

HOME OCCUPATION PERMIT

TOWN OF LOS GATOS - COMMUNITY DEVELOPMENT DEPARTMENT

Civic Center: 110 E. Main Street, Los Gatos, CA 95030

Phone: (408) 354-6874 FAX: (408) 354-7593

Application Fee: \$189.00

4% Permit Tracking Fee \$7.56

TOTAL: \$196.56

Please Type or Print Clearly

1. Full name of Applicant/Business _____
Address: _____ Phone: _____
2. Is the application for use of a single-family residence, duplex, or apartment? _____
3. Describe the nature of the occupation applied for in a complete and detailed manner: _____

4. Describe the nature and amount of equipment, vehicles, machinery, and other items which will be used in the home occupation: _____

5. If articles or services are to be sold, describe the nature of such sales and methods of delivery: _____

6. Will vehicles (other than passenger cars) be used in this home occupation, be parked on the premises or on the street adjacent? If so, describe the number and nature of such vehicles, their use, and where they will be parked. _____

7. Describe the nature and amount of any storage of anything used in connection with the home occupation and where on the premises such storage will be: _____

8. Describe the rooms or area (including square footage) of the premises which will be devoted to the home occupation: _____

9. Will anyone be employed in the home occupation who is not a member of your immediate family residing regularly in the home? If so, state the number of employees and describe the type of work to be performed by them: _____

10. Describe the nature and extent of any maintenance or repairs of equipment or vehicles which will occur on these premises in connection with the home occupation and the exact location on the premises where such maintenance and repairs will be made: _____

11. Will any portion of the operation of the home occupation be visible from neighboring properties or from the streets or other public right-of-way adjacent to the premises? If so, describe in detail: _____

12. **PROPERTY OWNER AUTHORIZATION** (if applicant is not the property owner):
I have reviewed this application and hereby authorize the conduct of the home occupation as described herein.

Property Owner Name (*Please print*)

Property Owner Signature

Date

Telephone

Email Address

13. I certify under penalty of perjury that I have read and understand Sections 29.10.020 and 29.10.09025 (located on the back of this form) of the Los Gatos Town Code regarding the regulation of home occupations and I agree that upon approval of the application I shall abide fully by these regulations as well as any additional special conditions, requirements, or restrictions which may be attached to and made a part thereof. I hereby authorize the Town Community Development Director, the Director of Parks and Public Works, the Santa Clara County Fire Marshall, and/or any other official designated by the Town Manager to inspect the premises for which application is hereby made, both within the residence and any part of the exterior premises, prior to the approval of this application and at any time during the duration of the approval, between the hours of 9 A.M. and 6 P.M. I further understand and agree that any violation of the regulations governing home occupations, or violation of any building, electrical, mechanical, or fire code or statute of any other code, ordinance or statute applicable thereto, is ground for revocation of this approval by the Town Community Development Director, and I agree that upon receipt of written notification of such revocation that I will cease the home occupation immediately. I also understand that if I am not the owner of the property then a written authorization from the owner is required prior to the issuance of this permit.

Applicant's Signature _____

Date: _____

COMMUNITY DEVELOPMENT DEPARTMENT AUTHORIZATION

Approval granted: Yes _____ No _____ Zone _____ Permit No. _____

Planning Division Authorization Date Receipt No. _____

HOME OCCUPATION PERMITS: DEFINITION AND APPROVAL

Section 29.10.020 of the Los Gatos Town Code defines a home occupation as “The use of a dwelling unit for a non-residential purpose, but in a limited manner both subordinate to the residential use and not discernible from the exterior of the dwelling unit so used.” The Community Development Director, following investigation of a request for approval of a Home Occupation Permit, including but not limited to, information provided on the Home Occupation Permit application, will approve such request only if the Community Development Director finds that the Home Occupation will comply with this definition as well as the provisions of Section 29.10.09025 of the Town Code.

LOS GATOS TOWN CODE ARTICLE I, DIVISION 1 Home Occupations

Sec. 29.10.09025: Scope

Home occupations are allowed in any dwelling in any zone, even if the dwelling is nonconforming, subject to the following regulations:

- (1) No premises shall be used for a home occupation unless the user has a home occupation permit.
- (2) There shall be no employees other than members of the resident family.
- (3) There shall be no materials or mechanical equipment used which are not such as would be employed in normal household or hobby activities.
- (4) The home occupation shall not involve the presence of more than one (1) customer on the premises at any time.
- (5) The home occupation shall not cause pedestrian or vehicular traffic or the parking of vehicles either on the premises or on public or private streets or sidewalks adjacent to the premises in numbers or volumes which exceed that which is usual in the Town at comparable places of residence where there is no home occupation.
- (6) There shall be no use of commercial vehicles for delivery of materials to or from the premises.
- (7) There shall be no storage of materials or supplies indoors or outdoors in a manner which is visible from adjacent premises or public ways.
- (8) There shall be no advertising signs or structures.
- (9) The home occupation shall not be conducted in such a way as to decrease the total number of required or available off-street parking spaces for the premises.
- (10) Cottage food operations are allowed as home occupations so long as the cottage food operations are in compliance with the requirements for those operations contained in the California Government Code and with the California Health and Safety Code, as amended. Cottage food operations are limited to the registered or permitted area by the County of Santa Clara Department of Environmental Health.
- (11) The home occupation shall not alter the single-family residential character of any portion of the premises.
- (12) The home occupation shall not result in the emission of noise, dust, smoke, odor or radiation which results in interference with radio or television reception.
- (13) The foregoing subsections (2) through (12) expressly prohibit acts and conditions, are not an exclusive listing of the limitations on the conduct of home occupations, and no home occupations shall be conducted in a manner inconsistent with the definition of "home occupation" set out in section 29.10.020 of this Code to the effect that the use shall not be discernible from the exterior of the dwelling unit.

Please read and Initial _____



TOWN OF LOS GATOS

Community Development

(408) 354-6874 • FAX: (408) 354-7593

Planning@LosGatosCA.gov

110 E. Main Street
Los Gatos, CA 95030

SIC Code: _____

Business License Routing Form

Date: _____

Business License # _____

☐ New Business

☐ Business Name Change

☐ Address Change

☐ Ownership Change

Business Name: _____

Applicant's Name: _____

Business Address: _____ Suite # _____ ZIP Code _____

Phone Number: _____ Applicant's Email: _____

Previous Location of Business (address change only)

Business Floor: ☐ Basement ☐ First Floor ☐ Above First Floor

Business Floor Area: _____

Description of Business Activity

For Official Use Only

Planning Division (408) 354-6874

☐ Approved

☐ Pending

☐ Denied

☐ Not Applicable

Signature _____

Date _____

Use: ☐ Office

☐ Personal Service

Zone: _____

☐ Restaurant

☐ Retail

☐ Medical

☐ Firearms Sales

☐ Classes

☐ Sharing Space/Station Rental

Previous Use of Building Space: _____

☐ Other: _____ ☐ Formula Retail

Planning Division Requirements:

☐ New Use and Occupancy Certificate _____

Comments/Conditions: _____

☐ Existing Use and Occupancy Certificate _____

☐ Conditional Use Permit _____

☐ Home Occupation Permit _____

Police Department (408) 354-5257

Police Department approval is required for all businesses involving massage therapy, vehicles for hire, fortune telling, solicitors, and peddlers.

☐ Approved

☐ Denied

Signature _____

Date _____



DISABILITY ACCESS REQUIREMENTS AND RESOURCES

**NOTICE TO APPLICANTS FOR BUSINESS LICENSES AND
COMMERCIAL BUILDING PERMITS:**

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

DEPARTMENT OF GENERAL
SERVICES,
Division of the State
Architect, CASp
Program www.dgs.ca.gov/
[dsa www.dgs.ca.gov/casp](http://dsa.dgs.ca.gov/casp)

DEPARTMENT OF
REHABILITATION
Disability Access Services
www.dor.ca.gov
[www.rehab.cahwnet.gov/](http://www.rehab.cahwnet.gov/disabilityaccessinfo)
disabilityaccessinfo

DEPARTMENT OF GENERAL
SERVICES,
California Commission on
Disability Access
www.ccda.ca.gov
[www.ccda.ca.gov/resources-](http://www.ccda.ca.gov/resources-menu/)
[menu/](http://www.ccda.ca.gov/resources-menu/)

CERTIFIED ACCESS SPECIALIST INSPECTION SERVICES

Compliance with state and federal construction-related accessibility standards ensures that public places are accessible and available to individuals with disabilities. Whether your business is moving into a newly constructed facility or you are planning an alteration to your current facility, by engaging the services of a Certified Access Specialist (CASp) early in this process you will benefit from the advantages of compliance and under the Construction-Related Accessibility Standards Compliance Act (CRASCA, Civil Code 55.51-55.545), also benefit from legal protections.

Although your new facility may have already been permitted and approved by the building department, it is important to obtain CASp inspection services after your move-in because unintended access barriers and violations can be created, for example, placing your furniture and equipment in areas required to be maintained clear of obstructions. For planned alterations, a CASp can provide plan review of your improvement plans and an access compliance evaluation of the public accommodation areas of your facility that may not be part of the alteration.

A CASp is a professional who has been certified by the State of California to have specialized knowledge regarding the applicability of accessibility standards. CASp inspection reports prepared according to CRASCA entitle business and facility owners to specific legal benefits, in the event that a construction-related accessibility claim is filed against them. To find a CASp, visit www.apps2.dgs.ca.gov/DSA/casp/casp_certified_list.aspx.

GOVERNMENT TAX CREDITS, TAX DEDUCTIONS AND FINANCING

State and federal programs to assist businesses with access compliance and access expenditures are available:

Disabled Access Credit for Eligible Small Businesses

FEDERAL TAX CREDIT—Internal Revenue Code Section 44 provides a federal tax credit for small businesses that incur expenditures for the purpose of providing access to persons with disabilities. For more information, refer to Internal Revenue Service (IRS) Form 8826: Disabled Access Credit at www.irs.gov.

STATE TAX CREDIT—Revenue and Taxation Code Sections 17053.42 and 23642 provide a state tax credit similar to the federal Disabled Access Credit, with exceptions. For more information, refer to Franchise Tax Board (FTB) Form 3548: Disabled Access Credit for Eligible Small Businesses at www.ftb.ca.gov.

Architectural and Transportation Barrier Removal Deduction

FEDERAL TAX DEDUCTION—Internal Revenue Code Section 190 allows businesses of all sizes to claim an annual deduction for qualified expenses incurred to remove physical, structural and transportation barriers for persons with disabilities. For more information, refer to IRS Publication 535: Business Expenses at www.irs.gov.

California Capital Access Financing Program

STATE FINANCE OPTION—The California Capital Access Program (CalCAP) Americans with Disabilities Act (CalCAP/ADA) financing program assists small businesses with financing the costs to alter or retrofit existing small business facilities to comply with the requirements of the federal ADA. Learn more at www.treasurer.ca.gov/cpcf/calcap/.

FEDERAL AND STATE LEGAL REQUIREMENTS ON ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

AMERICANS WITH DISABILITIES ACT OF 1990 (ADA) —The ADA is a federal civil rights law that prohibits discrimination against individuals with disabilities, and requires all public accommodations and commercial facilities to be accessible to individuals with disabilities. Learn more at www.ada.gov.

CALIFORNIA BUILDING CODE (CBC)—The CBC contains the construction-related accessibility provisions that are the standards for compliant construction. A facility's compliance is based on the version of the CBC in place at the time of construction or alteration. Learn more at www.bsc.ca.gov.