

**SANTA CRUZ COUNTY PLANNING DEPARTMENT POLICY/ORDINANCE  
INTERPRETATION**

Interpretation No.: RES-HO-02  
Effective Date: 06/30/06  
Originally Issued: 06/30/06

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**Questions**

*Regarding County Code Chapter 13.10.613, home occupations:*

1. *Subsection (a)1. Does limited income-producing activities mean part-time only and no full-time businesses are permitted?*
2. *Subsection (a)1. Must the income producing activity be conducted entirely on site?*
3. *Subsection (b)3. Does the language “home occupation shall be carried out primarily by a full-time inhabitant” limit the occupation to only one full-time inhabitant without a Level V Use Permit?*
4. *Subsection (b)7. Does the requirement that all deliveries and shipments are to be made by the one allowed vehicle disallow the use of shipping companies such as UPS and Fed-Ex?*
5. *Subsection (b)7. Does the requirement for off-street parking for employees and customers mean dedicated parking space(s) are required?*
6. *At what point does a home business become subject to the Level 5 Home Occupation permit requirement?*

**Applicable Ordinance Section(s)**

§13.10.613

**INTERPRETATION:**

1. Subsection (a)1. The use of the word “limited” in the home occupation regulations refers to the scale of the activity, not the income-producing potential of the activities. The scale of the activities must not adversely affect the character of the surrounding neighborhood.
2. Subsection (a)1. Although the regulations state “To allow persons to carry on limited, income-producing activities on their residential property”, the income producing activities do not have to be conducted entirely on-site but the activities must be of a scale where they do not adversely affect the character of the surrounding neighborhood.
3. Subsection (b)3. Only a full-time inhabitant of the dwelling may carry out a Home Occupation without a Level V Use Approval. A Level V Use Approval is required when one or more non full-time inhabitants are hired as employees. Up to a maximum of five employees may be allowed with a Level V Use Approval.
4. Subsection (b)7. Deliveries and Shipments are not necessarily restricted to the one vehicle allowed. This ordinance is not intended to regulate deliveries and pick-ups by UPS, Fed-Ex and other shipping companies. However, when the number and frequency of deliveries is beyond normal (out of character) for a residential neighborhood, this

would be a violation of the regulations. Deliveries and shipments from commercial size vehicles (other than step vans) and tractor-trailers are a violation of the Home Occupation Regulations.

5. Subsection (b)7. Parking for all customers and employees must be provided on site. Home occupations involving employees or more than one customer at a time require a Level V Use Approval. As part of the review of the application, staff will determine, case-by-case, if dedicated parking spaces are necessary and appropriate. The criteria for this determination include the size of the parcel, available on-site parking area, the number of inhabitants involved in the business, the number of employees, and the number and frequency of customers.
6. The triggers for requiring a Level V Use Approval are:
  - Any outdoor storage, operations or activity related to the business;
  - Any non-resident employee/worker;
  - Use of more than one room or floor area equal to 20% of the total floor area of the dwelling, whichever is less (*see Policy Interpretation RES-HO-01 for further clarification*);
  - More than one customer at a time on site;
  - Sale of goods other than those produced or assembled entirely on site or mail order sales that would necessitate an inappropriate level of delivery activity either to or from the site;
  - Use of more than one vehicle (no larger than a ¾ ton pickup). The parking of a vehicle used in off-site employment not related to the home occupation (i.e. a company car) does not trigger a Level 5 permit requirement;
  - Use of equipment with a motor of more than ½ horsepower;
  - Handling of hazardous or acutely hazardous materials as defined in County Code Section 7.100.020 or State/Federal law.

### **Reason**

This ordinance was last revised 12/11/90 and the scope of home occupations has clearly increased over the last sixteen years. Some clarifications and interpretations are required to address this increased scope in relation to today's home occupation opportunities and the effects on the surrounding neighborhood.

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Tom Burns, Planning Director

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Date