



Planning & Development Services Department

550 Landa Street
New Braunfels, Texas 78130
(830) 221-4050 www.newbraunfels.gov

Home Occupation Certification Application

Purpose: Standards for controlling home occupations are set forth to minimize annoyance and inconvenience to neighboring property owners within residential areas. These standards are intended to allow reasonable and comfortable enjoyment of adjacent and nearby property by their owners and by occupants of neighboring residential dwellings, while providing opportunities for the pursuit of home-based businesses.

Applicant Information:

Name of Resident/Business Owner: _____

Property Address: _____

Email: _____ Phone Number: _____

Proposed Home Occupation Information:

Name of Business: _____

Description of Business: _____

The following are uses permitted for Home Occupation, please select what category the proposed use falls under:

- Office facility of an accountant, architect, landscape architect, attorney, engineer, consultant, insurance agent, realtor, broker, or similar profession;
- Author, artist, artisan, or sculptor;
- Dressmaker, seamstress or tailor;
- Music or dance teacher, or similar types of instruction, provided that instruction shall be limited to no more than five pupils at a time;
- Individual tutoring;
- Office facility of a minister, rabbi, priest or other cleric;
- Home crafts, such as rug weaving, model making, etc.;
- Office facility of a salesman, sales or manufacturer's representative, provided that no retail or wholesale transactions or provision of services are personally and physically made on the premises;
- Repair shop for small electrical appliances, cameras, watches and clocks, and other small items, provided that the items can be carried by one person without using special equipment, and provided that the items are not equipped with an internal combustion engine;
- Food preparation establishments such as cake making, decorating or catering, provided that there is no on-premises consumption by customers, and provided that all aspects of the business comply with all state and local health regulations;
- Family homes, in compliance with applicable state laws, which are incorporated herein by reference, with no more than six children or adults;
- Barber shop or beauty salon or manicure studio, provided that no more than one customer is served on the premises at any one time;
- Swimming lessons and water safety instruction, provided that such instruction involves no more than two pupils at any one time;
- Activity involving primarily a computer;
- Contractor, provided that there shall be no outside storage of materials related to the operation of the business and any interior storage shall count toward the maximum area allowed in subsection 144-5.4(b)(3).

The following are regulations and restrictions for Home Occupations, please check next to each one to indicate you have read and agreed to the requirements:

- No alteration or change in the character or exterior appearance of the principal building from that of a residential dwelling.
- Performance of the occupation activity shall not be visible from the street.
- Occupation is incidental and secondary to the residential use, and does not exceed 30% of the combined floor area of dwelling and accessory buildings used for the occupation, or 600 square feet, whichever is less.
- No more than one employee who is not a member of the household.
- No more than one business-related commercial vehicle present at one time.
- Outdoor activities may operate between the hours of 8:00 a.m. and 9:00 p.m.
- One commercial vehicle, GVW capacity of one ton or less, parked behind the front building line on the property, but may not park in the street.
- No increase in vehicular traffic beyond what normally occurs within a residential district; no deliveries more than twice per day.
- Activity takes place primarily within the dwelling; no outside storage, including trailers; no outside display related to the home occupation use.
- No mechanical or electrical equipment other than that customarily found in a home office or customarily associated with a hobby conducted for pleasure and not for profit.
- No noise, vibration, glare, fumes or odors, heat or electrical interference beyond what normally occurs within a residential district.
- No use of chemicals that are obnoxious or hazardous to the welfare of the neighborhood.
- One non-illuminated sign attached to the exterior, not exceeding four square feet in area.
- No commodity for sale on the premises.
- I have reviewed the uses permitted and prohibited as a home occupation.

Please note that Home Occupations shall also be subject to any and all other provisions of local, state and federal regulations and laws that govern such uses.

SUBMITTAL CHECKLIST:

STAFF:	APPLICANT:
<input type="checkbox"/>	<input type="checkbox"/> Completed application
<input type="checkbox"/>	<input type="checkbox"/> Floor plan showing location and total area utilized for Home Occupation
<input type="checkbox"/>	<input type="checkbox"/> Fee (\$25.00)

By signing below, I certify that my home occupation meets all of the above requirements.

Business Owner Signature

Date

Business Owner Name (printed)

Date

Keep this section for your records.

Please read the following information regarding Home Occupations prior to submitting an application.

Sec. 144-5.5. - Home occupation regulations.

5.5-1. Purpose. Standards for controlling home occupations are set forth to minimize annoyance and inconvenience to neighboring property owners within residential areas. These standards are intended to allow reasonable and comfortable enjoyment of adjacent and nearby property by their owners and by occupants of neighboring residential dwellings, while providing opportunities for the pursuit of home-based businesses.

5.5-2. Special provisions for home occupations.

- (a) Home occupations shall be permitted as accessory use in all residential zoning districts provided that they comply with all restrictions herein;
- (b) The occupation shall produce no alteration or change in the character or exterior appearance of the principal building from that of a residential dwelling, and performance of the occupation activity shall not be visible from the street;
- (c) Such use shall be incidental and secondary to the use of the premises for residential purposes, and shall not utilize floor area exceeding 30 percent of the combined gross floor area of dwelling unit and any accessory building(s) that are used for the home occupation (in no case shall the combined floor area utilized for a home occupation exceed 600 square feet);
- (d) The occupation shall not employ more than one person who is not a member of the household in which the home occupation occurs;
- (e) Not more than one business-related commercial vehicle shall be present at one time;
- (f) The operation of such an occupation shall be between the hours of 8:00 a.m. and 9:00 p.m. for outdoor activities;
- (g) One commercial vehicle, gross vehicle weight capacity of one ton or less, according to the manufacturer's classification, may be used, or parked behind the front building line on the property, in connection with the home occupation, but said vehicle may not be parked in the street;
- (h) The occupation activity shall not increase vehicular traffic flow beyond what normally occurs within a residential district, and shall not require regular and frequent deliveries (more than twice per day) by large delivery trucks or vehicles with a rated capacity in excess of one and one-half tons, according to the manufacturer's classification;
- (i) The home occupation use/activity shall take place primarily within the dwelling, and there shall be no outside storage, including trailers, or outside display related to the home occupation use;
- (j) No mechanical or electrical equipment shall be employed on the premises other than that which is customarily found in a home office environment, and that which is customarily associated with a hobby or avocation which is conducted solely for pleasure and not for profit or financial gain;
- (k) The home occupation shall not generate noise, vibration, glare, fumes or odors, heat or electrical interference beyond what normally occurs within a residential district;
- (l) The occupation shall not require the use of chemicals on the property that are obnoxious or hazardous to the welfare of the neighborhood;
- (m) One non-illuminated identification sign that is physically attached to the exterior of the structure, with a sign area no larger than four square feet is permitted;
- (n) The occupation shall not offer any commodity for sale on the premises.

5.5-3. Applicability of other regulations. Home occupations shall also be subject to any and all other provisions of local, state and federal regulations and laws that govern such uses.

5.5-4. Uses allowed as home occupations. Subject to the provisions of this division, home occupations may include the following uses:

- (a) Office facility of an accountant, architect, landscape architect, attorney, engineer, consultant, insurance agent, realtor, broker, or similar profession;
- (b) Author, artist, artisan, or sculptor;
- (c) Dressmaker, seamstress or tailor;
- (d) Music or dance teacher, or similar types of instruction, provided that instruction shall be limited to no more than five pupils at a time;
- (e) Individual tutoring;
- (f) Office facility of a minister, rabbi, priest or other cleric;
- (g) Home crafts, such as rug weaving, model making, etc.;
- (h) Office facility of a salesman, sales or manufacturer's representative, provided that no retail or wholesale transactions or provision of services are personally and physically made on the premises;
- (i) Repair shop for small electrical appliances, cameras, watches and clocks, and other small items, provided that the items can be carried by one person without using special equipment, and provided that the items are not equipped with an internal combustion engine;
- (j) Food preparation establishments such as cake making, decorating or catering, provided that there is no on-premises consumption by customers, and provided that all aspects of the business comply with all state and local health regulations;
- (k) Family homes, in compliance with applicable state laws, which are incorporated herein by reference, with no more than six children or adults;
- (l) Barber shop or beauty salon or manicure studio, provided that no more than one customer is served on the premises at any one time;
- (m) Swimming lessons and water safety instruction, provided that such instruction involves no more than two pupils at any one time;
- (n) Activity involving primarily a computer;
- (o) Contractor, provided that there shall be no outside storage of materials related to the operation of the business and any interior storage shall count toward the maximum area allowed in subsection 144-5.4(b)(3).
- (p) Such uses must be located in the dwelling used by the person who has the home occupation as his or her private residence.
- (q) Said incidental use shall never be permitted as a principal use but only as a secondary use when indispensably necessary to the enjoyment of the premises.

5.5-5. Uses prohibited as home occupations. Home occupations shall not, in any event, be deemed to include the following uses:

- (a) Animal hospitals or clinics, commercial stables having more than two horses per acre or kennels;
- (b) Restaurants or on-premises food or beverage, including private clubs, consumption of any kind, except for limited food or meal consumption associated with the operation of a licensed registered family home or a bed and breakfast facility;
- (c) Automobile, boat or trailer paint or repair shop; small engine or motorcycle repair shop; welding shop; large household appliance repair shop; or other similar type of business;
- (d) On-premises retail or wholesale sales of any kind where multiple customers patronize the sales business on-site, except for items that are produced entirely on the premises in conformance with this Code, and except for occasional garage sales (no more than two per calendar year and shall not be held within six months of each other);
- (e) Commercial clothing laundering or cleaning;
- (f) Mortuaries or funeral homes;
- (g) Trailer, vehicle, tool or equipment rentals;
- (h) Repair shops for any items having internal combustion engines; and
- (i) Any use that would be defined by the building code as an assembly, factory or industrial, hazardous, institutional or mercantile occupancy.

5.5-6. Home occupation uses not classified herein. Any use that is not either expressly allowed nor expressly prohibited by this division is considered prohibited, unless and until such use is classified by amendment to this chapter by the city council, subsequent to an affirmative recommendation by the planning commission.

5.5-7. Effect of section 144-5.5 upon existing home occupations. Any home occupation that was legally in existence as of the effective date of this chapter and that is not in full conformity with the provisions herein shall be deemed a legal nonconforming use, and provided that the home occupation use was not in violation of any other local, state or federal law or regulation on that date. Proof of the existence of such home occupation use prior to the effective date of this Code may be required by the planning department.

Should you have any questions, please contact the Planning Division at (830) 221-4050

INSTRUCTIONS FOR SUBMITTING THIS APPLICATION

This application can be submitted online using the City of New Braunfels permit portal. For instructions on how to submit this permit application, please read below.

1. Access the online permit portal at <https://nbpermits.nbtexas.org/publicaccess> . Once you arrive at the Portal Login Page you will need to create a username and password.
 - a. The username will need to be a valid email address and you will be informed of the status of your application via email.
 - b. Password Requirements are: Minimum of 8 characters and must include at least one uppercase, one lowercase, and a number. Passwords cannot match your email address, first, or last name.
2. Select the Create Application button at the top center of the page and click on the Planning/Zoning folder.
3. Navigate to the desired application on the following pages. The application will be titled the same as it is on page 1 of this document.
4. Once you have found the correct application type, click on it once and select the Begin Application button.
5. Enter the application information:
 - a. Main: Subject property location (if applicable) and description of the request.
 - b. People: Your contact information. The email address provided will receive status updates on the application as it proceeds through the review process. You can add additional email addresses to receive status updates, but the provided email addresses must have a permit portal account.
 - c. App Form: Questions relating to the application.
 - d. Attachments: Upload a digital copy of this application and all required documents listed on page (2). Attachments must be .pdf format and named as they are listed on this application. **ALL REQUIRED DOCUMENTS LISTED ON THE APPLICATION MUST BE ATTACHED OR THE APPLICATION IS CONSIDERED INCOMPLETE.**
 - e. Payment: The required fee to submit. Please note: all credit/debit card transactions will incur a 2.75% processing fee. We encourage you to utilize one of our free options which include cash, check or e-Check.

You will receive a confirmation email once the application is submitted. If the application is incomplete or requires corrections, you will be emailed by a staff member requesting the information that is necessary to continue review. **AN INCOMPLETE APPLICATION WILL NOT CONTINUE TO BE REVIEWED AND CAN DELAY THE PROCESS.** Communication from the portal system will originate from cwmessenger@nbtexas.org.

If you have any questions, please contact Development Planning Division Staff at planning@nbtexas.org or (830) 221-4050.