

Home Occupations Type II

Process and Submittal Requirements

Town of Oro Valley

Community and Economic Development Department - Planning Division

Questions: 520.229.4800 | orovalleyaz.gov



APPLICABILITY

The Zoning Code permits residents to use their home as a place of livelihood through a Home Occupation Permit.

There are two types of Home Occupation permits available.

Type 1 Permit:

- A Type I businesses “shall not have a discernible impact on the residential character of the neighborhood.”
- Reviewed through the standard business license application through the Town Clerks office. The following application is NOT for a Type I business.

Type II Permit:

- Type II uses include:

Type II home occupations may have the potential for a minor or adverse impact to the neighborhood and are regulated by subsection D.3 of this section. Type II businesses include one (1) or more of the following:

- The primary business activity is outdoors.*
- More than one (1) but not more than two (2) nonresident employees report to work at the home.*
- Care is offered for five (5) to ten (10) children, age twelve (12) and under. Arizona Department of Health Services (ADHS) state approval is required.*
- Home occupations resulting in visitors, customers, or deliveries with a potential for creating vehicular traffic in excess of twenty-five percent (25%) above that normally and reasonably occurring in a residential area as determined by the Planning and Zoning Administrator, are to be reviewed by the Town as a Type II home occupation. Type II home occupations may be authorized by the Planning and Zoning Commission only after a public hearing, per subsection D.4.b of this section*

Prohibited home occupations that are not eligible for a Type II submittal include:

- Any home-based business that:
 - Keeps, cares and/or sells animals from the property.
 - Automobile, motorcycle, boat or any vehicle repair, part sales, upholstery, detailing, washing or painting on the property.

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The Town of Oro Valley acknowledges that private covenants, conditions, and restrictions (CC&Rs) agreements exist between private property owners in many homeowners' associations. Nothing in Section 25.2.D. of this Code shall be interpreted to void the provisions of those agreements.

Fees

As specified in the OVZCR, all fees must be paid in full prior to acceptance of an application. Fees related to Type II Home Occupations are provided below.

Type II Home Occupation	\$390
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SUBMISSIONS

To avoid delays in review, please be aware of the following:

- All applications must be submitted online.
- Project resubmittals are to be uploaded through the portal using the same project number the first application was provided. Please do not e-mail documents directly to staff as this may delay the submittal review process.
- All items must be submitted in PDF format.
- Please name PDF files in a self-explanatory manner such as *"Document Type – Date."*
- All fees must be paid upon submitting. Reviews will not begin until all fees are paid. Fees may be paid online.

SUBMITTAL CHECKLIST

- Narrative
- Site plan

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Process

Home Occupation Type II	Time*	Purpose
Formal Submittal	Applicant Driven	<ul style="list-style-type: none"> • Submittal of plans in accordance with Code requirements • Applicant to address any comments or concerns identified during the final design review phase.
Staff Review	2 Weeks	<ul style="list-style-type: none"> • Staff distributes copies to all internal/external agencies for review • Staff review is completed within 10 business days of a <u>complete</u> submittal
Revised Submittal	Applicant Driven	<ul style="list-style-type: none"> • Applicant to address staff review comments relative to code compliance • Additional revised submittals may be necessary if code issues are not adequately addressed
Staff Review	2 Weeks	<ul style="list-style-type: none"> • Staff will review for Code Compliance. Additional review may be required prior to scheduling the application for Planning and Zoning Commission consideration if the proposal is not code compliant
Planning and Zoning Commission	4 Weeks	<ul style="list-style-type: none"> • Commission review focused on conformity with adopted plans, code requirements and the staff recommendation • The Planning and Zoning Commission is the deciding board for these cases

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SUBMITTAL ITEMS AND REQUIREMENTS

All items must be submitted in PDF format. Please name PDF files in a self-explanatory manner such as *"Document Type – Date."*

- Provide a narrative describing the business.
- Describe how the business may or may not impact the neighborhood
- Provide a site plan of the entire property. The site plan shall include:
 - All lot lines
 - Identify and label the street(s)
 - Location of the main house
 - Location of accessory structures
 - Label accessory structures associated with the business
 - Show the driveway with dimensions
 - Identify where on-site parking is provided for potential customers
 - Identify areas of the home and property used for the home business.
- Supporting pictures or related documents.

NEXT STEPS

It is the applicant's responsibility to make their case for the allowance of the home occupation. The applicant should be prepared to make a presentation before the Commission on the scheduled hearing date.

If the Type II Home Occupation gains approval by the Planning and Zoning Commission, the applicant will need to obtain a standard business license through the Town Clerk's office and pay the annual fees associated with the license.