

16. 03. 111 Home-Based Businesses (Home Occupation) Permit Criteria

- A. **Availability:** A home-based business permit may be sought for a residential property in any zoning district if the criteria set forth in this section are met;
- B. **Application.** Application for a home-based business shall be made to the Planning Commission on a form provided by the Planning Commission and shall be accompanied by a processing fee of thirty-five dollars (\$35) plus a set of mailing labels for all property owners within two hundred feet (200') of the proposed business.
- C. **Scope.** In cases where the Planning Commission determines that an application for a home-based business does not meet the requirements of 16.3.110, the applicant will be so informed and the application shall be returned to the applicant and considered denied.
- D. **Public Hearing Date and Notice.**
1. A public hearing shall be held by the Planning Commission on the nearest scheduled meeting date not less than twenty-one (21) days after filing of a complete application.
 2. Notices shall be mailed not less than five (5) days prior to the date of the public hearing to owners of property within a radius of two hundred feet (200') of the external boundaries of the property described in the application, using for this purpose the name and address of such owners as are shown on the latest official tax roll of Weld County or as determined by the Town Clerk. Such notice shall contain a copy of the application.
- E. **Recommendations by Commission.** Not later than ten (10) days following the Planning Commission's action in recommending approval or disapproval of the home-based business permit and setting forth any continuing conditions for approval the planning commission shall render a decision as to approval or denial of the application. In the case of a home-based business which is determined to cause additional impacts on the Town, generate parking or traffic issues, or require Town services disproportionate to the non-business uses in a residential neighborhood, an additional fee may be imposed by the Town Board as a condition of the permit. The additional fee, if any, shall be assessed in an amount determined by the Town Board, in its sole discretion, to be proportionate to the additional impacts on the Town caused by approval of the Home Based Business. The generation of sales tax revenue by a business shall be a factor considered in mitigation of such additional fee. A written report of the decision of the Planning Commission shall be mailed to the applicant at the address shown on the application form. A copy of said report shall also be forwarded to the Town Board of Trustees.
- F. **Voiding of Permit.** The Police Chief, the Planning Commission, or the Town clerk may request that the Town Board terminate any home-based business permit for noncompliance with the conditions set forth in approving the permit, and the Town Board may, after notice and hearing, terminate any permit granted, based upon noncompliance with the conditions of issuance.
- G. The holder of a home-based business permit shall obtain a sales tax permit, if required, and shall apply for renewal of the home occupation permit by paying a fee of Ten Dollars (\$10.00) on or before January 31 of each calendar year.

History

- Original
- Ord. 530, 2021