

NEVADA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT
ERIC ROOD ADMINISTRATION BUILDING
950 Maidu Avenue, Suite 170
Nevada City, California 95959-8617
Phone (530) 265-1222

HOME BUSINESS PERMIT

Sec. L-II 3.11 of Nevada County Land Use Zoning Regulations allows limited commercial activity from a residence. That ordinance regulates land use only and does not exempt the business operator from any other required County, State or Federal permit or license. The business must be incidental to the primary use of the property and is allowed in the **residential and rural zoning districts** as an accessory use of the property:

The ordinance allows for certain limited businesses to be exempt from obtaining a permit; however, all permit information must still be filed in order to establish any such business. The permit application packet contains filing forms and instructions for submitting a complete application for a Home Business permit or for an Exemption. All forms must be completed and all required supplemental documents must be submitted before establishing a home business. Applications and Permit Exemption information must be filed in the Planning Department and must be filed in person before 4:30 p.m. weekdays.

Permit Exemptions: Certain low-intensity uses are exempt from obtaining a Home Business permit but must, however, file all required information before establishing their business.

The following agencies may also require Permits or licensing:

Nevada County Building Department (for building permits)

950 Maidu Avenue
Nevada City, CA 95959 (530) 265-1222

Environmental Health Department (for food handling permits or hazardous material storage)

950 Maidu Avenue
Nevada City, CA 95959 (530) 265-1222

Nevada County Recorder's Office (for Fictitious Business Name filings)

950 Maidu Avenue (2nd floor)
Nevada City, CA 95959 (530) 265-1221

California State Board of Equalization (for State Sales Tax permits)

Sacramento District Office
3321 Power Inn Road, Suite 210
Sacramento, CA 95826-3889 1-916-227-6700

Sec. L-II 3.11 Home Businesses

- A. **PURPOSE.** To provide for limited commercial activity in the residential and rural districts on properties developed with a residence as the primary use, provided that the home business activity does not impact surrounding residential properties.
- B. **STANDARDS.** All Home Businesses are subject to approval of an Administrative Development Permit, but not subject to design review, unless specifically exempted by this Section, subject to the following standards:
1. The following businesses are exempt from the Administrative Development Permit requirement of this section, provided they meet the criteria listed in #2 below:
 - a. Office uses conducted completely within a residence.
 - b. Arts and crafts fabrication if conducted completely within the primary residence.
 2. Home businesses which are exempt from the permit requirements of this section shall be subject to the standards listed herein except that they may not have signage nor generate customer traffic.
 3. The business shall be owned and operated by a resident of the property.
 4. The use of the property for any home business shall be clearly incidental and subordinate to its use as a single family residence and shall be contained entirely within any one building located on the property, and further provided that not more than 25% of the floor area of the dwelling unit nor more than 400 square feet of the floor area, whichever is greater, shall be used in conducting any such home business, nor shall any home business be conducted in more than one accessory building, the use thereof which shall not exceed 1,000 square feet.
 5. The business shall not alter the appearance of the premises, including but not limited to lighting, signage and outdoor activity.
 6. No article shall be sold or delivered, or offered for sale and delivery, on-site except articles produced on site.
 7. No more than 6 business-related vehicle trips (round trips) per day are permitted. Business related traffic trips shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. The following exceptions to this standard are allowed for educational tutoring:
 - a. Business related vehicle trips for educational tutoring may be averaged to allow a maximum 36 trips during the allowed 6-day period (Monday through Saturday).
 - b. The hours of operation for educational tutoring may be extended to 9:00 p.m. where the number of business-related vehicles are parked on-site is limited to no more than one at any time after 5:00 p.m.
 8. All parking for the business shall be provided on site.
 9. One on-site, freestanding or wall sign for businesses requiring a permit, shall be limited to a maximum four square feet and may not be illuminated.
 10. No equipment or process shall be used in any such home business which generates noise in excess of the Noise Standards contained in this Chapter.
 11. No equipment or process shall be used in any home business which generates off-site, detectable vibration, glare, fumes, odors or electrical interference.
 12. All home businesses shall be subject to the regulations of local and State agencies applicable to the conduct of such business, including compliance with the Uniform Building Code, Uniform Fire Code and Health and Safety standards, including the storage of hazardous materials.
 13. Filing fees for Administrative Development Permits shall be as established by the most current Resolution of the Board of Supervisors.

**HOME BUSINESS PERMIT
(including Permit exemptions)
FILING INSTRUCTIONS & CHECKLIST**

This form must be filed with your application and also if you are exempt from a obtaining a permit. Please check off (✓) each item to verify that the required information is attached. Your application will not be accepted if any required item is missing.

- 1. The signed and completed Application form, including a letter of authorization from the property owner(s) if the applicant is not the property owner (will serve an information form only for exempt businesses).
- 2. Filing fees pursuant to the most recently adopted Resolution of the Board of Supervisors (not required for exempt businesses).
- 3 The Hazardous Waste Statement forms.
- 4. The completed Home Business Information form.
- 5. Two copies of a site plan, drawn to a commonly recognized engineers or architects scale that includes the following information:
 - A North arrow and the scale to which the plan is drawn..
 - A legend that includes:
 - a. property owner/applicant name(s)
 - b. date of Site Plan preparation
 - c. Assessor's Parcel Number
 - Show the road providing access to your Home Business.
 - Show the location of sewage disposal systems and wells.
 - Show the location of all structures on the property; show their setbacks from property lines and label their use.
 - Show the parking area for both the residence and the business.
- 6. Two copies of a floor plan for the structure where the Home Business is located.
- 7. For Cottage Food Operation and Body Art Home Businesses, only. Provide the issued Permit Number from the County Department of Environmental Health to document that all registration, application and permitting requirements have been completed to the satisfaction of the Department.

HOME BUSINESS INFORMATION FORM
attach a separate sheet of paper if necessary

Describe the following with as much detail as possible:

1. Type of business: _____
1.a: Department of Environmental Health Program Number: _____
(for Cottage Food Operation/Body Art Home Businesses Only)
2. How many on-site employees will this business have? _____
3. How many of those employees reside on the property? _____
4. What type of transportation do non-resident employees use, to get to this site? _____
5. Hours of operation: _____
6. What type of building will house the home business (residence, garage, barn, etc.):

7. What square footage will be devoted to the business: _____

8. Will you have any storage of materials or equipment? If yes, explain what and where it will be stored: _____

9. How will you control traffic to the site: _____

10. Will your business generate noise? If yes, explain why it will not exceed 55 decibels, measured at the property line: _____

11. Does your business involve the use of equipment or processes that can create vibrations, glare, fumes, odors or electrical interference detectable off-site? If so, explain:



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY**

950 MAIDU AVENUE, SUIT 170, NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 265-9854 <http://mynevadacounty.com>

Planning Department Environmental Health Building Department Sanitation Department Dept. of Public Works Agricultural Commissioner

AGREEMENT TO PAY FORM

Nevada County Community Development Agency fees are based on Board of Supervisor approved fee schedules. Hourly fees and fees for services in excess of a minimum fee collected, including re-inspections, are billed to the applicant based on the Board approved fee schedule in effect at the time the work is performed by staff. This *Agreement To Pay Form* must be signed and original signatures submitted to the NCCDA along with the completed permit forms and the initial payment of fees. Copies of current fee schedules are available from our Customer Service Staff or on the web at <http://www.mynevadacounty.com>

I/We understand that the NCCDA will bill as services are rendered, and I/We agree to pay such billing within thirty (30) days of the mailing of such billing for the project/permit. If payments on outstanding invoices are not made within thirty (30) days after the date of the invoice, County staff may cease work on the project until the required payment is made, subject to any other provisions of the law. All fees must be paid prior to the granting of any permits, approvals, or any land use entitlement for which services are required. The collection of fees, however, does not guarantee the granting of any permits, approvals, or land use entitlements for which I/We are applying.

Site Information:

Invoices and/or notices to be mailed to:

APN: _____	Name: _____
Property Owner/Business Name (if applicable): _____	Address: _____
Address: _____	_____
_____	Telephone: _____
Email: _____	Email: _____

I would like to opt out of receiving County emails related to this project

NCCDA Staff is authorized to consult with necessary governmental agencies concerning this project. They are also authorized to consult with the following individuals concerning my project:

I certify under proof of perjury that I am the property owner or that I am authorized to enter into this fee agreement on his/her behalf. I have read the conditions concerning Nevada County Community Development Agency Fees and I understand that in the event that the billing party I have indicated does not pay required fees, I will be responsible for payment. I further agree to advise the department in writing should I no longer be associated with the above referenced project/property, rendering this agreement invalid as of the change of the date that the letter is received by the Nevada County Community Development Agency.

Signature Dated: _____ CDL# _____

Printed Name Tel #: _____

THIS SECTION FOR OFFICE USE ONLY

Service: _____	Program: _____	Job No: _____
DPW #: _____	Project File #: _____	Billing Code: _____
Amount Collected: \$ _____	Receipt #: _____	Date of Receipt: _____
Service: _____	Program: _____	Job No: _____
DPW #: _____	Project File #: _____	Billing Code: _____
Amount Collected: \$ _____	Receipt #: _____	Date of Receipt: _____

**NEVADA COUNTY
HAZARDOUS MATERIALS / WASTE STATEMENT**

APN: _____

Property Owner: _____

Hazardous sites: General Plan policy requires the County pursue the cleanup of sites contaminated by mine waste or other hazardous materials prior to approving land use projects. Where hazardous waste or hazardous materials may occur on a project site, a Phase I site assessment may be required prior to processing or approving your project. Respond to the following questions and provide the requested information:

1. Is there evidence of any past, potentially hazardous use on or near the project site, including underground fuel storage tanks, dumpsites, artillery ranges, surface or subsurface mining activity?

Yes Provide a Memo from the County Dept. of Environmental Health that adequate information is on file to accept the project for processing.

No List the research and/or source of information justifying your response.

Hazardous use. It is the applicant's responsibility to understand the definition of "hazardous material" and "hazardous waste," as defined in the California Health & Safety Code, Chapter 6.5. The storage of hazardous materials and the generation of hazardous waste are regulated under federal, state and county codes. The storage of hazardous materials in quantities equal to or greater than, a total weight of 500 pounds, or a total volume of 55 gallons, or 200 cubic feet at standard temperature and pressure for compressed gas; or the generating of hazardous wastes in any quantity, requires a permit from the Nevada County Department of Environmental Health.

2. **Will hazardous materials be used, or will hazardous waste be generated from the facility resulting from this project? Check the appropriate response and provide the listed information.**

Yes A Hazardous Materials Inventory Statement (HMIS), obtained from the Department of Environmental Health, must be filed with this project application.

No Explain why no hazardous materials are used for the proposed use or business:
