



**STAFF: PLEASE CHECK PAGE 5 FINDINGS A -  
SUBJECT SITE'S PROPERTY LINE IS NOT LESS THAN 100 FEET FROM ANOTHER  
CFO PROPERTY LINE; AND IF CFO EMPLOYS A PERSON THAT IS NOT A  
HOUSEHOLD MEMBER (BEFORE THE APPLICANT CAN PROCEED TO APPLY WITH  
ALAMEDA COUNTY HEALTH DEPARTMENT).**

**Cottage Food Operation (CFO)**

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**Home Occupation Permit Application Information and Helpful Hints**

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There are many different types of home-based businesses or "Home Occupations" permitted within the City of Livermore. The regulations governing these uses are contained within **Livermore Development Code (LDC) Section 6.02.060 and Chapter 9.05 (copies available upon request)**. The Livermore Development Code is available at any City of Livermore Library branch and online at [www.cityoflivermore.net](http://www.cityoflivermore.net). The code outlines the requirements for the operation of an occupation/business from a private residence. In addition to approval by the Community Development Department, certain types of home occupations may require approval from other City departments such as the Livermore Pleasanton Fire Department or other agencies such as the Alameda County Environmental and Health Department or even the State of California.

All Home Occupation Permit applications are reviewed, issued, and monitored by the Community and Economic Development Department (CEDD) for conformance to the prescribed code requirements, which ensure minimal impact on the neighborhood in which the occupation operates. Applicants are notified within a timely manner of the approval or denial of their application by CEDD Staff. A valid City of Livermore Business Tax License issued by the City of Livermore Finance Department is also required.

Below you will find general information about home occupations. Included are some helpful hints that will allow your application to be processed in a timely manner:

- **A Home Occupation Permit is required no matter the nature, extent or frequency of the business work occurring at the residence.**
- Check with your Home Owners Association's Covenants Codes & Restrictions (CC&Rs) as they are often more restrictive than City of Livermore regulations. Many CC&Rs do not allow home based businesses and they are not enforced by the City of Livermore.
- Print all information legibly. Information which cannot be read or understood may delay the review process.
- Answer each question completely.
- Read all of the information completely before signing the application. Business and property owners are responsible for understanding and complying with the requirements.
- If you are unsure about any of the questions on the application form, please ask a staff member for clarification.
- If a question does not apply to your proposed home occupation/business be sure to answer it, "N/A" (Not Applicable). **Do not leave it blank.**
- Business Tax Licenses require annual renewal.
- When a home occupation has been discontinued for at least 90 days the Home Occupation Permit shall immediately expire. A Cottage Food Operation Home Occupation Permit must be renewed every three years.
- A new application must be submitted if the occupation/business type changes or if the location of the occupation/businesses changes from the original address listed on the original permit application.

Please do not hesitate to ask questions if you are unsure or need clarification.  
City of Livermore staff is available Monday-Friday from 8am-5pm to assist you.

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City Hall  
Permit Center

Community and Economic Development Department  
1052 South Livermore Avenue  
Livermore, CA 94550

phone: (925) 960-4450  
fax: (925) 960-4459  
TDD: (925) 960-4104

[www.cityoflivermore.net](http://www.cityoflivermore.net)

05/15/2019

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COTTAGE FOOD OPERATION (CFO) HOME OCCUPATION PERMIT APPLICATION

(Fee: \$90)

Staff Use Only (See Page 5): HOP No. Date Issued Permit Expires on (3 years from approved date)

Applicant's Name: Contact Phone Number:

Address of Residence: (Cottage food location) Street Address Apt. No. OWN RENT Zoning District:

Business Name Telephone Number:

Web address (if e-based bus.) E-mail address

Property owner's name and address (if different than applicant):

Property owner's signature: (REQUIRED) Property owner's phone number:

Property owner's email address

Also: Check with your Home Owners Association prior to submitting this application as many do not allow home occupations.

Check box if this application is for a renewal Prior HOP number:

ANSWER THE FOLLOWING QUESTIONS COMPLETELY:

Describe, in detail, the type of business and work to be performed at the residence:

Blank lines for describing the business and work.

Alameda County Environmental Health and Safety Registration/Permit No. dated (please provide a copy of the permit) County's Phone No. 510-567-6773; Website: http://www.acgov.org/aceh

Are you planning to post signs of any type on the residence or on any vehicle in connection with the business? YES/NO If YES, please explain

Will the use, storage, or movement of products, materials, or equipment be in public view or be noticeable beyond the property line in the form of noise, light, odor, vibration, or electrical interference? YES/NO If YES, please explain

Does the business have any employees who do not live at the residence? YES/NO If YES, indicate the number of full time employee/s or part-time employee/s (Only one full-time equivalent non-household employee is allowed and in no event shall more than one part-time employee be working at any one time at a CFO).

Location of designated parking on site for the employee - please provide site plan with dimensions

Will the vehicle connected with this business be limited to one vehicle which shall not be a commercial grade vehicle (for example: box truck, semi-trailer truck, food truck)? YES/NO If NO, please explain

Vehicle information: Year/make/model License Number

**Please read and initial all of the following statements prior to signing this application**

**Initials**

- \_\_\_\_\_ This application is true and correct to the best of my knowledge.
- \_\_\_\_\_ I understand that customers may visit the premises only between 8 a.m. and 6 p.m. daily.
- \_\_\_\_\_ I understand that no more than three customers may be on the premises at any one time.
- \_\_\_\_\_ I understand that if direct sales are proposed at the site of the Cottage Food Operation (CFO), no third parties or customers shall be permitted to dine at the CFO.
- \_\_\_\_\_ I understand that CFO's are prohibited from conducting sales in garages, accessory structures, or outside of the dwelling.
- \_\_\_\_\_ I understand that a CFO Home Occupation Permit (HOP) must be renewed every three years.
- \_\_\_\_\_ I understand that a CFO HOP shall immediately cease to be valid upon the Alameda County registration and/or operating permit becoming invalid.
- \_\_\_\_\_ I understand that a CFO HOP shall not be transferable to another person or dwelling and a new HOP application with an Alameda County registration and/or operating permit specific to the new person or dwelling shall be required.
- \_\_\_\_\_ I understand that a CFO usage shall be restricted to the registered or permitted area of the home provided for by Alameda County Environmental Health.
- \_\_\_\_\_ I understand that a CFO sales shall comply with the gross annual sales limits in state law as set forth in Health & Safety Code Section 112358, as may be amended.
- \_\_\_\_\_ I understand that the storage of stock shall be limited to 100 cubic feet (size of a typical bedroom closet).
- \_\_\_\_\_ I understand that if the business involves the use of hazardous materials, I will submit a Hazardous Materials Declaration.
- \_\_\_\_\_ I have read and understand the Home Occupation requirements in Section 6.02.060 of the Livermore Development Code listed on pages six to eight (6 to 8) of this application.
- \_\_\_\_\_ I understand the City of Livermore may impose additional conditions to a Home Occupation Permit as individual circumstances may require.
- \_\_\_\_\_ I understand approved permit holders and/or property owner may be subject to citation for any confirmed violation(s) of the Home Occupation Regulations contained within the Livermore Development Code.
- \_\_\_\_\_ I understand approved Home Occupation Permits may be revoked by the City of Livermore for a confirmed violation(s) of the requirements contained within the Livermore Development Code.
- \_\_\_\_\_ I understand a valid City of Livermore Business Tax License is required to operate any business in the City of Livermore.

Applicant(s) Signature(s): 1. \_\_\_\_\_ 2. \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_



## **HAZARDOUS MATERIALS DECLARATION**

Pursuant to Section 6.02.040 of the Livermore Development Code this declaration must accompany any Home Occupation Permit Application when the proposed Home Occupation will involve the use of Hazardous Materials as defined in the Livermore Development Code. Pursuant to Section 6.02.060.F (1-4) of the Livermore Development Code, only the following types of hazardous materials may be kept, stored, or used in conjunction with any home occupation within the City of Livermore. List all materials and quantities of the following materials to be used, stored, or kept at the residence.

- 1. All Combustible Liquids, Corrosive Liquids, Class 1 or 2 Oxidizers or Class 1 Water Reactives:

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- 2. All Corrosive Solids, Health Hazards or Class 2 Oxidizers or Fifty (50) pounds for Class 1 Oxidizers:

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- 3. All Flammable Gasses and Inert or Oxidizer gases:

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### **Home Occupations**

F. Storage of hazardous materials (Section 6.02.040 LDC) is limited as follows:

- 1. To one gallon or less total for all combustible liquids, corrosive liquids, class 1 or 2 oxidizers, or class 1 water reactives.
- 2. To 10 pounds total for all corrosive solids, health hazards, or class 2 oxidizers, or 50 pounds for class 1 oxidizers.
- 3. To four standard cubic feet of flammable gases, and 500 standard cubic feet of inert or oxidizer gases.
- 4. **No quantities of other hazardous materials classes are permitted in conjunction with a home occupation.**

### **Definitions.**

Hazardous materials and hazard categories shall be as defined in the Livermore fire code (Uniform Fire Code, Article 9, Article 80, Appendix VI-A). Hazardous materials belonging to more than one category are subject to the regulations of the more stringent group or category.

### **Hazardous Material Declaration.**

Any person requesting approval of the storage or use of hazardous materials shall be required to submit to the planning department a hazardous material declaration 6.02.040.F. The declaration shall contain information regarding the type and quantities of hazardous materials that will be utilized. The declaration shall contain sufficient information for the planning department to determine if the proposed storage and use of the chemicals is consistent with the requirements of this code.

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**Staff Use Only**

**A. Findings (per LDC Section 6.02.060):**

- Copy of Alameda County Environmental Health and Safety Registration/Permit.
- The subject site's property line is at least 100 linear feet from the property line of a site where another CFO is located in a single-family dwelling, couplet/duet, or duplex that has street frontage on the same street as the proposed CFO HOP.
- For all other residential uses and sites (e.g., multifamily housing with 3 or more dwellings attached to each other in a building or located together on a single common property, including but not limited to apartments, condominiums, townhomes), one CFO HOP shall be permitted in each building. An additional CFO HOP may be approved in a multi-family housing building with 3 or more dwellings provided that the number of CFO HOPs does not exceed 10 percent of the number of dwellings in the building.
- If the CFO employs a person that is not a household member occupying the premises, then one off-street parking space, in addition to the minimum number of parking spaces required by the Development Code for the dwelling, shall be designated on the site and its location identified in the application. Required parking may be in tandem to existing required parking on the premises.

**B. Findings (per LDC Section 9.05.080):**

- Be consistent with the General Plan, any applicable Specific Plan, and the development and design standards of the subject residential use.
- Be listed as an allowable use in Part 3 (Specific Zones).
- Comply with the applicable locational, developmental, and operational standards specified in Section 6.02.060 (Home Occupations) as well as any conditions or terms imposed on the Home Occupation Permit.
- Be clearly incidental and secondary to the use of the dwelling for residential purposes and be compatible with surrounding residential uses.

**C. The proposed home occupation will not:**

- Be detrimental to the public convenience, health, interest, safety, or welfare, or materially injurious to the properties or improvements in the immediate vicinity.
- Interfere with the use or enjoyment of neighboring existing or future residential developments, and will not create traffic or pedestrian hazards.

**Action:**    Applied             Approval             Conditional Approval             Denial

**Staff Comments:**

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Fees Received \$ \_\_\_\_\_ Receipt No. \_\_\_\_\_ Business Tax License No. \_\_\_\_\_

Planning Division Review: \_\_\_\_\_ Date: \_\_\_\_\_

Neighborhood Preservation Review: \_\_\_\_\_ Date: \_\_\_\_\_



## **HOME OCCUPATION DEFINITION AND REGULATIONS**

***Definition:*** “Home occupations” means any use conducted entirely within a dwelling and conducted only by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, and is not evidenced beyond the limits of the property by noise, light, smoke, odor, vibration, electrical interference, storage of material or equipment, abnormal human activity, or vehicular traffic or other exterior evidences.

### **Development Code Section 6.02.060 Home Occupations**

Home occupations, as defined in LDC Part 11, which in the opinion of the Planning Commission are clearly uses secondary to the principal use of a dwelling for dwelling purposes, conform to City ordinances, and which will not adversely affect the public safety, health and general welfare of the neighborhood of which they are a part shall be permitted. In addition to special conditions which may be imposed to accomplish the above objective, home occupations shall conform to the following requirements:

- A. No signs are permitted in conjunction with the use, either affixed to the premises or to any vehicle parked on the premises. Easily removable (magnetic) signs are permitted so long as they are removed while parked in view of the neighborhood.
- B. No persons are to be employed to do work appurtenant to the use on the premises other than members of the immediate family residing in the home except for a Cottage Food Operation approved with a Home Occupation Permit (“CFO HOP”) pursuant to Subsection N of this Section.
- C. In the event outside persons are employed to perform functions of this business away from the premises, parking or storage of employees’ vehicles in the neighborhood is prohibited, unless for visits by an employee or customers to a CFO HOP pursuant to Subsection N of this Section.
- D. No noticeable movement of products, materials, machinery, or equipment in and out of the premise is permitted in conjunction with the use.
- E. Storage of stock shall be limited to 100 cubic feet (approximately the size of a typical residential bedroom closet).
- F. Storage of hazardous materials is limited as follows:
  - 1. To one gallon or less total for all combustible liquids, corrosive liquids, Class 1 or 2 oxidizers, or Class 1 water reactives.
  - 2. To 10 pounds total for all corrosive solids, health hazards, or Class 2 oxidizers, or 50 pounds for Class 1 oxidizers.
  - 3. To four standard cubic feet of flammable gases, and 500 standard cubic feet of inert or oxidizer gases.
  - 4. No quantities of other hazardous materials classes are permitted in conjunction with a home occupation.
- G. Vehicles connected with this business are limited to one vehicle which shall not be a commercial grade vehicle. Examples of a commercial grade vehicle include but are not limited to a box truck, semi-trailer truck, bus, or a vehicle used for loading, transporting or manipulating construction materials or debris.
- H. Vehicle related services such as, but not limited to, repair, cleaning, tune-ups, couriers, delivery or transport of goods or people and services requiring employees, customers or clients to visit the residence shall be prohibited except for employee and customer or client visits pursuant to Subsections J and N of this Section.
- I. The home occupation shall involve no on-site clients except for:
  - 1. Home occupations in live/work units in the Transect zones and NMU zone;
  - 2. One-on-one instructional services by appointment, such as tutoring or musical instruction of children;
  - 3. Applicants with a demonstrated mobility handicap; and
  - 4. A CFO HOP pursuant to Subsection M of this Section.

- J. There shall be no on-site exterior storage of equipment, vehicles (in excess of the single vehicle), materials or supplies connected with this business.
- K. Tools or equipment connected with the business shall be operated so as to be imperceptible at or beyond the property line.
- L. The following uses shall be considered prohibited:
  - 1. Adult businesses
  - 2. Animal hospitals (and related services)
  - 3. Barber/beauty/nail shops
  - 4. Dance/night clubs
  - 5. Food preparation for commercial purposes except a CFO HOP pursuant to Subsection M of this Section
  - 6. Fortune telling (psychics)
  - 7. Repairs
    - a. small engine
    - b. television/radio
    - c. appliance
    - d. vehicle
    - e. upholstery
  - 8. Massage (on-site)
  - 9. Medical/dental offices/clinics/laboratories
  - 10. Photography studios (not including photo processing)
  - 11. Plant nursery
  - 12. Retail or wholesale sales of products stored at the residence, except for a CFO HOP and to allow mail order businesses where there is no stock-in-trade on the site
  - 13. Party-type sales, except when done at client's location
  - 14. Automotive detailing and/or painting
  - 15. Welding and machining
  - 16. Other uses determined by the Director not to be incidental to or compatible with residential activities.

M. Cottage Food Operation.

A Cottage Food Operation (CFO), as defined in Section 113758 of the Health and Safety Code as may be amended (for example, home-based preparation of non-perishable types of food for sale), may be permitted with a Home Occupation Permit (CFO HOP) subject to the following provisions:

- 1. Restrictions:
  - a. No proposed CFO HOP shall be approved unless it complies with the following spacing standards:
    - i. A CFO HOP shall not be approved in a single family dwelling, couplet/duet, or duplex, unless the subject site's property line is at least 100 linear feet from the property line of a site where another CFO is located in a single family dwelling, couplet/duet, or duplex that has street frontage on the same street as the proposed CFO HOP.
    - ii. For all other residential uses and sites (e.g., multifamily housing with 3 or more dwellings attached to each other in a building or located together on a single common property, including but not limited to apartments, condominiums, townhomes), one CFO HOP shall be permitted in each building. An additional CFO HOP may be approved in a multi-family housing building with 3 or more dwellings provided that the number of CFO HOPs does not exceed 10 percent of the number of dwellings in the building.



- b. A CFO shall be required to obtain and maintain a registration and/or operating permit from Alameda County Environmental Health and Safety and furnish a copy to the City of Livermore prior to issuance of a CFO HOP. A copy of such registration/permit should be furnished to the City within 15 days of its issuance by Alameda County.
  - c. Customers may visit the premises only between 8 a.m. and 6 p.m. daily.
  - d. No more than three customers may be on the premises at any one time.
  - e. If direct sales are proposed at the site of the CFO, no third parties or customers shall be permitted to dine at the CFO.
  - f. CFO's are prohibited from conducting sales in garages, accessory structures, or outside of the dwelling.
  - g. A CFO may employ not more than one full-time equivalent non-household member as an employee. In no event shall more than one part-time employee be working at any one time at a CFO.
  - h. If the CFO employs a person that is not a household member occupying the premises, then one off-street parking space, in addition to the minimum number of parking spaces required by the Development Code for the dwelling, shall be designated on the site and its location identified in the application. Required parking may be in tandem to existing required parking on the premises.
  - i. A CFO HOP must be renewed every three years.
  - j. A CFO HOP shall immediately cease to be valid upon the Alameda County registration and/or operating permit becoming invalid.
  - k. A CFO HOP shall not be transferable to another person or dwelling and a new HOP application with an Alameda County registration and/or operating permit specific to the new person or dwelling shall be required.
  - l. CFO usage shall be restricted to the registered or permitted area of the home provided for by Alameda County Environmental Health.
  - m. CFO sales shall comply with the gross annual sales limits in state law as set forth in Health & Safety Code Section 112358, as may be amended.
- N. A Home Occupation Permit shall be obtained in compliance with Chapter 9.05 (Home Occupation Permits).