



COMMUNITY DEVELOPMENT DEPARTMENT

- Subject:** Building Code Requirements for Home Occupations
- Issue:** The Chief Building Official has identified certain home occupations that may be subject to substantial Building Code requirements which may influence whether a home occupation may be established or if the applicant wishes to pursue a home occupation permit. This procedure identifies when a home occupation must be reviewed and approved by the Chief Building Official and the steps the applicant must take to obtain this approval.
- Reference:** Section 18.58.120 (Home Occupations)
- Policy/Procedure:** The following procedures will be followed in the processing of home occupation permits:
1. All home occupations, except those noted in #2 below, will comply with the Town Building Code and be reviewed and approved by the Chief Building Official in accordance with these procedures. Except for applications exempt from building review, a Building & Safety Fee in the amount of \$55 will be charged with the home occupation permit fee when the Town accepts the application.
 2. Home occupations that meet all of the following criteria will be exempt from review by the Chief Building Official:
 - a) The home occupation is conducted solely by the residents of the dwelling;
 - b) The home occupation does not alter the existing residential use of the dwelling;
 - c) The home occupation does not propose any alterations, repairs, improvements, demolitions, or other work to the dwelling that requires a building permit;
 - d) The home occupation does not generate any pedestrian or vehicular customer trips;
 - e) The home occupation occupies less than 25% of the floor space of the dwelling. (If the home occupation does not use garage floor space, the floor space of the dwelling will include only the habitable floor space of the dwelling. If the home occupation uses garage floor space, the floor space of the

dwelling will include the habitable floor space of the dwelling and the garage floor space.);

- f) The home occupation does not require a minor use permit per Section 18.58.120(D) of the Development Code.

(NOTE: Home occupations that are exempt from the home occupation permit requirement but occupy more than 25% of the residence may still be subject to the Town Building Code and Chief Building Official Review and Approval.)

3. The project planner will forward the application to the Chief Building Official for review. The Chief Building Official, or their designee, will conduct a preliminary review of the application and submit comments to the project planner within two weeks on the following:
- Major building code compliance issues that will need to be addressed (e.g., occupancy fire separation, fire resistant requirements, disabled access requirements, restroom facilities, lighting and energy compliance).
 - Whether a building permit and building plans will be required to verify compliance with the Town Building Code.
 - Other conditions or special requirements to ensure compliance with the Town Building Code (e.g., do the building plans need to be prepared by a licensed architect or engineer).

Because the Chief Building Official will be reviewing the site plan and floor plan submitted with the home occupation permit application, it is important to only accept applications in which the site plan and floor plan are legible and contain all required information.

4. The project planner will incorporate any requirements of the Chief Building Official into the approval of the home occupation permit. The requirements of the Chief Building Official must be met before the home occupation can operate.

As stated before, the Town Building Code may require substantial improvements and alterations to the home in order to operate a home occupation. Consequently, the applicant may reconsider whether they wish to proceed with a home occupation. It is important to inform customers inquiring on home occupations about the Building Code requirements so they have information on this as early as possible in their planning process. The Chief Building Official will be available to answer general questions on Building Code compliance if the customer wishes to get some information prior to submitting a home occupation permit application.

Effective Date: March 25, 2002

Approved by: _____
Tony Lashbrook, Director