

HOME OCCUPATION

Zoning Code, Section 410.12

- A. **Residential Character Maintained.** No dwelling or accessory buildings shall be built, altered, finished, or decorated externally for the purposes of conducting the home occupation in such a manner as to cause the structure to be reasonably recognized as a place where a home occupation is conducted.
- B. **Permitted Uses.** Home occupations require a Zoning Permit and are limited to the following uses:
1. Professional offices;
 2. Offices for personal services, such as janitorial, garden, or offices services;
 3. Dressmaking, tailoring, millinery, and other home sewing work;
 4. Handicrafts, such as weaving, leatherwork, and other arts and crafts;
 5. Instructional classes, not exceeding five students at a time;
 6. Mail order or direct sales provided that no direct sales to customers occur from the residence;
 7. Uses that entail food handling, processing or packing of specialized minor cooking or baking; and
 8. Businesses such as plumbers, electricians, contractors, pool service providers, locksmiths, minor electronics and watch repair.
- C. **Prohibited Uses.** The following uses are not permitted as a home occupation:
1. Fire arms manufacturing/storage/on-site sales;
 2. Medical marijuana dispensaries or commercial cultivation or medical marijuana infusion;
 3. The repair, reconditioning, servicing or manufacture of any internal combustion or diesel engine or of any motor vehicle, including automobiles, trucks, motorcycles, and boats;
 4. Drop-off, repair, fix-it, or plumbing shops; and
 5. Kennels, storage, caring, or grooming of animals.
- D. **Maximum Floor Area Allowed.** A home occupation shall not occupy more than one quarter of the total floor area in the principal building and any accessory building on the lot.
- E. **Signage.** No sign visible from a street, except for approved live-work units in the MU Districts shall be publicly displayed relating to the home occupation or products thereof.
- F. **Limitations on On-Site Employees.** No more than two persons shall be employed or work on-site, excepting occupants of the dwelling who are members of the resident family. However, with approval of a Conditional Use Permit, one additional employee may be allowed if the Planning & Zoning Commission determines that there would be no adverse impacts on the immediately adjoining neighborhood in addition to the other required findings.
- G. **Merchandise.** On-site display of merchandise or goods for the purposes of sale on the premises shall not be permitted. Walk-in customers and on-site sales of the merchandise or goods shall not be permitted.
- H. **Storage.** Storage related to the home occupation must be confined to the interior of the dwelling or accessory building. No hazardous materials storage is allowed.
- I. **Traffic and Parking.** The home occupation shall not generate more than five additional daily trips related to the business (e.g. deliveries and drop-off), on average over a workweek, nor require additional off-street parking spaces for delivery of materials or supplies to or from the premises. No garage or accessory building shall be altered or used in such a manner that would reduce the number of covered parking spaces required in the district in which it is located.

- J. **Nuisance.** No equipment or process shall be used with creates noise, vibration, glare, fumes, odor, or electrical interference detectable to the normal senses. No equipment or process shall be used which creates visual or audible electrical interference in any radio or television receiver off the premises, or causes fluctuations in line voltage off the premises. The home occupation shall not involve the use of power equipment on the premises using motors exceeding one horsepower combined capacity.

Over-All Review Time Frames

City will either grant or deny each type of permit (license) that it issues. The time frame includes an administrative completeness review period to accept or reject the application, and a substantive review period to provide a technical review of the request. The City shall approve or deny the request within the overall time frame listed below, however, should the City extend the review period for additional submittal(s), said extensions shall not exceed 25% of the overall time frame.

Please note: These are projected time frames only and may change due to workload and staffing considerations.

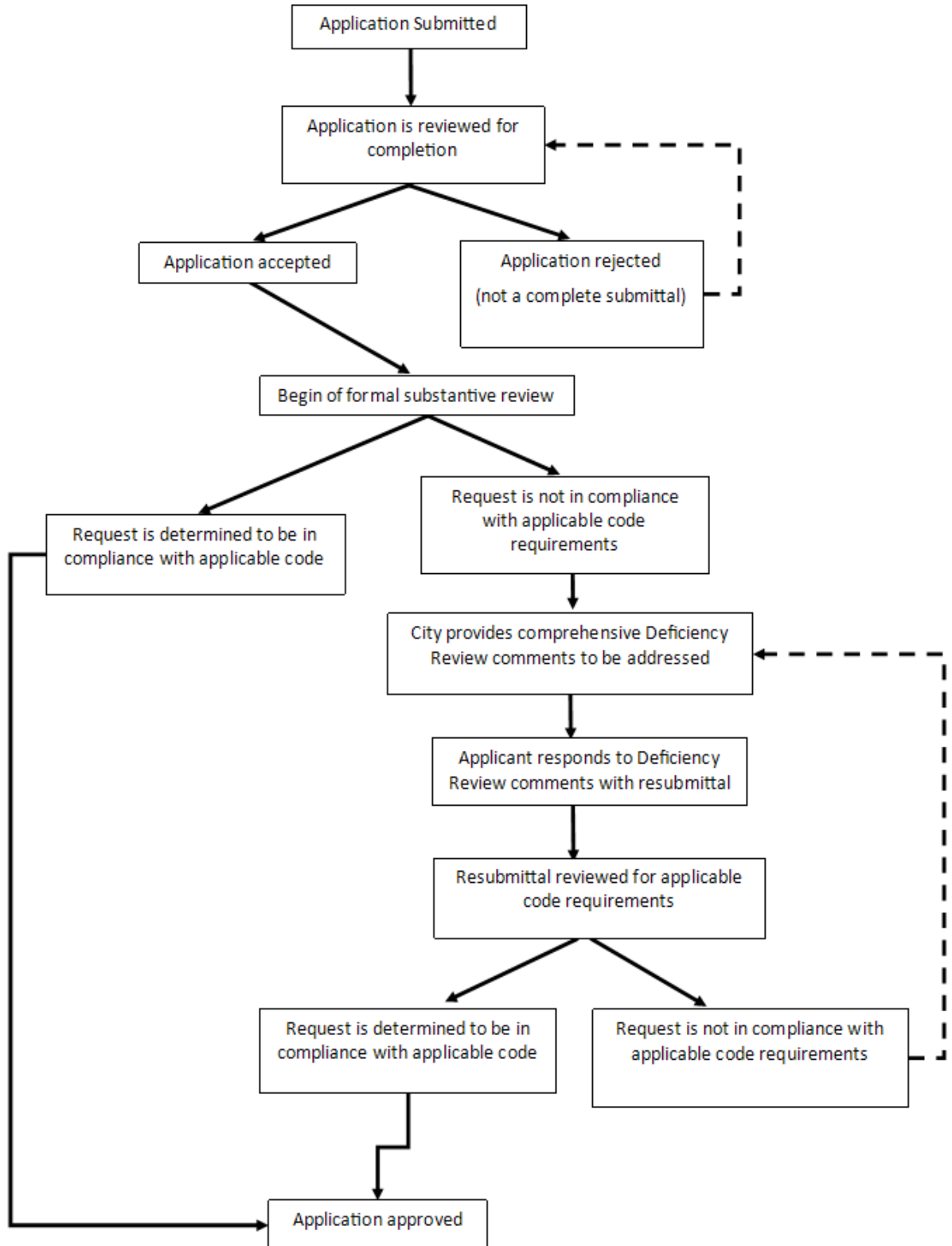
Application Type	Administrative Completeness Review (business days)	Substantive Review (business days)	Total Time Frame (business days)
Zoning Permit	10	10	20

Submittal Review Turn Around Time Frames

Timeframes exclude all holidays, weekends and during the period where the applicant is revising plans. The listed timeframes are not all-inclusive and are subject to change. These timeframes are for plan review only and do not apply to submittals that require public notification outreach and approval through the Planning and Zoning Commission.

Application Type	First Review (business days)	Subsequent Reviews (business days)
Zoning Permit	10	5

ZONING PERMIT PROCESS FLOW CHART



ZONING PERMIT HOME OCCUPATION CLEARANCE

SECTION I: APPLICANT INFORMATION

Name: _____
 Mailing Address: _____
 Phone: _____ Email: _____

SECTION II: SITE INFORMATION

Business/Development Name: _____
 Site Address: _____
 General Location: _____
 Located in the Heritage District

SECTION III: PROPERTY OWNER INFORMATION

Property Owner: _____ [] Owner Authorized
 Mailing Address: _____
 Phone: _____ Email: _____

SECTION IV: SUBMITTAL REQUIREMENTS

- Narrative (Description of business operation, Number of employees, Trips generated to the home, Storage needs including space requirements within the home and/or garage).
- Response/Acknowledgement to all sections of Zoning Code for Home Occupation
- Fee: \$100/hour of review, first hour (\$100) due initially, balance billed at completion of review

 Signature of Applicant Print Name Date

 Signature of Property Owner Print Name Date

Response/Acknowledgment for HOME OCCUPATION

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[] **Acknowledge;** Response (optional): _____
- B. **Permitted Uses.** Home occupations require a Zoning Permit and are limited to the following uses:
1. Professional offices;
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7. Uses that entail food handling, processing or packing of specialized minor cooking or baking; and
8. Businesses such as plumbers, electricians, contractors, pool service providers, locksmiths, minor electronics and watch repair.
[] **Acknowledge;** Response (select uses): _____
- C. **Prohibited Uses.** The following uses are not permitted as a home occupation:
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3. The repair, reconditioning, servicing or manufacture of any internal combustion or diesel engine or of any motor vehicle, including automobiles, trucks, motorcycles, and boats;
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[] **Acknowledge;** Response (optional): _____
- D. **Maximum Floor Area Allowed.** A home occupation shall not occupy more than one quarter of the total floor area in the principal building and any accessory building on the lot.
[] **Acknowledge;** Response (optional): _____
- E. **Signage.** No sign visible from a street, except for approved live-work units in the MU Districts shall be publicly displayed relating to the home occupation or products thereof.
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Acknowledge; Response (optional): _____

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Acknowledge; Response (optional): _____

REGULATORY BILL OF RIGHTS

This past legislative session (Fiftieth Legislature, First Regular Session), the Arizona Legislature passed Senate Bill 1598. This “Regulatory Bill of Rights” went into effect on July 20, 2011 (with full implementation on December 31, 2012). The rights afforded private regulated parties under the new law are provided below.

A.R.S. § 9-832: REGULATORY BILL OF RIGHTS

TO ENSURE FAIR AND OPEN REGULATION BY CITIES, A PERSON:

- IS ELIGIBLE FOR REIMBURSEMENT OF FEES AND OTHER EXPENSES IF THE PERSON PREVAILS BY ADJUDICATION ON THE MERITS AGAINST A CITY IN A COURT PROCEEDING REGARDING A CITY DECISION AS PROVIDED IN A.R.S. § 12-348.
- IS ENTITLED TO RECEIVE INFORMATION AND NOTICE REGARDING INSPECTIONS AS PROVIDED IN A.R.S. § 9-833 (EFFECTIVE JUNE 30, 2012).
- IS ENTITLED TO HAVE A CITY NOT BASE A LICENSING DECISION IN WHOLE OR IN PART ON LICENSING CONDITIONS OR REQUIREMENTS THAT ARE NOT SPECIFICALLY AUTHORIZED AS PROVIDED IN A.R.S. § 9-834.
- MAY HAVE A CITY APPROVE OR DENY THE PERSON’S LICENSE APPLICATION WITHIN A PREDETERMINED PERIOD OF TIME AS PROVIDED IN A.R.S. § 9-835 (EFFECTIVE DECEMBER 31, 2012).
- IS ENTITLED TO RECEIVE WRITTEN OR ELECTRONIC NOTICE FROM A CITY ON DENIAL OF A LICENSE APPLICATION (EFFECTIVE DECEMBER 31, 2012).
 - THAT JUSTIFIES THE DENIAL WITH REFERENCES TO THE STATUTE, ORDINANCE, REGULATION, DELEGATION AGREEMENT OR AUTHORIZED SUBSTANTIVE POLICY STATEMENT ON WHICH THE DENIAL IS BASED AS PROVIDED IN A.R.S. § 9-835.
 - THAT EXPLAINS THE APPLICANT’S RIGHT TO APPEAL THE DENIAL AS PROVIDED IN A.R.S. § 9-835.
- IS ENTITLED TO RECEIVE INFORMATION REGARDING THE LICENSE APPLICATION PROCESS AT THE TIME THE PERSON OBTAINS AN APPLICATION FOR A LICENSE AS PROVIDED IN A.R.S. § 9-836.
- MAY INSPECT ALL ORDINANCES, REGULATIONS, AND SUBSTANTIVE POLICY STATEMENTS OF A CITY, INCLUDING A DIRECTORY OF DOCUMENTS, AT THE OFFICES OF THE CITY AS PROVIDED IN A.R.S. § 9-837.
- UNLESS SPECIFICALLY AUTHORIZED, MAY EXPECT CITIES TO AVOID DUPLICATION OF OTHER LAWS THAT DO NOT ENHANCE REGULATORY CLARITY AND TO AVOID DUAL PERMITTING TO THE MAXIMUM EXTENT PRACTICABLE AS PROVIDED IN A.R.S. § 9-834.
- MAY FILE A COMPLAINT WITH THE CITY COUNCIL CONCERNING AN ORDINANCE, REGULATION OR SUBSTANTIVE POLICY STATEMENT THAT FAILS TO COMPLY WITH A.R.S. § 9832