

STAFF USE ONLY
GL: 103413100 Dist. Code: 312

FEE:

Staff Review: **\$150**

Planning Commission Review: **\$500** plus **\$25** for newspaper public notice fee plus **\$1 per postcard** for required mailed notices – contact Planning to determine amount (Class 3 Home Occupation requires notice and mailing)



SARATOGA
SPRINGS
PLANNING

Applications submitted before 12:00 p.m. on Tuesday will be discussed at an internal Development Review Committee (DRC) meeting on the following Monday. First round of comments anticipated complete after 10 business days.

**HOME OCCUPATION APPLICATION
UPDATED JANUARY 2021**

BUSINESS NAME: _____

Applicant / Authorized Agent: _____

Address of home occupation: _____

Phone: _____

Cell: _____

E-mail: _____

Property Owner (if different): _____

Address: _____

City: _____

State: _____

Zip: _____

Phone: _____

Cell: _____

E-mail: _____

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 the application is determined to be complete, containing all items on the application checklist. Submit the signed application and supporting materials to Planning@SaratogaSpringsCity.com. Please contact the Planning Department Administrative Assistant at 801-766-9793 x155 with questions.

Plans will be routed for review the first business day after they are accepted. Once routed, most applications will receive a response within 10 business days. A Comment Review Meeting (CRM) may be scheduled 10 business days after the plans are routed and are generally held Thursday mornings. Reviews may require additional time for large projects or those with complex circumstances; in these instances the City will notify the applicant of the extended review period.

<p>STAFF USE ONLY:</p> <p><input type="checkbox"/> Anticipated review of 10 business days <input type="checkbox"/> Anticipated review of more than 10 business days</p>
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APPLICATION MATERIALS:

Applicant	City Staff	<p><i>Please include the application materials listed below. Please check the applicable box to indicate the materials have been included with the application.</i></p>
		<p>1. Fee: <i>Home occupation requests that will generate more than 5 customers per day shall be reviewed by the Planning Commission.</i> Staff Review: \$150 Planning Commission Review: \$500 plus \$25 for newspaper public notice fee (Class 3 Home Occupation)</p>
		<p>2. Fee for mailed notices: \$1.00 per postcard notice, contact Planning to determine amount. Notice of the public hearing(s) shall be mailed to property owners within 300 feet of the subject property.</p>
		<p>3. Sketches. The applicant must provide a reduced (11" by 17") sketch drawn to scale of: the floor plan of the home, area to be devoted to the occupation and off-street parking.</p>
		<p>4. Professional Licenses. If applicable, the applicant must submit a copy of professional licenses to legitimize the home occupation.</p>
		<p>5. Fire Extinguishers. Evidence of a number 5 class 2A 10 BC fire extinguisher or the proper extinguisher required by the Fire Code.</p>
		<p>Signage. If any, the applicant must submit a sketch of the proposed signage and identify the location of the signage. See signage section for regulations.</p>

19.08.02. Categories.

1. Class 1: A low impact Home Occupation that:
 - a. does not receive more than two patrons, customers, clients, deliveries, or students, on any given day and
 - b. does not increase odors or noise, and
 - c. does not have any on premise employees that are not members of the resident family or household.
2. Class 2: A Home Occupation that:
 - a. receives between three and eight total patrons, customers, clients, deliveries, or students at any given time, up to a maximum of 16 total patrons, customers, clients, deliveries, or students in any given day, or
 - b. has up to two on premise employees that are not members of the resident family or household, or
 - c. is the office for a construction, landscaping, delivery, installation, or similar business and one or more business vehicle are parked or dispatched from the home.
3. Class 3: All other Home Occupations.

19.08.03. 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. Dwelling Type.

- a. Class 1 Home Occupations are permitted in any single or multi-family dwelling, or an accessory building to such a dwelling.
- b. Class 2 and 3 Home Occupations are only permitted in single family dwellings, or an accessory building to such a dwelling.

2. Floor Area. A Home Occupation shall not occupy or use more than 40% of the finished square footage of the dwelling at any given time.

3. Prohibited Uses. Restaurants, or any uses in Section 19.04. that are permitted or conditional uses solely in the Office Warehouse and/or Industrial Zones, are prohibited as Home Occupations.

4. 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.

5. Employees. Home Occupations may have no more than two on premise employees who are not members of the resident family or household.

6. 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.

7. Outdoor Storage. Outdoor storage associated with a Home Occupation shall be subject to the same performance standards governing other outdoor storage on residential lots.

8. 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.

9. Signs. A Home Occupation may display a sign not exceeding the size permitted for permanent signage in Section 19.18. The design and placement of a proposed sign must receive approval per Chapter 19.18. Signs that in any manner are electronic, electric, lighted, or back-lit are strictly prohibited.

10. Hours of Operation. Class 2 and 3 Home Occupations 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.

11. 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.

12. 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.

13. 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.

14. Capacity.

- a. Class 2 Home Occupations shall not exceed eight patrons, customers, clients, deliveries, or students at any one time, and shall not exceed 16 patrons, customers, clients, deliveries, or students in one day.
- b. Class 3 Home Occupations shall not exceed ten patrons, customers, clients, deliveries, or students at any one time, and shall not exceed 40 patrons, customers, clients, deliveries, or students in one day.

15. Traffic and Utilities Use.

1. Class 1 Home Occupations shall not generate traffic or increase the demand for utilities that exceeds those normally associated with residential uses.
2. Class 2 and 3 Home Occupations shall provide parking and traffic plans to ensure traffic increases are minimal and appropriately mitigated. For example, a pre-school may require parents to stagger pick-up and drop-off times to reduce the number of cars present at any one time.

16. Business License. A business license is required for all Home Occupations as allowable per State Code.

17. 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.

19.08.04. Approval Process.

1. Class 1 applicants are not required to obtain a Home Occupation Permit.
2. All Class 2 and 3 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.
3. Decisions regarding Class 2 Home Occupations are made by the Planning Director.
 - a. The Planning Director shall review the Home Occupation and determine whether it is in full compliance with performance standards of this Chapter. The Planning Director may approve the application, approve the application with conditions, or deny the application.
4. Decisions regarding Class 3 Home Occupations are made by the Planning Commission, per the Conditional Use permit process.
 - a. The Planning Commission shall review the Home Occupation and determine whether it is 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.

19.08.05. 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 Name: _____

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 Name: _____

Property Owner's Signature: _____ Date: _____

Applicant's Name: _____

Applicant's Signature: _____ Date: _____