such an appeal, the Community Development Director shall place the matter for consideration on the Commission agenda of the first regular meeting of the Commission following ten days' written notice to the appellant and/or applicant. The Commission shall either approve the application with conditions or deny the application based upon its findings. The decision of the Commission shall be final, unless it is appealed to the City Council pursuant to the provisions of Section 17.62.100 of this title. [Ord. 843 ] [Ord. 613 § 2 (part), 1985.]

**17.59.060 Business license required - Exception.**

Upon approval by the Community Development Director of a home occupation permit, the applicant shall obtain a City business license, except for those occupations whose total gross income is less than five thousand dollars. [Ord. 613 § 2 (part),

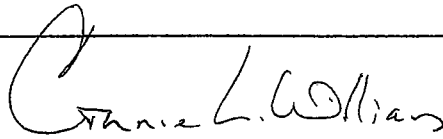
This Ordinance shall take effect thirty (30) days after its passage and shall be published within (15) days after its final passage as required by law.

Said Ordinance was introduced at a regular meeting of the City Council of the City of Sonora held on December 4, 2017, and passed and adopted as an Ordinance of said City at a regular meeting of said Council held on December 18, 2017, by the following vote:

AYES: Connie Williams, Jim Garaventa, Matt Hawkins, Mark Plummer, George Segarini

NOES: None

ABSENT OR ABSTAIN: None



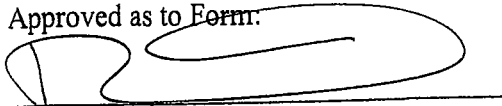
Connie L. Williams, Mayor



ATTEST:

Marijane Cassinetta, City Clerk

Approved as to Form:



Douglas L. White, City Attorney

Publish: The Union Democrat, Sonora  
Dec 27, 2017