

# HOME BASED BUSINESS LICENSE CERTIFICATE

## HOME-BASED BUSINESS CODE REQUIREMENT

### **Sec. 38.360.140 Bozeman Municipal Code. - Home-based businesses.**

A. Generally. A home-based business is a use that is considered accessory to a dwelling unit. Buildings combining live/work arrangements located in districts where both the residential and nonresidential uses to be combined are authorized are not subject to the requirements of this section.

B. Home-based business as accessory use.

1. The use shall be clearly incidental and secondary to the use of the dwelling for residential purposes and shall not change the character of the dwelling or adversely affect the uses permitted in the residential district of which it is a part. The home-based business may not be conducted in an accessory structure, and shall comply with the standards of subsection 38.360.140.C BMC, which requires a conditional use permit,

2. Purpose. It is in the intent of this section to eliminate as accessory home-based businesses for all uses except those that conform to the standards set forth in this section. In general, an accessory homebased business is a use so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence with the exception of permitted signage as allowed by article 28 of the Chapter 38 of the Municipal Code. The standards for home-based businesses included in this section are intended to ensure compatibility with other permitted uses and with the residential character of the neighborhood. A clearly accessory or incidental status in relation to the residential use of the main building is the criteria for determining whether a proposed accessory use qualifies as an of right home-based business.

3. Necessary conditions for accessory use. Accessory home-based businesses are permitted accessory uses in residential districts only so long as all the following conditions are observed:

- a. Such home-based business shall be conducted by resident occupants in their residence with not more than one on-premises haltime nonresident employee;
- b. No more than 25 percent of the gross area of all structures shall be used for such purpose;
- c. No use shall require internal or external alterations or involve construction features or the use of electrical or mechanical equipment that would change the fire rating of the structure;
- d. No home-based business shall cause an increase in the use of any one or more utilities (water, sewer, garbage, etc.) so that the combined total use for dwelling and home-based business purposes exceeds the average for residences in the neighborhood;
- e. There shall be no outside storage of any kind related to the home-based business;
- f. The use may increase vehicular traffic flow and parking by no more than one additional vehicle at a time. Depending on the individual circumstances of each application, an additional off-street parking space may be required; and
- g. No use shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy in the district in question under normal circumstances wherein no home-based business exists.

4. Notice of intent to operate an accessory home-based business. Any individual applying for a business license, with the intent of operating the business from such person's home, shall acknowledge by signature such person's understanding of the requirements and conditions of this chapter.

## Home-Base Business Acknowledgement Form City of Bozeman, Montana

Finance Office  
PO Box 1230  
Bozeman, MT 59715  
406.582.2327

To the Community Development Director:

I, the undersigned applicant for a Home-Based Business, do hereby certify that I have read and understand the requirements and conditions of Chapter 38.360.140 of the City of Bozeman Zoning Ordinance and agree to abide by all said requirements which regulate and limit the types and intensity of home-based businesses.

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Applicant

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Date

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Applicant Signature

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Date

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Business Name