



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

Home Occupation Permit Number _____
Fee Paid (\$120.00): _____ Date: _____
TSN: _____

APPLICATION FOR: HOME OCCUPATION PERMIT

Name: _____ Telephone _____ Zip Code _____

Address of Home Occupation _____ E-mail _____

Property Owner Information (if other than applicant)

Owner: _____ Telephone _____ Zip Code _____

Address: _____ E-mail _____

Describe Home Occupation: _____

Does the Home Occupation include:

Any employees who do not reside at the above listed address? Yes _____ No _____

Any outside storage of goods or materials? Yes _____ No _____

Any signs to be erected in conjunction with the Home Occupation? Yes _____ No _____

If yes, show location, size and number of any signs _____

Any alteration or additions required to the dwelling or garage? Yes _____ No _____

If yes, explain _____

Are delivery of goods required for the Home Occupation? Yes _____ No _____

If yes, explain types of vehicle(s) and frequency _____

Will there be sale of raw, uncut or fresh produce? Yes _____ No _____

If yes, please explain _____

Will there be sale of cottage foods? Yes _____ No _____

If yes, please explain _____

If there will be the sale of raw, uncut, fresh produce or cottage foods, will there be a temporary stand? Yes _____ No _____

If yes, please explain and include the size, location and placement of stand: _____

PRE-APPLICATION CONFERENCE

A pre-application conference with the planning staff is not mandatory for this application, however, if you would like a pre-application meeting, please call 385-5905 and a pre-application meeting request form will be sent to you so that a meeting can be scheduled.

Owner / Applicant Authorization

The signature(s) below certifies that the information provided on this form and on the accompanying site plan, if applicable, is in all respects true and accurate to the best of my (our) knowledge and belief. I agree that I have received a copy of the Zoning Ordinance requirements concerning Home Occupations, understand the described regulations and agree to abide by them. I also understand that should the Home Occupation become a nuisance, hazard or unreasonably interfere with the quiet enjoyment of other people’s premises, this Home Occupation Permit will be revoked by City Planning.

Owner: _____ Applicant: _____

Approved: _____ Denied: _____

Staff: _____ Date: _____

Comments: _____

OWNER AUTHORIZATION FOR SUBMITTAL & CORRESPONDENCE

(Not required if property owner is also the applicant)

I hereby authorize _____ to file this application to the City of Colorado Springs for processing.

If the following box is not checked, all correspondence will go the applicant.

I wish to receive copies of all correspondence regarding the processing of this application.

Signature of Owner

Date

PUBLIC NOTICE:

Public notice (i.e., posting and surrounding property mailings) in conjunction with the administrative review of this application is at the discretion of Planning & Community Development.

FEES:

An application review fee will be required to accompany this application (checks to made payable to City of Colorado Springs). The fee schedule is as follows:

Home Occupation Permit	\$120
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If you are indigent, your development application fees may be waived. Please ask the planning staff for an Indigent Fee Waiver form if you wish to apply for this fee waiver.

APPLICATION REQUIREMENTS

SUBMITTAL REQUIREMENTS:

This application should be submitted to the Planning &Community Development, 30 S. Nevada Avenue, #105, Colorado Springs, CO 80903. An application must be completed in full and accompanied by the following information:

1. Provide **AUTHORIZATION** from the property owner, which authorizes the submittal of the application (if submitted by someone other than the owner) and which indicates who is to receive all correspondence regarding the processing of this application (complete Owner Authorization for Submittal & Correspondence section above).
2. Planning & Community Development may require other **ADDITIONAL INFORMATION** for this application as needed.
3. Fee as referenced above.

FORMAL REVIEW TIME PERIOD

The home occupation review procedure will typically take **five (5) days** to complete.

FINAL DISPOSITION

APPROVAL:

After completion of the home occupation review, the planning staff member will return one (1) copy of the approved Home Occupation Permit to the applicant/owner. Approval of this request may be subject to fulfillment of certain conditions such as public improvements, easements, easement vacation, additional fees, etc. The applicant/owner will have ninety (90) days from the date of request to satisfy these requirements. If the applicant/owner fails to satisfy the requirement in this time period, the application will be considered withdrawn.

CONDITIONS OF APPROVAL:

Approval of this request may require such reasonable conditions as necessary to protect the public health, safety and general welfare and to ensure that the use, value and qualities of the neighborhood surrounding the proposed location will not be adversely affected.

DENIAL:

If this application is denied, the planning staff member will provide written notification to the applicant/owner that will clearly specify all of the reasons for denial.

HOME OCCUPATION PERMIT REVIEW CRITERIA:

Application for Home Occupation Permit must meet all of the criteria listed in Chapter 7, Article 5 of the Zoning Code before the application can be approved by Planning & Development. These criteria are as follows:

It is recognized that there is a desire by some residential dwelling unit owners or occupants, or both, to use a residence in a manner subordinate to its principal use as a residence. It is also recognized that these subordinate uses as home occupations, can increase rapidly and that such home occupations must be limited so as to not impair the use or value of the residential zone. It is the intent of this section to provide clear standards for home occupations in residential zones which will ensure compatibility with the residential purposes of the residential zones and ensure that there are no adverse effects on the residential character of the residential zone, and to not allow in residential zones those uses permitted in commercial and industrial zones except as specifically authorized by this section. The home occupation permit is a mechanism by which the City may allow a home occupation use to be located within the City.

Unlawful Home Occupations:

Home occupations shall be unlawful in residential zones unless all of the standards set forth in this section are met. It would be advisable to contact the Regional Building Department and the Colorado Springs Fire Department when considering any home occupation. Subtle changes in character or use can place the building into a different occupancy classification and/or set additional life safety requirements. Contact both the Regional Building Department and the Colorado Springs Fire Department to determine their requirements to satisfy the City's adopted Building and Fire Code provisions.

Home Occupation Permit Standards and Criteria:

Planning & Community Development may approve or modify and approve a Home Occupation Permit if the following standards and criteria are met:

Nuisance or Hazard: For purposes of this section, "disturb" means to unreasonably annoy, perturb or interfere with the quiet enjoyment of another's premises. The home occupation shall not create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, congestion to traffic flow, parking problem, or any other nuisance or hazard which disturbs the peace and quiet of a residential zone.

Residents: All persons employed by the home occupation business must reside on the premises.

Signs: No sign may be used other than a sign identifying the home occupation, of which sign shall not be over two (2) square feet in area and must be attached to the dwelling. There shall be no illumination of the sign. If there are sales of raw, uncut or fresh product or cottage foods, the sign may be displayed at the point of sale.

Conduct Location Limitations: The home occupation shall be conducted only within an enclosed accessory structure, attached or detached garage, or dwelling, excluding porches, except that plants may be grown anywhere on the premises. The location of the conduct of the home occupation shall be limited to such location designated on the home occupation application. Raw, uncut, fresh produce or cottage foods may be sold from a temporary stand. The temporary stand may not be larger than 120 square feet and must be removed and stored indoors during non-sale months and hours.

Area Limitations: The total area used for a home occupation shall not exceed an area equivalent to one-half ($\frac{1}{2}$) the total first floor area of the user's dwelling, excluding porches.

Secondary Use: The home occupation shall be secondary to the residential use of the dwelling.

Outside Storage: No storage or display of materials, goods, supplies or equipment related to the operation of a home occupation or tangible personal property manufactured, or plants grown as a result of the home occupation and removed from the soil shall be allowed on porches or outside of the enclosed location designated on the home occupation application. However, if the home occupation is for the sale of raw, uncut, fresh produce or cottage foods, they may be displayed from a temporary stand from 8:00 a.m. to dusk and are permitted from April through November.

Off Street Parking: The required off street parking areas provided for the principal use as defined in the City Code shall not be reduced or made unusable by the home occupation.

Delivery: The receipt or delivery of merchandise, goods, or supplies for use in a home occupation shall be limited to the United States mail, similar parcel delivery service, or private vehicles with a gross vehicle weight rating (GVWR) of ten thousand (10,000) pounds or less.

Alteration Limitations: Interior alterations or additions to the dwelling for the purpose of accommodating the home occupation are prohibited if such alterations or additions eliminate either the kitchen, dining area, bathrooms, living room, or all of the bedrooms of the dwelling.

No Exterior Alterations or New Construction: Exterior alterations or additions to any building or structure or new construction for the purpose of accommodating the home occupation are prohibited if said alterations or additions are commercial in appearance.

Sales: Sales on the premises shall be only by the residents of the dwelling and shall occur only in the location designated on the home occupation application. Sales on the premises shall be limited to tangible personal property manufactured in the location designated on the home occupation application, plants grown anywhere on the premises or raw, uncut or fresh produce grown on the premises or cottage foods produced on the premises. This standard shall not preclude the sale of tangible personal property, plants and/or produce or cottage foods off the premises.

Massage Establishments: A home occupation permit may be issued for a home based massage therapist under the following criteria:

1. All client visits be on an appointment basis with a minimum of fifteen (15) minutes of space between appointments. This should limit the number of client vehicles present on the site to one.

Prohibited Uses: The following uses by the nature of the investment or occupation have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby substantially impair the use and value of a residentially zoned area for residential purposes. The uses specified below are prohibited as home occupations provided that such prohibition shall not include a telephone answering service for such uses:

1. Motor vehicle repair and/or service.
2. Barbershop which is designed to serve more than one customer at a time or serves more than one customer at a time.
3. Beauty salon which is designed to serve more than one customer at a time or serves more than one customer at a time.
4. Instruction to more than three (3) persons at a time.
5. Paint shops using spray painting equipment.
6. Medical marijuana facility, to the extent the facility is not subject to the medical marijuana exception pursuant to Section 7.3.105.P of the City Code.

CONDITIONS OF APPROVAL: In the allowance of such use, the Manager, Planning Commission or City Council shall have authority to require such reasonable conditions as necessary to protect the public health, safety and general welfare and to ensure that the use, value and qualities of the neighborhood surrounding the proposed location will not be adversely affected.

The City of Colorado Springs-Planning Group is committed to ensuring that all of our services are accessible to those with disabilities. We encourage participation by all individuals. If you have a disability, advance notification of any special needs will help us better serve you. Please call Planning & Community Development at 385-5905 to request any special service that you may require. A one (1) week advance notice to allow us to accommodate your request is appreciated.