



## CURRENT PLANNING DIVISION

Civic Center • 500 East Third Street • Loveland, Colorado 80537  
(970) 962-2525 or (970) 962-2523 • FAX (970) 962-2945 • TDD (970) 962-2620  
[www.cityofloveland.org](http://www.cityofloveland.org)

Revised April 2006

# REQUIREMENTS FOR CONDUCTING A MAJOR HOME OCCUPATION

## I. GENERAL REQUIREMENTS

A home occupation is defined as any activity undertaken for monetary gain within or associated with a dwelling unit in an R1e – Established Low Density Residential, R1 – Developing Low Density Residential, R2 – Developing Two-Family Residential, R3e – Established High Density Residential, or R3 – Developing High Density Residential zoning district. The provisions for home occupations do not apply to property in a B – Developing Business, Be – Established Business, I – Developing Industrial, or DR – Developing Resource zoning district. Home occupations are allowed in residential zone districts in the City of Loveland subject to compliance with standards set forth in Chapter 18.48 of the Loveland Municipal Code. A major home occupation requires the issuance of a Business Occupancy Permit by the City.

## II. PROHIBITED HOME OCCUPATIONS

The following uses, regardless of whether they meet the performance standards, are not permitted as a home occupation:

1. Veterinary offices or clinics, animal hospitals or kennels;
2. Equipment rental;
3. Funeral chapels, mortuaries or funeral homes;
4. Wedding chapels;
5. Repair of power equipment including lawn mowers, mow blowers, chain saws, string trimmers and the like;
6. Repair of large appliances including stoves, refrigerators, washers and dryers;
7. Repair or painting of automobiles, motorcycles, trailers, boats and other vehicles;
8. Medical or dental clinics;
9. Restaurants;
10. Welding or metal fabrication shops;
11. Dispatching of vehicles to and from residential premises. This prohibition includes, but is not limited to, taxi services, towing services, and the like; and
12. The sale of firearms.

### III. MAJOR HOME OCCUPATION

If a home occupation does not meet the standards prescribed for a minor home occupation, it may be allowed as a major home occupation. Any person wishing to establish a major home occupation must obtain a Business Occupancy Permit from the City. To obtain the required permit, the application included in this packet as **Attachment A** must be completed and returned to the Loveland Current Planning Division, Loveland, Colorado. A nonrefundable \$50.00 filing fee must be paid to the Current Planning Division for processing the business occupancy permit.

**A.** Business Occupancy Permit: *A Business Occupancy Permit cannot be issued for a major home occupation unless the home occupation complies with all of the following standards:*

1. The home occupation must be conducted entirely within the dwelling unit or associated accessory building, except for a state licensed family child care home.
2. The person conducting the home occupation must reside on the premises on which the business operates.
3. The home occupation can occupy not more than twenty-five percent (25%) of the combined total floor area of the dwelling unit and the accessory buildings, included but not limited to the basement, garage, and upper floors of the dwelling unit, except for a state licensed family child care home.
4. There can be no display, advertising, sign, or exterior activity that would in any way indicate that the property is being used for a home occupation, except that exterior activity shall be allowed for outdoor playground activities in a state licensed family child care home. No exterior alterations are permitted to a dwelling, except for the addition of a secondary entrance.
5. The home occupation can not generate any vibration, smoke, dust, odors, noise, electrical interference with radio or television or reception, or heat or glare which is noticeable at or beyond the property line of the premises upon which the home occupation is located.
6. No additional off-street parking can be created on the premises for the home occupation, except for bed and breakfast and boarding and rooming houses as a major home occupation.
7. No clients, pupils, or employee can be on the premises between the hours of 10:00 p.m. and 7:00 a.m., except clients of boarding and rooming houses, bed and breakfast homes, and state licensed child care homes.
8. There can be no deliveries to or from the premises with a vehicle longer than sixteen feet or rated over eight thousand gross vehicle weight (a standard United Parcel Service truck). Moving vans shall be permitted for the purpose of delivering or removing household or office furnishings.
9. No more than one commercial vehicle can be used in conjunction with the home occupation or parked on the premises. A commercial vehicle means a vehicle having a combined gross vehicle weight rating greater than 12,000 pounds designed for transportation of commodities, merchandise, produce, freight, animals or passengers, and operated in conjunction with a home occupation.

10. The operation of any wholesale or retail business is prohibited unless it is conducted entirely by mail (U.S. Postal Service, United Parcel Service, or the like), or sales are transacted on the premises no more than one time per calendar month (e.g., Tupperware parties). Incidental sales of products shall be permitted (e.g., hair care products sold in conjunction with a beauty salon, or instructional books sold in conjunction with music lessons).
11. No chemicals or substances which are physical or health hazards as defined in Article 80 of the latest version of the Uniform Fire Code as adopted by the City can be used, sold, or stored on the premises in conjunction with the home occupation.
12. The home occupation can not result in an increase in the life safety hazard rating of the site or buildings on the site as defined in the building code as adopted by the City.
13. The person conducting any home occupation involving the preparation, sale, or handling of foodstuffs must obtain approval from the Larimer County health department prior to commencing business. Proof of health department approval must be furnished to the City with the application for the business occupancy permit.
14. The allowance of home occupations is not intended nor shall it be construed to abrogate or otherwise modify other zoning restrictions, subdivision restrictions or covenants, or other restrictions that may apply to the premises.
15. No more than one staff person is permitted. Construction contractors and similar businesses who have more than one employee may operate an office as a home occupation provided that only one staff person reports to the premises.
16. Business deliveries and business shipments, on the average, can not occur more than once per week, and deliveries and shipments can occur only between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday.
17. No more than four persons at one time and no more than twelve people during a twenty-four hour period may avail themselves of the services provided by the home occupation. Barber and beauty shops can have no more than two stations. State licensed family child care homes can provide care for the number of children authorized under the applicable State license.
18. Boarding and rooming houses which rent rooms for residential purposes to more than two persons per dwelling unit are major home occupations. Meals can be served only to those who reside within the dwelling unit. Parking must be provided for the dwelling unit and for the use in accordance with Chapter 18.42. On-street parallel parking may be used to provide some or all of the required parking spaces. On-street parallel parking must be located immediately adjacent to the property on which the use is located and can not block any driveway. Any additional required parking spaces must be located behind the dwelling unit. Parking lot design, access design, parking space dimensions, screening, landscaping and bufferyards must comply with Chapter 18.47.
19. Bed and breakfast homes that rent more than two rooms to guests are major home occupations. Meals can be served only to those who reside within the dwelling unit and overnight guests. Parking must be provided for the dwelling unit and for the use in accordance with Chapter 18.42. On-street parallel parking may be used to provide some or all of the required parking spaces. On-street parallel parking must be located immediately adjacent to the property on which the use

is located and can not block any driveway. Any additional required parking spaces must be located behind the dwelling unit. Parking lot design, access design, parking space dimensions, screening, landscaping and bufferyards must comply with Chapter 18.47.

- B. Neighborhood notification and meeting:** Within 4 days after filing an application for a major home occupation, the applicant must notify all property owners and tenants whose property, or any part thereof, is located within 300 feet of the boundary of the property and within a distance of 600 feet from the boundary of the property on which the major home occupation is proposed, measured along the street frontage in both directions, and on both sides of the street (see **Attachment F** for measurement calculations). The form included in this packet as **Attachment B** must be used to notify the neighborhood. The notice informs members of the neighborhood that any member may request, within 12 days of the application filing date, that a neighborhood meeting be held. If a neighborhood meeting is requested, the applicant is responsible for scheduling the neighborhood meeting with the City and for sending a second notice to all members of the neighborhood. The form, included as **Attachment C**, must be used by the applicant for this notification. The notice must be mailed by the applicant a minimum of 12 days before the neighborhood meeting.

If the City does not receive a request for a neighborhood meeting within the 12 day period, then the City will post a “Notice of Intent to Issue a Business Occupancy Permit.” If a neighborhood meeting is required, than the “Notice of Intent to Issue a Business Occupancy Permit” is not posted until the next working day after the neighborhood meeting. If no appeal is filed within the 10 day appeal period, then a Business Occupancy Permit will be issued at the conclusion of the appeal period.

- C. Appeal:** Any applicant or member of the neighborhood can appeal a decision by the City to grant or deny a business occupancy permit so long as the appeal is filed with the City within 10 days after the posting date of the “Notice of Intent to Issue a Business Occupancy Permit” or 10 days after the permit was denied. If an appeal is filed, the business occupancy permit will be suspended pending the conclusion of the appeal process and a fully noticed public hearing must be held before the Loveland City Council. The applicant will be notified of the appeal and will be responsible for sending a notice to the members of the neighborhood. The form, included as **Attachment D**, must be used to notice the public hearing. The notice must be mailed a minimum of 15 days in advance of the public hearing.
- D. Affidavit:** Prior to the issuance of the Business Occupancy Permit the applicant must provide the City with a list of the names and addresses of all the property owners and tenants who were mailed a notice and an affidavit certifying that the property owners and tenants on the list were notified as required. The form included as **Attachment E** must be used as the affidavit and the affidavit must be notarized.
- E. Issuance of permit:** Prior to issuance of the Business Occupancy Permit the applicant must sign the permit. By signing the permit the applicant is certifying that the home occupation will be operated in conformity with the standards in Chapter 18.48, as listed in Section III of this application form, and any conditions agreed to at the neighborhood meeting, if one was held. The permit applies only to the applicant, occupation, and premises stated in the application. The permit is nontransferable and nonassigning and remains in full force unless revoked by the City pursuant to the provisions set forth in Section 18.48.020.J of the Loveland Municipal Code. The permit will be deemed to be automatically revoked when the applicant stops conducting the home occupation at the approved site for 90 consecutive days or longer. It is unlawful for any person to operate the home occupation that does not conform to the provisions of Chapter 18.48 and the conditions of approval as stated on the Business Occupancy Permit.

- F. State licensed family child care home:** A State licensed family child care home can be operated as a business in a residential zone district only as a major home occupation. The number and ages of children for which care is provided shall be authorized under the State license, but in no case can the number of children, as defined in State statutes, exceed nine. State licensed family child care homes for more than 9 children are a special review use and require the issuance of a Type 2 Zoning Permit by the City. Please note that for a State licensed family child care home, a copy of the State license must be submitted to the City prior to issuance of the required Business Occupancy Permit.

#### **IV. APPLICATION SUBMITTAL REQUIREMENTS**

1. A floor plan to scale of the structure indicating each area of the structure to be used by the proposed business. Label each room with (a) the existing use and (b) the proposed use indicating all window and door openings.
2. A site plan of the property which would indicate the structure and the location of the property.
3. List equipment (if any) to be used in the operation of the proposed business.
4. Number of employees (if any).
5. Completed Application for a Minor Home Occupation or a Major Home Occupation.
6. Copy of neighborhood letter and mailing list.
7. \$50.00 nonrefundable filing fee.



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(date of mailing)

Dear Property Owner or Tenant:

An application has been filed with the City of Loveland for a Business Occupancy Permit to allow a major home occupation to be conducted at \_\_\_\_\_ The nature of the proposed home occupation is described as follows: *(describe nature of business and include any impacts from the business that you think might affect residents in the neighborhood, ie. Hours of operation, number of children ; City of Loveland code allows up to 8 children under the age of 16,including family members.*

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You are being notified because records indicate that you reside within a 300 foot radius of the subject property or within 600 feet of the property measure along the street frontage. Anyone receiving this notice can request that a neighborhood meeting be held to review the proposed home occupation. If you wish to have a neighborhood meeting held please contact the Development Center at 962-2523 before 5:00 p.m. on *(insert date twelve days after the date of mailing)*. If you call, please mention the address listed above. You will be notified in writing of the date, time, and place of the neighborhood meeting at least twelve days before the meeting. If no request for a neighborhood meeting is received by the date cited above, then no meeting will be held and the City will issue a "Notice of Intent to Issue a Business Occupancy Permit."

All home occupations must comply with standards set forth in Section 18.48.020 of the Loveland Municipal Code. You may obtain a copy of that section of the code on our website at [http://www.ci.loveland.co.us/cityclerks/municipalcode/municipal\\_code.htm](http://www.ci.loveland.co.us/cityclerks/municipalcode/municipal_code.htm) and chose Title 18, Zoning. If you have any questions concerning this process or the proposed home occupation please contact the Current Planning Division at 962-2523.

Sincerely,

*(Applicant's signature)*

**ATTACHMENT B**

## NOTICE OF NEIGHBORHOOD MEETING

Dear Property Owner or Tenant:

A neighborhood meeting will be held to review a proposed major home occupation in your neighborhood. The meeting will be held on \_\_\_\_\_ at \_\_\_\_\_. The meeting will be held in (insert meeting room) \_\_\_\_\_ at (insert address)\_\_\_\_\_.

The home occupation is described as: (describe nature of business and include any impacts from the business that you think may affect residents in the neighborhood).

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You are being notified because records indicate that you reside either within 300 feet of the subject property or within 600 feet from the property measured along the street frontage. The purpose for the neighborhood meeting is to review the proposed home occupation to determine if it would be compatible with the neighborhood and if any special conditions need to be placed on the business activity to ensure compatibility. Anyone receiving this notice can appeal any decision by the City to deny or approve the business occupancy permit to the Loveland City Council.

All home occupations must comply with standards set forth in Section 18.48.020 of the Loveland Municipal Code. You may obtain a copy of that section of the code on our website at [http://www.ci.loveland.co.us/cityclerks/municipalcode/municipal\\_code.htm](http://www.ci.loveland.co.us/cityclerks/municipalcode/municipal_code.htm) and chose Title 18, Zoning. If you have any questions concerning this process or the proposed home occupation please contact the Current Planning Division at 962-2523.

Sincerely,

(Applicant's signature)

## NOTICE OF PUBLIC HEARING

Dear Property Owner or Tenant:

A public hearing will be held by the Loveland City Council on \_\_\_\_\_ (*insert date*) \_\_\_\_\_ to consider a proposal to conduct a major home occupation at \_\_\_\_\_ (*insert address for proposed home occupation*) \_\_\_\_\_. The hearing will start at 6:30 p.m. and will be held in the City council Chambers at the Civic Center at 500 East 3<sup>rd</sup> Street.

The home occupation is described as: \_\_\_\_\_ (*describe nature of business and include any impacts from the business that you think may affect residents in the neighborhood*) \_\_\_\_\_.

You are being notified because records indicate that you reside within 300 feet of the subject property or within 600 feet of the property measured along the street frontage. The purpose for the neighborhood meeting is to review the proposed home occupation and take public testimony to determine if the operation of the proposed business would comply with the standards set forth in the Loveland Municipal Code for major home occupations. The City Council will also consider if any special conditions need to be placed on the business activity to ensure compatibility with the neighborhood.

All home occupations must comply with standards set forth in Section 18.48.020 of the Loveland Municipal Code. You may obtain a copy of that section of the code on our website at [http://www.ci.loveland.co.us/cityclerks/municipalcode/municipal\\_code.htm](http://www.ci.loveland.co.us/cityclerks/municipalcode/municipal_code.htm) and chose Title 18, Zoning. If you have any questions concerning this process or the proposed home occupation please contact Current Planning at 962-2523.

Sincerely,

*(Applicant's signature)*

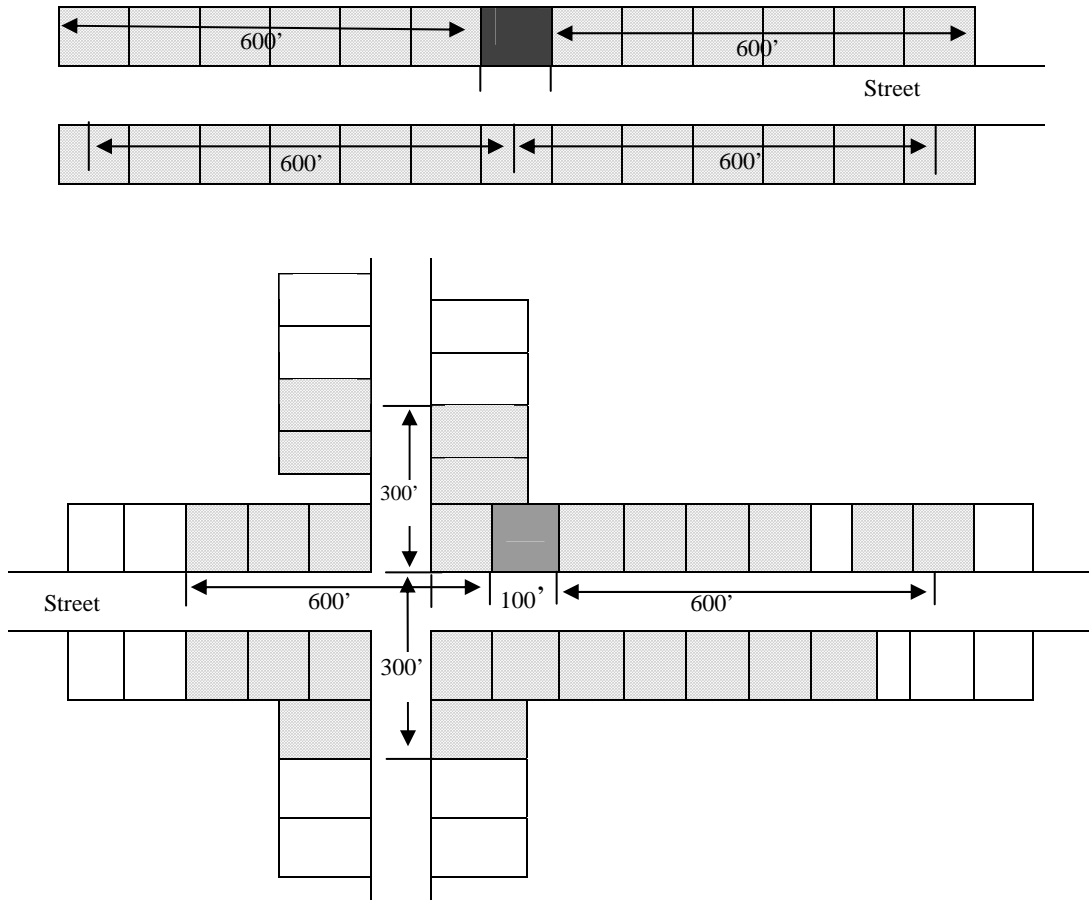


# NOTIFICATION FOR 600-FOOT CRITERIA



The applicant must notice surrounding property owners and tenants in accordance with the following:

1. Within 300-feet of the boundary of the property where the home occupation is proposed; and
2. Within 600-feet measured along the street frontage in both directions, and on both sides of the street, from the boundary of the property where the home occupation is proposed. Measurements for purposes of establishing this notice must be in accordance with the Figure A, below. The Current Planning Division will help determine which properties fall within this notice requirement.

**Figure A**



## LEGEND

-  Property on which home occupation is proposed
-  Property included in neighborhood