



Community Development Department
1 Plaza, PO Box 667
Patterson, CA 95363
Ph. 209.895.8020
Fax 209.895.8019
www.ci.patterson.ca.us

HOME OCCUPATION USE PERMIT

This information is provided as a guide to assist you in the preparation of your application for a Home Occupation Use Permit (HOUP). It is also intended to explain the process by which the City analyzes and acts upon the application.

What is a Home Occupation Use Permit?

The Patterson Municipal Code is a body of law that, among other things, establishes the permitted uses for each of the various zoning districts within the City. Generally, businesses are not allowed within the residential zones of the city. However, there are provisions within the municipal code which allow for the operation of home occupations, subject to specific standards and conditions. Home Occupation Use Permits are generally granted for administrative operations only. However, other certain types of home operations may be allowed dependent upon their ability to meet the required standards and subject to additional conditions as may be deemed necessary.

Application Submittal

An application for a Home Occupation Use Permit shall be filed by the business owner with the Community Development Department on forms prescribed for this purpose. An application for a Home Occupation Use Permit is attached. The application must be filled out completely, and must be accompanied by the following items:

- A written statement of operational characteristics which should include all relevant details of the proposed use (detailed description of the type of use, operating hours, number of employees, vehicles, etc.); this should be signed and dated and accompany the home occupation use permit application on a separate piece of paper.
- Property owner's concurrence in the application (if owner does not sign the application);
- \$150.00 Home Occupation Use Permit Fee.**

**** This is a one time fee due at the time of application submittal, however if you move locations, you will have to reapply and pay this fee again**

Note: Additional information may be required by the Community Development Director during review of your application.



STANDARDS

The following are standards that shall be adhered to for the issuance of a Home Occupation Use Permit:

- A. A home occupation must be conducted entirely within a dwelling by a person or persons residing in the dwelling as a purely secondary and incidental use of such dwelling to its primary residential use.
- B. Off-site employees or partners are permitted so long as they do not work or report for work at the subject property.
- C. 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.
- D. There shall be no mechanical equipment or operation used which creates or makes noise, dust, odor, vibration or other effects detectable at the property line.
- E. There shall be no display of products produced by the home occupation visible in any manner from the outside of the dwelling unit. There shall be no sale of commodities upon the premises.
- F. The use shall not generate pedestrian or vehicular traffic other than trips by the one allowed business vehicle per Section 18.92.080(H) of this chapter and bi-monthly business deliveries by a carrier normally associated with residential deliveries. Business customers are not allowed on-site unless otherwise accepted by this chapter.
- G. There shall be no storage of materials or supplies out-of-doors.
- H. No more than one business vehicle shall be parked or used in connection with the business on or near the premises. All deliveries to and from the premises by the applicant shall be only by the one allowed business vehicle. "Business vehicle" means a car, pickup or van (3/4 ton maximum size) used for home business purposes and driven by a person residing on the premises.
- I. There shall be no advertising of the home occupation which uses the street address of the premises, and no on-site signs advertising the business.



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- J. Not more than one room or ten percent (10%) of the floor area of the main building, whichever is greater, shall be used for the home occupation. If a garage is used in connection with a home occupation, such use must not interfere with its primary use as vehicular storage.
- K. There shall be no raising of animals for commercial purposes.
- L. Other conditions deemed necessary by the Community Development Director.
- M. The following specific home occupation uses may be permitted subject to further limitations as follows:
1. Contractors' and Subcontractors' offices are permitted as home occupations. The storage of materials, equipment or more than one commercial vehicle not normally associated with residential uses shall be prohibited.
 2. Swimming lessons, music lessons, and other similar instructions, when given to no more than three students at one time.
 3. Dressmakers, limited to residents of the dwelling.
- N. The following uses are expressly prohibited as home occupations:**
1. Repair or reconditioning of motorized vehicles or equipment on-site.
 2. Manufacturing, including cabinet shops and similar uses.
 3. Repair or reconditioning of major household appliances.
 4. Repair or reconditioning of boats or recreational vehicles.
 5. Medical, dental and chiropractic clinics and offices and counseling services.
 6. Furniture repair, restoration and upholstery.
 7. Beauty/barber shops, including nail and skin care salons.
 8. Real estate offices.



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9. Weapons and ammunition sales and service.
10. Welding shops.
11. Animal clinics and pet grooming shops.
12. Massage establishments.

Processing the Application

The processing time for a Home Occupation Use Permit varies from twenty (20) to thirty (30) days. Public Notice shall be posted in the newspaper, mailed to the subject property and mailed to all property owners within 300' of the subject property. From the date of posting a ten (10) calendar day review period begins. After this review period has expired, a determination shall be made. You will receive written communication of this determination, and if approved, any conditions of approval. If not paid at the time of application submittal, an invoice for the City of Patterson Business License will be mailed to you and after payment is received by the City, the business license will be mailed to you.

Note: The applications are processed once a week, due to noticing deadlines. The weekly deadline is Tuesday, 10:00 a.m., otherwise the application gets processed the following week.

Appeal Process

Any interested party, aggrieved by the determination of the Community Development Director, may appeal this decision to the Planning Commission within ten calendar days after such date of determination. Approval of the application is not in effect until the appeal period has expired, or any appeal filed has been acted upon by the Planning Commission. Appeals must be made in written form, addressed to the Planning Commission and accompanied by the required fee of \$480.00.

Revocation

A Home Occupation Use Permit may be revoked due to non-use, failure to comply with standards and conditions of approval, and failure to obtain a business license. A Home Occupation Use Permit may be revoked following notice to the permittee at least ten (10) days prior to the revocation. A decision to revoke a Home Occupation Use Permit may be appealed to the planning commission as specified in Chapter 18.84 of this title.

If you have any questions regarding Home Occupation Use Permits, please contact the City of Patterson Community Development Department at (209) 895-8020.



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HOME OCCUPATION USE PERMIT APPLICATION

PROPOSED BUSINESS NAME:

APPLICANT NAME:

ADDRESS/CITY/STATE/ZIP:

PHONE/EMAIL:

PROPERTY OWNER/ADDRESS:

TYPE OF BUSINESS PROPOSED:

NATURE OF WORK PERFORMED AT THE RESIDENCE:

I, THE UNDERSIGNED APPLICANT, DO HEREBY ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE STANDARDS FOR THE HOME OCCUPATION USE PERMITS, AND DO HEREBY AGREE TO ABIDE BY ALL CONDITIONS OF APPROVAL PLACED UPON THIS APPLICATION, AND THAT FAILURE TO ABIDE BY ALL CONDITIONS OF APPROVAL WILL RESULT IN THE REVOCATION OF THIS HOME OCCUPATION USE PERMIT AND ANY BUSINESS LICENSE ISSUED THEREAFTER.

*SUBMIT COMPLETE ORIGINAL APPLICATION TO: CITY OF PATTERSON, COMMUNITY DEVELOPMENT DEPARTMENT (PLANNING DIVISION) 1 PLAZA, 2ND FLOOR, PATTERSON, CA 95363

APPLICANT SIGNATURE: _____ **DATE:** _____

PROPERTY OWNER SIGNATURE: _____ **DATE:** _____

RECEIPT # _____ **HOUOP PERMIT #** _____ **CITY BUSINESS LICENSE #** _____

DATE APP RECEIVED: _____ **DATE OF APPROVAL:** _____

ASSESSOR PARCEL # (APN): _____ **PUBLISH PO #:** _____



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Home Occupation Use Permit - Statement of Operations

Along with the Enclosed Applications, please include a detailed Statement of Operations. This is a handwritten or typed statement describing the following:

1. What are the hours of business.
2. Number of Employees. (if any)
3. Where your supplies will be kept. (if any)
4. That you are aware that customers **are not** allowed at the home.
5. Please describe in detail what type of product(s) your business consists of and how you will conduct your business.

Thank You.
City of Patterson
Community Development Department
Planning Division

**CITY OF PATTERSON
BUSINESS LICENSE APPLICATION
INSTRUCTIONS**



Dear Business Owner:

Congratulations on your new business venture! Please complete and return the attached Business License Application, Supplemental Information Questionnaire and Worker's Compensation Declaration. The remainder of the material in the packet provides information that may be useful to you.

*** PLEASE CONTACT THE PLANNING DEPARTMENT AT 895-8020 TO CONFIRM THAT YOUR PROPOSED BUSINESS WILL CONFORM TO THE ZONING FOR THE PROPOSED LOCATION. ***

Please note: BEFORE ANY ENTITY LOCATED WITHIN THE CITY OF PATTERSON MAY CONDUCT BUSINESS, APPROVAL MUST BE OBTAINED FROM THE FOLLOWING DEPARTMENT(S):

PLANNING: Automatically processed in conjunction with the processing of your City of Patterson Business License Application.

BUILDING, FIRE, PUBLIC WORKS: Required only if the business will be located in a local commercial facility (e.g., leased office space, retail store, warehouse, etc.). Out-of-town businesses conducting business within the City of Patterson are exempt from this approval requirement.

PLEASE CONTACT THE BUILDING DEPARTMENT AT 209-895-8030 TO SCHEDULE INSPECTIONS WITH THE BUILDING DEPARTMENT BEFORE CONDUCTING BUSINESS.

Please note: In the event your application is rejected, you must contact the City Finance Department within 30 days of rejection date to request a refund of the business license application fee.

UNDER FEDERAL AND STATE LAW, COMPLIANCE WITH DISABILITY ACCESS LAWS IS A SERIOUS AND SIGNIFICANT RESPONSIBILITY THAT APPLIES TO ALL CALIFORNIA BUILDING OWNERS AND TENANTS WITH BUILDINGS OPEN TO THE PUBLIC. YOU MAY OBTAIN INFORMATION ABOUT YOUR LEGAL OBLIGATIONS AND HOW TO COMPLY WITH DISABILITY ACCESS LAWS AT THE FOLLOWING AGENCIES:

The Division of the State Architect: www.dgs.ca.gov/dsa/Home.aspx

The Department of Rehabilitation at: www.rehab.cahwnet.gov

The California Commission on Disability Access at: www.cdda.ca.gov

DEPARTMENTS / AGENCIES TO CONTACT

CITY OF PATTERSON BUILDING DEPARTMENT

Local businesses, except those requiring Home Occupational Use Permits, must schedule inspections through the Building Department. Please note: These inspections are in addition to any inspections required for building occupancy.

(209) 895-8030

CITY OF PATTERSON PLANNING DEPARTMENT

The proposed business must conform to the zoning standards for the location chosen for the business. Please contact the Planning Department for more information.

(209) 895-8020

STANISLAUS COUNTY CLERK-RECORDER'S OFFICE

Contact this agency to register a Fictitious Business Name, if necessary, for your business.

1021 I Street
Modesto, CA 95354
209-525-5250

STANISLAUS COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES

Contact this agency for approval for all food-related businesses, as well as for any businesses that generate hazardous waste.

(209) 525-6700

CALIFORNIA STATE BOARD OF EQUALIZATION

Contact this agency to obtain a Resell Number (Seller's Permit).

800-400-7115 (To Receive Application by Mail)

www.boe.ca.gov (Application Available Online)

INTERNAL REVENUE SERVICE

Contact this agency to obtain a Federal Tax Identification Number (Employer's Identification Number), if necessary.

www.irs.gov

BOARD OF BARBERING AND COSMETOLOGY

PO Box 944226, Sacramento, CA 94244

P (800) 952-5210 F (916) 575-7281 | www.barbercosmo.ca.gov



CITY OF PATTERSON BUSINESS LICENSE FEES

Please select the appropriate fee based on your business license type and anticipated annual gross receipts within the City of Patterson.

SCHEDULE 1

Realtors, Miscellaneous Business
Retailing, Printing, Publishing

Gross Receipts		License Tax
0	4,999	21
5,000	14,999	26
15,000	29,999	29
30,000	44,999	45
45,000	99,999	68
100,000	149,999	114
150,000	249,999	143
OVER	250,000	171

SCHEDULE 2

Arts & Crafts, Professional &
Personal Services

Gross Receipts		License Tax
0	4,999	13
5,000	9,999	29
10,000	19,999	43
20,000	29,999	57
30,000	39,999	74
40,000	49,999	92
OVER	50,000	114

SCHEDULE 3

Wholesaling, Jobbing, Warehousing,
Livestock and Poultry Feed

Gross Receipts		License Tax
0	99,999	71
100,000	199,999	100
200,000	299,999	129
300,000	399,999	156
400,000	499,999	201
500,000	599,999	257
600,000	799,999	286
800,000	999,999	314
OVER	1,000,000	399

SCHEDULE 4

Contractors and Sub-contractors

Gross Receipts		License Fees
0	24,999	43
25,000	49,999	71
50,000	99,999	100
100,000	149,999	129
150,000	199,999	156
200,000	249,999	186
250,000	299,999	214
300,000	349,999	243
350,000	399,999	271
400,000	449,999	314
450,000	499,999	371
500,000	549,999	428
550,000	599,999	486
600,000	699,999	542
700,000	799,999	570
800,000	999,999	600
OVER	1,000,000	657

SCHEDULE 5

Manufacturing

Gross Receipts		License Tax
0	99,999	71
100,000	199,999	100
200,000	299,999	129
300,000	399,999	156
400,000	499,999	199
500,000	599,999	257
600,000	799,999	286
800,000	899,999	344
900,000	999,999	371
OVER	1,000,000	399

**CITY OF PATTERSON
BUSINESS LICENSE APPLICATION**

(Affidavit-Confidential)



- New Application
- Address Change
- Owner Change
- Name Change

City of Patterson
PO Box 667 / 1 Plaza
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(209) 895-8040

Business Name: _____ Parent Company (if any) _____

Owner / Contact Person (Must be Provided): _____ Phone #: _____

Nature of Business: _____ Website Address: _____

Mailing address: _____

Tax I.D.# _____ Ownership Type: Sole Proprietorship Partnership Corporation

State Contractor's License # (if Applicable): _____ California Seller's Permit #: _____

Business Address: _____

Business Telephone Number: _____ Number of Employees: _____

Job site address (if applicable): _____

Is this a home based business? Yes No Will you sell or serve alcohol? Yes No

Do you have pool tables in your place of business? Yes No If yes, how many? _____

Will you sell food or drinks? Yes No If yes, you are required to get approval from the Health Department.

Proposed business start date: _____

THE AVERAGE ANNUAL GROSS RECEIPTS FROM BUSINESS CONDUCTED WITHIN THE CITY OF PATTERSON ARE EXPECTED TO BE: (See Schedules on Page 3.)

Schedule _____ Gross _____ Fee \$ _____
Plus \$1.00 fee - SB1186 - State Mandated Disability Access Fund Fee _____ \$1.00

Total Due \$ _____

UNDER PENALTY OF PERJURY, I DECLARE THE FOREGOING TO BE TRUE AND CORRECT.

Signature

Date

FOR CITY USE ONLY

Required Approvals: Planning _____ Date: _____ Restrictions: _____
Building _____ Date: _____ Restrictions: _____
Fire _____ Date: _____ Restrictions: _____
Health _____ Date: _____ Restrictions: _____
Public Works _____ Date: _____ Restrictions: _____
Utility Sign-Up _____ Date: _____ Toter / Bin Size, Service / Week: _____
Recreation _____ Date: _____ Restrictions: _____



Informational Item: Proof of Workers' Compensation Insurance

Legislation AB 1576, Chapter 600, became effective January 1, 1992, and provides that an applicant for issuance or renewal of a business license issued by a city or county must provide proof of valid current workers' compensation insurance or a current Certificate of Self-Insurance.

Existing law requires every private employer to secure the payment of workers' compensation by obtaining insurance or becoming self-insured. Where an employer fails to secure these payments, the Director of Industrial Relations is required to issue a stop order prohibiting the use of labor by the employer and to assess monetary penalties in the amount of \$1,000 per employee at the time the stop order is issued, and between \$2,000 and \$10,000 per employee at the time the appeal becomes final, to a maximum total penalty of \$100,000.

Existing law provides that failure of an employer, or others, as specified, to observe a stop order is a misdemeanor punishable by imprisonment in the county jail not exceeding 60 days or a fine not exceeding \$10,000, or both. Existing law authorizes the legislative body of a city and county to impose certain business license taxes.

This bill requires that every employer who applies for any license, or renewal of any license, or renewal of any license for a business issued pursuant to a specified statute, must provide proof of valid workers' compensation insurance or proof of compliance with self-insurance provisions, with a specified exception.

When applying or renewing your business license, workers' compensation insurance is required. If you have any questions, contact your insurance agent.

WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

_____ I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided by Section 3700, for the duration of any business activities conducted for which this license is issued.

_____ I have and will maintain workers' compensation insurance, as required by Sections 3700, for the duration of any business activities conducted for which this license is issued.

My workers' compensation insurance carrier and policy number are:

Carrier _____

Policy Number _____

_____ I certify that in the performance of any business activities for which this license is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California. I further agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with the provisions of Section 3700.

Name _____

Date _____

Signature _____

Address _____

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO \$100,000, IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.