



Upland Municipal Code Minor Home Occupation Standards

17.27.010 Purpose

This chapter is intended to permit a home occupation as an incidental and accessory use in residential and residential mixed-use zoning districts under conditions that will ensure that the use is and remains compatible with the residential character of the neighborhood.

17.27.070 Development and Performance Standards

All home occupations shall comply with the following standards:

- A. Relationship to Dwelling Unit.** There shall be no exterior evidence of the conduct of the home occupation. The home occupation shall be clearly incidental and subordinate to the primary residential use of the dwelling unit and may not be conducted in an accessory structure.
- B. Outdoor Storage Prohibited.** Goods and materials associated with a home occupation shall be stored within an enclosed structure. The storage of flammable, combustible, or explosive materials shall be strictly prohibited.
- C. Vehicles.** The home occupation shall not create off-street or on-street parking, vehicular or pedestrian traffic which is greater than normally associated with a strictly residential use of the premises, except for individual instruction or client visits in conformance with definitions provided in Section 17.27.040. The resident with the home occupation may not keep a vehicle greater than one ton at the premises and may not have more than one such vehicle. Any trailer or wheeled equipment incidental to the home occupation shall be kept within an enclosure and not be visible from off-site. Any vehicle used in association with a home occupation shall be prohibited from parking on the street (i.e., taxis, limos, vans, work trucks, etc.).
- D. Performance Standards.** Home occupations shall not generate noise exceeding levels permitted by Upland Municipal Code Chapter 9.40 (Unnecessary Noise), dust, odors, vibration, or electrical interference or fluctuation that is perceptible beyond the property line.
- E. Deliveries.** Deliveries and pick-ups for home occupations shall not exceed the volume normally associated with residential uses (no more than three deliveries per day), shall not interfere with vehicle circulation, and shall occur only between 8:00 a.m. and 8:00 p.m., Monday through Saturday.
- F. Size.** Home occupations shall be located entirely within the dwelling unit and shall not occupy more than 25 percent of the gross floor area of the dwelling unit.
- G. Employees.** Employees of a minor home occupation shall be limited to the persons residing in the dwelling unit except that non-residents may be employed as long as they do not work, meet, or leave vehicles at the residence. Major home occupations are allowed two additional persons in addition to those residing in the dwelling unit.
- H. Clients.** No more than six clients per day are permitted to visit a minor home occupation. Hours for visits shall be between 8:00 a.m. and 8:00 p.m.
- I. Sales.** There shall be no on-site sale of products.
- J. Building Code.** Minor and major home occupations shall comply with accessibility requirements of the California Building Code, including parking and path of travel into the dwelling.

17.27.060 Prohibited Home Occupations

The following uses, and those with similar characteristics, are prohibited as home occupations: photography studio, beauty parlor, barber shop, nail salon, massage parlor, pet grooming, appliance or vehicle repair shops, animal hospital, medical practitioner, clinic, music school, dancing school, business school, any other school or program with organized classes, except for individual instruction.

I have read, and agree to the rules and regulations stated above.

Signed_____ **Date**_____

By typing your name in the above box, you agree and accept to use a typed signature for the submittal of your Zoning Clearance Application.

Print Name_____

Business Name_____

Business Address_____



Zoning Clearance Application

What is a Zoning Clearance? The purpose of a Zoning Clearance is to confirm that the proposed business/Land use is allowed by the Upland Municipal Code or applicable zoning document at the proposed location. This is not an approval or permit to occupy a building, or an indication that the property meets all applicable code requirements. Prior to entering into lease agreements, occupying, or making any improvements at the site, you should discuss your business with the Planning Division to be certain you can operate your business at the site.

Business Name:		Building/Unit Size (Sq-Ft):					
Business Address <i>include unit or suite:</i>		APN(S):	Is this a residential home?				
			<table border="1"> <tr> <td><u>Yes</u></td> <td><u>No</u></td> </tr> <tr> <td>☐</td> <td>☐</td> </tr> </table>	<u>Yes</u>	<u>No</u>	☐	☐
<u>Yes</u>	<u>No</u>						
☐	☐						
Business/Operations Description: _____ _____							
Days/Hours of Operation:							
Exterior Improvements (Describe):							
Interior Improvements (Describe):							
Applicant Name:		Phone:					
Email:		Fax:					
Mailing Address:							

Please answer each of the questions listed below.

<u>Yes</u>	<u>No</u>	
☐	☐	1. Are you assuming control of an existing business? If yes, what is the name of the current/previous business? _____.
☐	☐	2. Will the business operation include any work, use, or storage conducted outside of a wholly enclosed building? If yes, what? _____.
☐	☐	3. Will the building be used for education, instruction, daycare, or worship? If yes, how many square feet is the tenant space? _____ What is the maximum number of people anticipated at any given time, including staff and patrons? _____.
☐	☐	4. Will the business have an outdoor patio?
☐	☐	5. Will the business operation include the preparation of food or beverages?
☐	☐	6. If yes to #5, will the business be a restaurant? If yes, What is the size (square feet) and number of seats? _____.
☐	☐	7. Will the business operation include selling or serving alcoholic beverages? If yes, what type of ABC license? _____.
☐	☐	8. Will the business operation include entertainment, including, but not limited to, live performances (bands, soloists, DJ's, etc.), dancing, or other?

<u>Yes</u>	<u>No</u>	
☐	☐	9. Will the business include any type of adult entertainment such as adult bookstore, adult cabaret, adult model studio, adult hotel, escort agency, adult theater, adult video store, etc.?
☐	☐	10. Will the business operation include the sales or serving of tobacco products? If yes, what is the tobacco resale number? _____ What type of tobacco products will be sold? _____
☐	☐	11. If yes to #10, will there be consumption of tobacco products on site?
☐	☐	12. Will your business distribute medical/recreational marijuana as part of its services?
☐	☐	13. Is the business a State licensed facility? If yes, what type? _____
☐	☐	14. Will the business have any type of massage?
☐	☐	15. Have you done or will you be doing any building construction or alterations, or equipment installations related to the operation of the business? If yes are they interior, exterior, or both? _____.
☐	☐	16. If exterior improvements are proposed, what is the extent of the improvements? _____ _____.
☐	☐	17. Will there be any placement of new machinery, equipment, or storage units outdoors or on the roof?
☐	☐	18. Will the business operation include the use of storage racks; and/or the indoor floor/bulk storage of materials exceeding 12 feet in height; and/or tire, plastic, or flammable liquid storage over 6 feet in height?
☐	☐	19. Will the business store rolled paper, bundled cardboard, baled paper and/or cardboard, baled hay or straw, or similar products?
☐	☐	20. Will the business include indoor or outdoor lumber storage or wood working operations?
☐	☐	21. Will the business be discharging any waste other than domestic waste to the sewer system?
☐	☐	22. Is the on-site sewer system equipped with a clarifier or grease trap? If so, what size?_____.
☐	☐	23. Will the business operation include the washing of any equipment or vehicles?
☐	☐	24. Will the business operation include discharging any waste, waste water, or rinse water to the ground, street, or storm drain?
☐	☐	25. Will the business operation include the repair or maintenance of motor vehicles?
☐	☐	26. If yes to #25, will the business operation include any of the following: engine, brake, transmission, and drive train overhaul; body and fender repair; vehicle painting? _____.
☐	☐	27. Will the business operation store any vehicles or equipment indoors? If yes what kind and how many?_____ _____.
☐	☐	28. Do the business operations include the sale of motor vehicles?
☐	☐	29. Will the business operation include dispensing of gasoline, diesel, compressed natural gas, liquefied natural gas, liquefied petroleum gas (propane), or hydrogen gas?
☐	☐	30. Will the business operation include the use, processing, handling, storage, or discharge of chemicals, including hazardous chemicals and solvents?

Yes	No	
☐	☐	31. If yes to #30, will the business operation include the use, generation, processing, production, treatment, storage, emission, or discharge of hazardous materials in quantities totaling more than 55 gallons of liquids, 500 pounds of solids, or 200 cubic feet of a compressed gas, whether indoors or outdoors?
☐	☐	32. Will the business operation include the storage of more than 5 gallons of a flammable liquid of any type?
☐	☐	33. Will the business operation include the generation of hazardous wastes in quantities totaling more than 55 gallons of liquid, 500 pounds of solids, or 200 cubic feet of a compressed gas?
☐	☐	34. Will the business generate any hazardous waste or e-waste at this site?
☐	☐	35. Will the business include dry cleaning at the site?
☐	☐	36. Is the business considered a regulated SIC Code under SB 205? <i>If so, please demonstrate enrollment with the NPDES permit program by providing the following: WDID number, WDID application number, NONA number, or NEC number:</i> _____ <i>To find the list of regulated SIC Codes please refer to</i> https://www.waterboards.ca.gov/water_issues/programs/stormwater/sic.shtml
☐	☐	37. Will the business operation include sanding, cutting, or shaping of wood, metal, plastic, paper, or other products producing combustible dust or fibers?
☐	☐	38. Does the building have a dust collection system?
☐	☐	39. If no to #38, will one be installed?
☐	☐	40. Will operation include spraying/dipping of flammable finishes (paint, varnish, etc)?
☐	☐	41. Will the business operation include powder coating?
☐	☐	42. Will the business operation include the manufacturing of reinforced plastics using resins?
☐	☐	43. Will the business operation utilize any type of industrial oven or heating/melting equipment?
☐	☐	44. Will the business operation include the use or storage of an acetylene torch, arc welding or cutting, brazing or soldering, hot mop roofing, torch applied roofing, or any other type of hot work?
☐	☐	45. Will the business store, use, handle, or manufacture any type of explosive?

DECLARATION

I hereby certify and say, under penalty of perjury, that I am the applicant in the foregoing application for _____ (Business Name) to be located at _____ (Business Location/Address), that I have read this Zoning Clearance Application and know the content thereof, and that the herein stated information and all attachments hereto, are true and correct to the best of my knowledge and belief. As the applicant, I acknowledge that if I receive a zoning clearance, it will be only for the business and/or project that is described within this application and a that I will be responsible for obtaining any necessary approvals or permits from the City of Upland prior to the start of business operations.

Signature: _____ Date: _____

By typing your name in the above box, you agree and accept to use a typed signature for the electronic submittal of your Zoning Clearance Application.