



CITY OF HERCULES

Administrative Use Permit

Home Occupation

AUP No. _____

111 Civic Drive, Hercules, CA 94547
Phone: 510-799-8200
www.ci.hercules.ca.us

An Administrative Use Permit and Business License are required for most businesses operated out of a residence, as required by [Hercules Municipal Code Sec. 13-35.270](#). Supplemental information, statements, and/or forms may be required for your specific business as determined by staff and/or supporting agencies.

Frequently Asked Questions:

Question: Do I need an Administrative Use Permit and Business License if I operate a family daycare at home?

- **Answer:** No, small or large family daycare homes (up to 14 children) licensed by the Department of Social Services are not required to obtain a use permit or business license.

Question: Why do I need to go through this process if I'm only doing paperwork and phone calls at my home?

- **Answer:** If you do not have a storefront or business address other than your residence, you are required to obtain an Administrative Use Permit.

Question: How long does the "permit" process take?

- **Answer:** The permit (and license) process could take up to 30 days.

Does your business involve any of the following?

If yes, a Home Occupation Permit CANNOT be issued

- The assembly of employees, workers, subcontractors, or equipment for off-site work
- The storage of equipment, vehicles, or supplies outside of the dwelling or any accessory structure.
- The storage of toxic or hazardous materials.
- The care, treatment, or boarding of animals for profit.
- The teaching of organized classes totaling 4 or more persons at any one time.
- The repair, service, or rehabilitation of more than 1 vehicle at a time including storage and parking on the lot or street as consistent with requirements on vehicle repair as [Sections 4-10.04\(t\) and \(v\)](#) of the Municipal Code.
- The operation of any service or sales of goods that noticeably increases vehicle traffic in the neighborhood.

SUBMITTAL REQUIREMENTS

- Administrative Use Permit Please complete this application thoroughly and completely and then submit all information required (see below) or this application will be deemed incomplete and interrupt your processing.
- Fees A one-time fee (See [Planning Fee Schedule](#)), which covers:
1. Public notification of all property owners within 300 feet of the property proposed for business use.
 2. Residential/environmental review and determination.
 3. A recommendation to the Community Development Director
- Building Floor Plan Please submit one Floor Plan (may be hand drawn) which includes the following details:
- Show which floor the office is located on (if a 2 story home), indicate all rooms on floor, show which room is the designated office and/or *storage.
- Please note the area devoted to a home occupation shall occupy no more than 1 room or the equivalent of 20 percent of the gross floor area of the dwelling unit, whichever is greater.*

GENERAL DATA REQUIRED

Property Address: _____
(p.o. boxes and mailbox stores **are not acceptable**)

Name of Business: _____

Applicant Name: _____

Applicant Phone: _____

Email Address: _____

HOME OCCUPATION SPECIFICS

Describe your business: _____

Describe how your business will operate from home: _____

Will clients or customers visit your home to obtain product or services? Yes No

If yes, how many at one time and how will they be scheduled? _____

How will they arrive? (car, public transit, on foot) _____

How long will each visit last? _____

Estimated hours of operation: Per day _____ Per week _____

Other than US mail describe any deliveries, to your address; of products, materials, or equipment for the business.

Make, Model, and License Plate No. of vehicle registered to the applicant: _____

What area of your house/apartment/condo will be used for your business? (be sure to include and indicate where on the floor plan)

Size of area to be used for office (square feet)? _____

Size of area to be used for storage (square feet)? _____

Total square footage of your house/apartment? _____

What materials will be stored at your home? (such as merchandise or products other than office supplies)

Where will any such materials be stored? (Indicate on floor plan)

Are any materials classified as hazardous? Yes No

If yes, please describe. _____

List any license required by the State of California to conduct your business (resale license, contractor's license, ABC license, etc. attach a copy)

How many people will operate your home business? _____

(**NOTE** Employees who are not residents of your address see Condition No. 3 below)

Will your home business require any improvements to your residence? Yes No

(i.e. structural changes, electrical or plumbing)

HOME OCCUPATION CONDITIONS OF APPROVAL

Home occupations standards are intended to establish regulations for all occupations to be conducted within a dwelling unit. All home occupations shall require an administrative use permit to be issued by the Community Development Director. The following specific rules and regulations shall apply in combination with zoning district regulations.

1. The home occupation shall be compatible with and secondary to the use of the premises as a residential dwelling unit. The area devoted to a home occupation shall occupy no more than one room or the equivalent of 20 percent of the gross floor area of the dwelling unit, whichever is greater.

2. Home occupations conducted within a garage shall not eliminate or change the use of required off-street parking spaces.
3. Employment shall be restricted to the dwelling unit residents except where the Planning Director allows one non-resident employee, provided the following findings can be made:
 - a. The employee works under the direction of the dwelling resident and is not an independent or separate business enterprise;
 - b. The employee is necessary to the performance of the home occupation;
 - c. The employee would not require the use of the required parking for the residence or create on-street parking problems in the neighborhood;
 - d. The average residential neighbor would not be aware of the existence of the home occupation, under normal circumstances.
4. No exterior operation of any home occupation is permitted.
5. The home occupation shall not generate pedestrian or vehicular traffic beyond that which is normal to the surrounding area, and shall not involve the use of vehicles with 6 or more wheels for service, pickup or delivery.
6. Articles offered for sale in a home occupation shall be limited to those produced on the premises, except where the person conducting the home occupation serves as an agent or intermediary between off-site suppliers and off-site customers, in which case all articles, except for samples, shall be received, stored and sold directly to customers, at off-premise locations.
7. No outside display or window shall display material or products; no outside sign or window sign shall advertise or otherwise identify the home occupation except for one non-moving and non-illuminated sign attached to the residence with a display surface of not more than one square foot on any face. No commercial or passenger vehicle carrying any sign advertising or identifying the home occupation shall be regularly parked on any portion of the lot where such sign is visible or at or near any lot line of the lot containing the home occupation.
8. No home occupation shall be permitted which involves:
 - a. The assembly of employees, workers, subcontractors or equipment for offsite work.
 - b. The storage of equipment, vehicles, or supplies outside of the dwelling or any accessory structure.
 - c. The care, treatment, or boarding of animals for profit.
 - d. The operation of any service or sales of goods that noticeably increases vehicle traffic in the neighborhood.
 - e. The teaching of organized classes totaling four or more persons at any one time.
 - f. The repair, service, or rehabilitation of more than one vehicle at a time including storage and parking on the lot or street as consistent with requirements on vehicle repair as Section 4-10.03 (t) & (v) of the Municipal Code.
 - g. The storage of toxic or hazardous materials.
9. No home occupation shall create noise, odor, electrical disturbances, dust, vibrations, fumes, or smoke readily discernible at the exterior boundaries of the parcel on which it is situated.
10. No raw materials, intermediate or finished materials, by-products, appliances or tools of the home occupation shall be stored outdoors.
11. The home occupation shall dispose of all waste materials or by-products on a regular, timely basis in conformance with applicable garbage collection, fire protection and public health regulations.
12. The home occupation shall not use more than one motor vehicle which shall not exceed $\frac{3}{4}$ ton in size, shall be owned and operated by the resident of the dwelling, and shall be parked in an adequate off street parking area.

Applicant and/or Property Owner Acknowledgement

By signing below each party does hereby certify that failure to comply with the above CONDITIONS for Home Occupations, approved exceptions or any other conditions of approval may be revocation of this application, and business license. (If you are both, the applicant and the property owner, sign one line)

Applicant Signature: _____ Date: _____

Property Owner Signature: _____ Date: _____

PROPERTY OWNER OR MANAGER TO COMPLETE THIS SECTION

Name: _____

Address: _____

Phone Number: _____

Property Owner Signature: _____

Property Manager Signature: _____

APPLICANT CERTIFICATION

I understand that submission of this application does not constitute approval for any administrative review, conditional use, variance, map approval or exception for any other City regulations, which are not specifically the subject of this application. I understand further that I remain responsible for satisfying requirements of any private restrictions or covenants appurtenant to the property.

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of planning permits as determined by the Community Development Director. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission.

I certify that statements made to me about the time it takes to review and process this application are general. The City has attempted to request everything necessary for an accurate and complete review of your proposal; however, after the City has taken in your application and reviewed it further, it may be necessary to request additional information and clarification.

Signature of Owner or Authorized Agent

Date