



ORO VALLEY HOME OCCUPATION TYPE II GUIDE





ORO VALLEY TYPE II HOME OCCUPATION PROCESS GUIDE

This process guide contains the process narrative, submittal checklist, and plan content for a Type II Home Occupation permit submittal. This application will be reviewed and decided by the Planning and Zoning Commission (P&ZC).

1.0 Home Occupation Submittal Package

- 1.1 Process Narrative (Pg. 3)**
- 1.2 General Application Form (Pg. 5)**
- 1.3 Home Occupation Submittal Checklist (Pg. 7)**
- 1.4 Home Occupation Flow Chart (Pg. 8)**
- 1.5 Fee Schedule (Pg. 9)**

2.0 Submittal Content

- 2.1 Plan Content (Pg. 10)**



1.0 TYPE II HOME OCCUPATION SUBMITTAL PACKAGE

1.1 PROCESS NARRATIVE

Introduction:

The Community Development & Public Works Department is here to assist you through the Town's Type II Home Occupation permit process. Throughout the process, you will be working closely with the Town staff to ensure the efficient processing of your application.

To better understand the approval process for the Town's Home Occupation applications, please refer to the table below.

Table of Authority

Submittal Type	Staff Authority	Planning and Zoning Commission
Type II Home Occupation Permit	Review	Final Decision

Process Overview:

The Type II Home Occupation submittal is reviewed by staff and forwarded to the Planning and Zoning Commission for final decision.

The formal application submittal requirements are outlined below. It is the burden of the applicant to describe the details about the proposed business and the potential impacts to the neighborhood.

Process Description

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. A Type 1 permit is reviewed through the standard business license application through the Town Clerks office. Please visit the Town Clerk's webpage for detailed information. A Type II Home Occupation permit must be submitted to the Town's Planning Division for review by the Planning and Zoning Commission.

Step 1 – Formal Submittal

A formal submittal must include a site plan with the details listed in Plan Content, section 2.1, along with site specific information relevant to the business.

To ensure timely review, applicants should review the applicable provisions of the Zoning Code and address those items in the submittal.

Step 2 – Staff Review

After receiving a complete application, staff will review the Type II Home Occupation permit in accordance with the applicable provisions of the Zoning Code, engineering standards or other areas of review authority. A review letter will be sent to the applicant within 10 working days of the submission. The plans may need to be revised and re-submitted for additional reviews to address comments on the application. When all review comments have been addressed, the application will be forwarded to the Planning and Zoning Commission for a review.

Step 3 – Planning and Zoning Commission

The purpose of the Planning and Zoning Commission (PZC) is to ensure the proposed home occupation meets the standards of the Zoning Code and is compatible with the surrounding residential area.



TOWN OF ORO VALLEY
COMMUNITY DEVELOPMENT & PUBLIC WORKS DEPARTMENT
11000 N. LA CAÑADA DRIVE, ORO VALLEY, AZ. 85737
PHONE: (520) 229-4800 FAX: (520) 742-1022
www.orovalleyaz.gov

1.2 GENERAL APPLICATION FORM

Office Use Only

OV Case #: _____

Application Type:

- | | |
|---|--|
| <input type="checkbox"/> Major General Plan Amendment | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Rezoning/PAD Amendment | <input type="checkbox"/> Pre-Application |
| <input type="checkbox"/> Planned Area Development | <input type="checkbox"/> Zoning Verification |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Sign Criteria |
| <input type="checkbox"/> Zoning Code Amendment | <input type="checkbox"/> Sign - PAD Exemption |
| <input type="checkbox"/> Conceptual Site Plan | <input type="checkbox"/> Master Sign Program |
| <input type="checkbox"/> Conceptual Public Art | <input type="checkbox"/> Communication Facility – Tier 1 and 2 Minor |
| <input type="checkbox"/> Conceptual Architecture | <input type="checkbox"/> Communication Facility – Major |
| <input type="checkbox"/> Final Site Plan | <input type="checkbox"/> Revised Development Plan |
| <input type="checkbox"/> Conceptual Landscape Plan | • Other _____ |

Subject Property Information:

Address: _____ Parcel/Tax Code: _____
Subdivision / Commercial Center Name: _____
Book / Page or Sequence Number: _____ Lot Number(s) _____
Legal Description: _____
Section/Township/Range: _____ Area of Property: _____
Existing Land Use: _____ Proposed Land Use: _____

Applicant Information:

* If more than one, attach list

Applicant *:

Name: _____ Firm: _____
Address: _____ City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____ Email: _____

Property Owner(s) if different from Applicant *:

Name: _____ Firm: _____
Address: _____ City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____ Email: _____

Consultant: _____ (Discipline)

Name: _____ Firm: _____
Address: _____ City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____ Email: _____

Project Description/Narrative:

I hereby certify that I have read and examined this application and know the same to be true and correct. I am the owner of the property or the Owner's authorized representative, and if not the owner, I have obtained the owner's permission to perform stated work. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The approval of this application does not presume to give authority to violate or cancel the provisions of any other federal, state or local law for which this project may be subject to.

Notice: It is the applicant/owner's responsibility to ensure all private rules and regulations (such as Covenants, Conditions & Restrictions (CC&R's)) of the subdivision and/or commercial center are adhered to. Contact your Home Owners Association or property management to determine applicable requirements.

It is also the applicant's responsibility to coordinate with all outside agencies to secure their acceptance or clearance. Failure to do so may delay issuance of permits. See attached list of agencies.

Applicant's Signature

Print Name

Date

Important Note: All submittals received after 4:00 p.m. will be processed the next day

Submittals will be rejected if:

- Not folded using Pima County fold & collated;
- There are missing items on the checklist unless otherwise approved by Planning Division Manager or Town Engineer.
- Re-submittals cannot be accepted without a transmittal and a written narrative summary describing the purpose of submittal.

1.3 TYPE II HOME OCCUPATION - SUBMITTAL CHECKLIST

All applications for a Type II Home Occupation must include the following materials to be accepted for processing:

- Fees
- A completed General Application Form
- All required items in the Type II Home Occupation Plan Content list (Section 2.0) **(5 copies)**
- A Site Plan - 8.5" x 11" or 11" x 17" **(5 copies)**
- Narrative - **(5 copies)**
- Letter of authorization from property owner, if applicant is acting as an agent.
- Supporting documents specific to the Home Occupation and relevant code sections as defined in Plan Content.

ROUTING NOTES

Office Use Only

1.4 TYPE II HOME OCCUPATION APPLICATION PROCESS FLOW CHART

Formal Submittal	Staff Review	Planning & Zoning Commission (P&ZC)
<ul style="list-style-type: none"> Once a formal submittal is received, a completeness review will be conducted to ensure the submittal is complete. 	<ul style="list-style-type: none"> The formal submittal includes the review of the application by CDPW Staff and other relevant agencies. Once a submittal has been deemed complete, a review letter will be sent to the applicant within 10 days of the submission. The letter will inform the applicant if the submittal is ready for review by the P&Z Commission or if corrections are needed. Complete submittals deemed ready for review by P&CZ, will be scheduled for the next available P&ZC meeting date. 	<ul style="list-style-type: none"> The purpose of the P&ZC is to promote is to ensure the proposed business is compatible with the surrounding residential neighborhood. Staff will prepare a report and recommendation on the application to the P&ZC
5 working days	10 working days	Meeting will be set no more than 50 days from full submissions

1.5 FEE SCHEDULE (REVISED MAY 18, 2011)

As specified in the OVZCR, all fees must be paid in full prior to acceptance of an application. Fees identified after submittal are due as determined by the Planning and Zoning Administrator (Public Works Director for rights-of-way fees). All fees must be paid prior to the issuance of permits and/or release of assurances. Bond release inspections may be deducted from the appropriate bond if this is part of the language of the bond.

Charges for partial review of any project will be based on the stage of review and staff time already dedicated to the project. The Planning and Zoning Administrator may refund up to 80% of the fee. The Planning and Zoning Administrator may waive fees if an undue hardship has been created by the Town. All other fee waiver requests must be approved by the Town Council. Fees will not be applied to applications or events initiated or sponsored by the Planning and Zoning Commission or Town Council.

GIS fees are charged per development project. For example, GIS fees charged for a Home Occupation would be credited toward the GIS fees specified for a related development plan and/or plat.

Whenever independent consultant review is provided for in the OVZCR (Golf Course Overlay, Communications facilities, Riparian analysis etc.), the applicant must reimburse the Town for all consultant fees incurred.

Fees related to:

Type II Home Occupations

Type II Home Occupation Permit	\$390.00
--------------------------------	----------

See the Development Services fee schedule for a complete list of fees.



2.0 SUBMITTAL CONTENT

2.1 PLAN CONTENT

- 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

- Provide a narrative describing the business. The narrative should address code sections below that are relevant to the home based business.
 - Number of non-resident employees working at the home.
 - Type I: Resident only
 - Type II: One (1) non-resident to be employed on the home.
 - No mechanical equipment is to be used except that which is necessarily, customarily, or ordinarily used for household, non-business, non-commercial purposes.
 - Storage of toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive, or other hazardous materials must comply with the 2003 International Building Code and/or the International Fire Code and will not create an unsafe condition.
 - There shall be no outdoor open operations, storage, or display of materials or products.
 - There shall be no alteration of the property's exterior residential appearance.
 - There shall be no alteration of the residential or detached accessory building floor plan which creates a solid barrier between the home occupation area and the remaining floor area of either the residence or a detached accessory building.
 - There shall be no process or materials used which are hazardous to public health, safety, or welfare.
 - Home occupations resulting in visitors, customers, or deliveries with a potential for creating vehicular traffic in excess of twenty-five percent 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.
 - Home occupation uses to be located in non-living space area of a building space will require a building permit for the intended use or to convert the area to building codes living space standards prior to occupancy for the home occupation.

- Home occupation uses will be clearly incidental and subordinate to the residential use of the property. They shall not occupy more than 25 percent of the property's living space floor area.
- The home occupation use shall not involve the use or storage of tractor trailers, semi-trucks, or heavy equipment such as contractor's or landscaper's equipment.
- The home occupation use shall produce no noise in violation of Town Code, Chapter 10, nor shall it produce sustained or obnoxious odors, vibrations, glare, fumes, dust, heat, or electric interference which are detectable and unpleasant to normal sensory perception beyond the perimeter of the property;
- The home occupation shall have no on-site sales or public display of stock-in-trade upon the premises.
- If the home occupation requires the conversion of existing parking for business use, an equal number of off-street parking spaces shall be provided on-site. If the home occupation use requires additional parking beyond existing parking spaces, based on the provisions of Section 27.7, the additional parking shall be provided on-site.
- No signs shall be allowed for any home occupation.

A Type II home occupation may be conducted wholly within the primary dwelling unit, in a detached accessory building, or outdoors as approved by the Planning and Zoning administrator. It may have one (1) non-resident employee on the home occupation premises, and it may have some minor, adverse impact on the neighborhood.

Type II Home Occupation Descriptions include:

- Tutoring, teaching, and music lessons with more than one (1) student, but not more than six (6) students, at anyone (1) time and provisions are taken to ensure audio levels are reasonable.
- Outdoor sport lessons, such as tennis, volleyball, racquetball, baseball, equestrian, or bicycle.
- Bed and breakfast service.
- Child-care group home, caring for five (5) to ten (10) children, age twelve and under, also, prior to the operation of the child-care group home, an Arizona Department of Health Services (ADHS) State approval is required.
- Small electronic component assembly, excluding television repair, refrigerator, and large appliance repair.
- Massage therapy.
- Contractor's office, including businesses, such as, landscaping, masonry, plumbing, or painting, (excluding equipment/materials storage yards).
- Analogous uses as determined by the Planning and Zoning Administrator.

Type II home occupation permits, which may be revocable, conditional, or valid for a term period, may be granted or denied by the Planning and Zoning Commission after a public hearing and a finding that the use meets the home occupation standards herein.

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.C. of this Code shall be interpreted to void the provisions of those agreements.