



# COMMUNITY DEVELOPMENT DEPARTMENT

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## HOME BUSINESS PERMIT APPLICATION

Permit No. \_\_\_\_\_

### City Home Business Regulations

#### **Appendix A, Section 13: Home Occupations**

- (a) **Purpose and intent.** The City of Eagle Pass recognizes the need for some citizens to use their place of residence for limited nonresidential activities. However, the city believes that the need to protect the residential character of residential areas is of paramount concern. In essence, the objective of this chapter is to allow limited commercial type activity in residential areas only to the extent that such commercial activity is not obtrusive to neighbors or passersby.
- (b) **Permitted home occupations.** The following home occupations shall be permitted in any residential zone without conditional use permits providing they meet the performance standards in section e. of this chapter:
- (1) Dressmaking, sewing and tailoring
  - (2) Painting, sculpturing or writing
  - (3) Telephone answering or soliciting
  - (4) Home crafts such as model making, rug weaving and lapidary
  - (5) Tutoring limited to two students at a time
  - (6) Home cooking and preserving (Texas Cottage Food Law)
  - (7) Computer programming
- (c) **Prohibited home occupations.** The following home occupations are prohibited in all residential zones:
- (1) Animal hospitals
  - (2) Dancing studios, exercise studios
  - (3) Mortuaries
  - (4) Private clubs
  - (5) Restaurants
  - (6) Stables or kennels
  - (7) Automobile body shops
  - (8) Occupations involving explosives or other hazardous materials
- (d) **Conditional use permits.** All home occupations not specifically listed in subsection (b) above shall obtain a conditional use permit from the planning and zoning commission prior to conducting any business activity. The conditional use permit shall be obtained in the manner provided in *Section 21 of City of Eagle Pass Code of Ordinances Appendix A.*
- (e) **Performance standards.** In considering applications for conditional use permits for home occupations, the Planning and Zoning Commission of Eagle Pass shall be guided by the following considerations:
- (1) The legislative intent as set forth in section 1 above;
  - (2) No materials or equipment shall be permitted which would be detrimental to the residential use of nearby residences such as vibration, noise, dust, smoke, odor, interferences with radio or television reception and other factors detrimental to residential use;
  - (3) A home business shall not be permitted which requires frequent home deliveries for commercial purposes;

- (4) A home business shall not be permitted which will result in the parking of customers' automobiles in a manner, frequency, or number which will cause traffic congestion or will unduly inconvenience nearby residences;
  - (5) Signs for home occupations shall be located on the lot for which the conditional use permit is issued. One sign, unlighted and attached to the building which shall not exceed six square feet in area may be permitted;
  - (6) Employment in a home occupation shall be limited to persons residing in the dwelling unit where the home occupation is conducted;
  - (7) No conditional use permit for a home occupation shall be granted by the planning and zoning commission unless the applicant has furnished proof of having registered with the State of Texas Comptrollers Office;
  - (8) There shall be no exterior indication of the home occupation or variation from the residential character of the principal or accessory buildings except for a sign in conformance with this chapter;
  - (9) There shall be no outside storage or display of items for sale, materials or equipment to be used in conjunction with the home occupation.
  - (10) In no case shall a home occupation be open to the public at times earlier than 7:00 a.m. nor later than 10:00 p.m.
- (f) **Pre-existing home occupations.** Any home occupation which lawfully existed on the effective date of *Section 13* shall be allowed to continue operation in accordance with *Section 16*.

Proposed Business Name: \_\_\_\_\_

Site Address: \_\_\_\_\_ Square Footage: \_\_\_\_\_

**Tenant Information**

Business Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Property Owner Information, if different from Tenant**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Description of Business:** \_\_\_\_\_

\_\_\_\_\_

Days and Hours of Operation: \_\_\_\_\_

**Project Design (If Applicable)**

All building construction is required to comply with provisions of the *City of Eagle Pass Code of Ordinances* and the 2018 *International Building Code* (IBC), the 2018 *International Residential Code for One and Two Family Dwellings* (IRC), the 2018 *International Fire Code* (IFC), the 2017 *National Electrical Code* (NEC), the 2018 *International Mechanical Code* (IMC), the 2018 *International Plumbing Code* (IPC), the 2018

International Existing Building Code (IEBC), the 2018 International Energy Conservation Code (IECC), and the 2012 Texas Accessibility Standards.

**City Inspections (If Applicable)**

- Zoning district requirements
- Gas installation
- Sewer
- Health Inspection
- Final electrical, mechanical, plumbing, and building
- Off-street parking
- A *Certificate of Occupancy / Certificate of Compliance* will be issued once the structure and site have been inspected and approved for compliance with all applicable building codes and city ordinances

**Applicant Authorization**

I (We) authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this certificate of occupancy permit application.

I (We) the undersigned property owner(s) of record hereby state that I have prepared this application and site development plan and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the project. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of building permit approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application permit, and I understand that a new application may be required if the scope of the project is modified.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Tenant (If Applicable)

\_\_\_\_\_  
Date

SWORN AND SUBSCRIBED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public STATE OF TEXAS

|                       |                                                          |              |              |
|-----------------------|----------------------------------------------------------|--------------|--------------|
| <b>Office<br/>Use</b> | Date Application received for review:                    | Received by: | Routed to:   |
|                       | Missing Supporting Documents, if applicable:             |              |              |
|                       | Date Supplemental Info or Supporting Documents Received: |              | Received by: |
|                       | Permit Issuance Date:                                    |              | Issued by:   |