

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. 12.03.110 of Nevada County Zoning Regulations allows limited commercial activity from a residence. Those Regulations regulate 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 Regulations allow 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. 12.03.110 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. Thumb drive with digital copies of all project materials. Thumb drive to be retained by the Planning Department.
- 8. For Cottage Food Operation and Body Art Home Businesses only: Provide pending Permit or Registration Number (ie. PR*****) issued by the Environmental Health Department to document that all registration and/or permit applications have been submitted and processed. Please note: a permit to operate will not be issued until all requirements have been completed to the satisfaction of both Departments.

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:

NEVADA COUNTY PLANNING DEPARTMENT
LAND USE APPLICATION

Planner use only:

PLN _____

ENT _____

Please print or type in black ink

Type of application(s) for which you are applying:

- | | | |
|---|---|--|
| <input type="checkbox"/> Tentative Map | <input type="checkbox"/> Ordinance Amendment | <input type="checkbox"/> Certificate of Compliance |
| <input type="checkbox"/> Use Permit | <input type="checkbox"/> Zone Change | <input type="checkbox"/> Voluntary Merger |
| <input type="checkbox"/> Development Plan | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Home Business |
| <input type="checkbox"/> Administrative Dev. Permit | <input type="checkbox"/> Variance | <input type="checkbox"/> Temporary Commercial Permit |
| <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Setback Easement | |

Other (specify): _____

PROJECT DESCRIPTION: _____

Assessor's Parcel No(s): _____

Applicants Name(s): _____

Mailing Address of Applicant(s): _____

Telephone No: () _____ FAX No: () _____

Full Name(s) of Property Owner(s): _____

Mailing Address(es) of Property Owner(s): _____

Telephone No: () _____ FAX No: () _____

Name of Representative (if applicable): _____

Address of Representative: _____

Telephone No: () _____ FAX No: () _____

Situs address(es): _____ Acreage(s): _____

Water Source: _____ Method of Sewage Disposal: _____

I hereby acknowledge that I have read the instructions for filing this application and state under penalty of perjury that the information provided on all attached documents is correct.

Signature of () Property Owner(s) or () Authorized Representative*

_____ Date: _____

_____ Date: _____

***Representative may sign application if a Letter of Authorization from the owner(s) is Provided.**

**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:



AGREEMENT TO PAY

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.nevadacountyca.gov

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:

Table with 2 columns: Site Information and Invoices and/or notices to be mailed to. Rows include APN, Property Owner/Business Name, Address, Phone Number, and Email.

NCCDA Staff is authorized to consult with necessary governmental agencies and the following individuals concerning this 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.

Printed Name: _____ Dated: _____
Signature: _____

THIS SECTION FOR OFFICE USE ONLY

Service: _____ Department: _____ Job No: _____
Amount: \$ _____ Check #: _____ Receipt #: _____ Date of Receipt: _____



Community Development Agency

Planning Department

Planning@nevadacountyca.gov
www.nevadacountyca.gov/Planning

950 Maidu Avenue, Suite #170
PO BOX #599002
Nevada City, CA 95959

PH: (530) 265-1222 ext. 2
FAX: (530) 265-9854

LEVINE ACT DISCLOSURE STATEMENT

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits any Commissioner, Board of Supervisors member, or any Other Elected County Officer ("County Officer") from participating in any action related to a proceeding if they receive any political contributions totaling more than \$500 (as of Jan. 1, 2025) within the previous 12 months, while a proceeding is pending, and for 12 months following the date a final decision in a proceeding concerning a license, permit, entitlement, franchise or, contract (collectively "license, permit, or contract") has been made, from the person or company awarded the said license or contract. The Levine Act also requires a County Officer who has received such a contribution to disclose the contribution on the record of the proceeding.

County Elected Officials and Appointed Commissions include, but may not be limited to, the list provided below, and individual officers or commissioners are listed at the following site:

<https://www.nevadacountyca.gov/3140/Committee-Board-and-Commission-Information>

- Board of Supervisors- <https://www.nevadacountyca.gov/731/Board-of-Supervisors>
- Planning Commission
- Agricultural Advisory Commission
- South County Municipal Advisory Council
- Penn Valley Municipal Advisory Council
- Regional Housing Authority
- Nevada County Transportation Commission
- Nevada County Airport Land Use Commission- Grass Valley/Truckee
- Nevada County Airport Commission
- Local Area Formation Commission (LAFCo)
- Historical Landmarks Commission
- Fish and Wildlife Commission
- Nevada County Sanitation District No. 1 Advisory Commission

Proposers are responsible for accessing the link above to review the names prior to answering the following questions:

1. Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$500 to any County Officer in the 12 months preceding the date of the submission of your proposals or the anticipated date of any Board or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the County Officer(s):

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contribution of more than \$500 to any County Officer in the 12 months following any Board or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the County Officer(s):

Answering yes to either of the two questions above does not preclude the County of Nevada from awarding a license, permit, or contract to your firm or any taking any subsequent action related to the said license, permit, or contract. It does, however, preclude the identified County Officers from participating in any actions related to this license, permit, or contract.

Date

Signature of authorized individual

Type or write name of authorized individual

Signature of authorized individual

Type or write name of company