



# Land Use Services Department

## Code Enforcement Division

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### HOME OCCUPATION PERMIT

Home Occupations are commercial uses which are accessory and incidental to a residential land use where such a use will clearly not alter the character nor the appearance of the residential environment. Home occupations shall only be permitted as an accessory use to a legal residential land use. Home Occupations are separated into three classes of operations. Class I operations shall be permitted land uses in all regions of the County without a permit. Class II operations shall be allowed in all regions and shall be subject to a Special Use Permit which is renewed on a biennial basis. Class III operations shall be allowed only in the Desert Region and shall be subject to a Special Use Permit which is renewed on a biennial basis. The application for such permit will describe all business activity being conducted on-site. The issuance of a Home Occupation Permit is subject to the following conditions.

#### GENERAL PROCEDURES

1. Submit application and fees – County staff will use the checklist to determine whether your application may be accepted.
2. Application processing – The code enforcement officer will review the application and will approve the permit as quickly as possible, if he/she is able to make the required findings and all standards have been met.
3. Notice to surrounding property owners – If the proposed use can meet the criteria set forth in the Development Code, this office shall give notice to all owners of contiguous property, making them aware of the character and scope to the proposed use and request their comments.

#### CHECKLIST OF SUBMITTAL MATERIALS

Please use this checklist as you assemble the materials for the submittal of your Home Occupation Permit application. County staff will use the checklist to determine whether your application is acceptable for submission. If you have any questions about the items requested or if you wish to obtain information on processing schedules, please call the Code Enforcement Division at the numbers listed on page 1.

#### Section A – Fees

\_\_\_\_\_ Check or money order made payable to San Bernardino County Code Enforcement in the correct amount.

Application Fee	\$ 555.00
Biennial Renewal Fee	\$ 398.00
Fee for an Appeal to the Planning Commission	\$1,124.00

Note: The appeal fee is paid by the individual or agency filing the appeal.

#### Section B - County Documents

\_\_\_\_\_ Completed Application

\_\_\_\_\_ Notarized statement from property owner (if required)

## **HOME OCCUPATION PERMIT GENERAL STANDARDS (Extracted from Chapter 84.12 of the County Code)**

1. Pedestrian and vehicular traffic will be limited to that normally associated with residential districts.
2. The home occupation shall not involve the use of commercial vehicles for the delivery of materials to or from the premises beyond those commercial vehicles normally associated with residential uses.
3. The home occupation shall be confined to an enclosed structure, either the residence itself or an authorized accessory structure as described in Section 84.0510 of this Title.
4. The appearance of the structure shall not be altered nor the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, or signs. The uses of utilities and community facilities shall be limited to that normally associated with the use of property for residential purposes. The street address shall be prominently posted so that it is easily visible from the street.
5. If operation is to be operated by a tenant of the property, notarized written permission from the property owner for the use of the property for the home occupations shall be submitted.
6. All required permits from other agencies and departments shall be submitted with this application.
7. Noise emanations shall not exceed fifty five (55) dBA as measured at the property lines at all times.
8. Any activity producing glare shall be carried on so that direct or indirect light from the source shall not cause glare onto an adjacent parcel.
9. No equipment or processes shall be used on the subject property which create smoke, fumes, odors or vibrations that are disruptive to surrounding properties.
10. Chemicals, solvents, mixtures or materials which are corrosive, toxic, flammable, an irritant, a strong sensitizer, or other similar materials used in a home occupation shall be used and stored in accordance with regulations of the San Bernardino County Fire Department, Hazardous Materials Division.
11. Parking shall comply with the parking requirements specified in the Development Code. Additional on-site parking beyond that required in the code shall be provided for any additional vehicles used in connection with the home occupation. One additional parking space shall be provided for each non-resident employee. Such parking must be prepared as parking spaces, easily accessible (including accommodation for winter conditions in the mountains) and must be used for parking any vehicles used in connection with the home occupation.
12. Public advertising (e.g. handbills) shall only list: phone number, home occupation operator's name, post office box and description of business. Location information shall be limited to community name only. Business address or location should not be included in any public advertising, with the exception of a telephone directory (white pages) and business cards.
13. No outdoor storage of equipment, materials or supplies or display of goods or products shall be permitted. Within the Desert Region of the County, if the subject property is at least 5 acres in area, outdoor storage is permitted if properly screened from view.
14. No process, operation, or activity will result in the appearance of parts, equipment, materials, tools, or supplies outside a permitted structure or building for the purpose of the process, operation, or activity such that they can be observed for time periods of thirty (30) or more consecutive minutes from a position of driving or walking on the public streets.

## **HOME OCCUPATIONS CLASS I STANDARDS (All Regions; No Permit Required)**

1. All work is performed exclusively by phone, mail, or the Internet or is the activity of creative artists.
2. There are no sales of products on the premises, except produce (fruit and vegetables) grown on the subject property.
3. The only customers or clientele who may visit the residence are those as provided in 1 and 2 above and the students of music teachers, academic tutors and similar instructors. The instruction of such students shall be provided on an individual basis and by appointment only. More than one student from the same family will be considered as being on an individual basis.
4. All employees, partners or operators of the home occupation shall be members of the resident family and shall reside on the premises.
5. Up to 25% or 250 square feet, whichever is greater, of the total floor area of the dwelling unit and related accessory structures, may be used for storage of materials and supplies related to the home occupation.

## **HOME OCCUPATIONS CLASS II STANDARDS (All Regions; Permit Required)**

1. There are no sales of products on the premises, except produce (fruit and vegetables) grown on the subject property.
2. Except as provided in 1 above, only a limited number of customers or clientele visit the residence and then only by appointment. This is restricted to a single appointment at a time. The monthly average of the total trip count for personal and business activities shall not exceed 12 trips per day.
3. All employees, partners or operators of the home occupation, except one, shall be members of the resident family and shall reside on the premises provided all the required findings can be made. In the Mountain and Desert Regions, a second non-resident employee may be authorized by the Land Use Services Director provided all required findings can be made. The applicant must demonstrate that the lot can accommodate the parking of all personal and employee vehicles on-site. For purposes of this section, business employees shall not include child care or domestic help.
4. Up to 25% or 250 square feet, whichever is greater, of the total floor area of the dwelling unit and related accessory structures, may be used for storage of materials and supplies related to the home occupation.
5. Operating hours of a Home Occupation shall be between the hours of 7:00 a.m. and 8:00 p.m.

## **HOME OCCUPATIONS CLASS III STANDARDS (Desert Region; Permit Required)**

1. The property is at least one acre in area.
2. There are direct sales of products or merchandise to the public.
3. Only a limited number of customers or clientele visit the residence and then only by appointment. This is restricted to a single appointment at a time. The monthly average of the total trip count for personal and business activities shall not exceed 20 trips per day.
4. All employees, partners or operators of the home occupation, except two, shall be members of the resident family and shall reside on the premises provided all the required findings can be made. The applicant must demonstrate that the lot can accommodate the parking of all personal and employee vehicles on-site. If the subject property is at least five acres in area, a total of five non-resident employees shall be allowed. For the purposes of this section, business employees shall not include child care or domestic help.
5. A non-illuminated identification sign, not to exceed 12 square feet in area and stating the business name and telephone number shall be permitted. If not attached to the residence, such a sign shall not exceed six feet in height and must blend with the architectural style of the structure and the neighborhood. This sign is only permitted in a land use district other than Single Residential (RS) or Multiple Residential (RM).
6. Up to 35% of the total floor area of the dwelling unit and related accessory structures or 500 square feet, whichever is greater, may be used for storage of materials, supplies and equipment related to the use.
7. Operating hours of a Home Occupation shall be between the hours of 7:00 a.m. and 8:00 p.m.

## **PROHIBITED HOME OCCUPATIONS**

1. Animal hospitals;
2. Automotive and other vehicle repair (body or mechanical) to include the repair of engine, muffler or drive train components of the vehicle; upholstery; painting or storage;
3. Carpentry and cabinet making, not to include woodworking which results in the creation of small wood products or single pieces of furniture;
4. Kennels or catteries;
5. Massage parlors;
6. Medical and dental offices, clinics and medical laboratories;
7. Repair shops or service establishments, except repair of small electrical appliances, cameras, or other similar items;
8. Riding stables;
9. Large scale upholstery service, not to include the reupholstering of separate, individual pieces of furniture or other objects;
10. Welding and machining;
11. Vermicomposting;
12. Any other use determined by the Director of Land Use Services that is not incidental to and/or compatible with residential activities.
13. In the Desert Region of the County, the above uses could be considered for a Home Occupation Permit on parcels greater than two and one-half (2½) acres if approved by the Director of Land Use Services or an authorized designee. An application for such use will be considered on a case-by-case basis.

**REQUIRED FINDINGS:** No Home Occupation Permit shall be approved unless the Director, or an authorized designee, is able to make the following findings in taking an action to approve or conditionally approve a Home Occupation Permit:

1. The proposed home occupation will comply with all provisions of the Home Occupation general and class standards specified within the County Development Code;
2. The issuance of the Home Occupation Permit will not be detrimental to the public health, safety and welfare;
3. The issuance of the Home Occupation Permit will not adversely affect the persons residing in the vicinity of the proposed home occupation; and
4. The proposed use will be consistent with all applicable policies, programs and provisions of the General Plan and any applicable specific plan.
5. When a second non-resident employee is requested for Class II operations in the Mountain and Desert Regions, the second non-resident employee will not substantially impact the neighborhood, and there is adequate prepared, easily accessible, year-round off-street parking.

# Home Occupation Permit APPLICATION

Complete all sections of this application. Please refer to the checklist starting on page 1 for complete information on submittal requirements. If you believe a question does not apply to your business, mark it "N/A". Do not leave any blank spaces. If you have any questions about items requested on this form, please call Code Enforcement at the appropriate office listed at the top of the cover page.

**Section 1 - Applicant (Property owner or property owner's representative) Data.** (This is the person who the county will contact regarding this application).

Applicant Name \_\_\_\_\_

Fictitious Business Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Home Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ FAX No. \_\_\_\_\_ E-Mail \_\_\_\_\_

**Section 2 – Property Owner Data** (if different from applicant)

Property Owner of Record Name \_\_\_\_\_

Firm Name \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ FAX No. \_\_\_\_\_ E-Mail \_\_\_\_\_

**Section 2b – Emergency Notification**

Person to be notified \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ FAX No. \_\_\_\_\_ E-Mail \_\_\_\_\_

**Section 3 – Project Location/Legal Data**

1. Assessor's Parcel Number (APN): \_\_\_\_\_

2. Property Dimensions: \_\_\_\_\_ Total Square Footage: \_\_\_\_\_

3. Location: Community: \_\_\_\_\_ Nearest Cross Street: \_\_\_\_\_

Street Name: \_\_\_\_\_ Side of Street: \_\_\_\_\_

4. Type of Business: \_\_\_\_\_

5. Please write a brief summary of the business to be conducted:

\_\_\_\_\_

6. List names of people involved in the business in the appropriate column and state their relationship to the applicant:

Residents

Non-residents

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. Type of advertising to be used: \_\_\_\_\_

8. List the estimated volume of merchandise to be sold and/or customers to service (per day, month or year):

\_\_\_\_\_

9. List the materials to be used, and describe the manner in which these items are to be delivered to the site:

\_\_\_\_\_

10. Describe the equipment to be used (list horsepower, voltage, etc.):

\_\_\_\_\_

11. How are contacts made with clients and/or customers:

\_\_\_\_\_

12. List the total square footage of the area use for:

Storage \_\_\_\_\_ Work \_\_\_\_\_ Residence and garage (combined): \_\_\_\_\_  
Space \_\_\_\_\_

**Section 4 – Signature:**

I certify under penalty of perjury that the above information is true and correct that I have read and understand and will abide by San Bernardino County Code, Section 84.0615 (Home Occupation Permit).

I understand that my permit may be voided for non-compliance of the conditions set forth in the approval.

\_\_\_\_\_  
Signature Date

To be completed by County Staff: Current Land Use District \_\_\_\_\_