

Home Occupation Code Draft

Overview Current Code:

Current code section	Proposed code structure
17.48.120 Home occupations – Permitted uses.	Change to Home occupations – Applicability
17.48.130 Home occupations – Required criteria.	Remain as redlined
17.48.140 Home occupations in accessory buildings – Permit required.	Remove section
17.48.150 Home occupations – Fronting residential arterial streets.	Remove section

17.48.120 Home occupations – Applicability

A. Purpose. The purpose of this section is to prescribe the conditions and regulations under which home occupations may be conducted when accessory to a residential use. The conduct of business within a residential dwelling or accessory building may be permitted in residential and commercial districts under the provisions of this section as long as the home occupation is consistent with the existing character of the surrounding neighborhood as defined by the approval criteria in 17.48.130. Using the approval criteria, it is the intent of this section to:

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1. Maintain and preserve the character of residential neighborhoods;
2. Ensure the compatibility of home occupations with other uses permitted in the residential and commercial districts;
3. Promote the efficient use of public services and facilities while assuring that home occupation users do not reduce the City's public services and facilities level of service to intended residential users; and
4. Encourage flexibility in the workplace and creativity in careers by permitting home occupations.

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B. Permitted Home occupation uses. The following home occupations and other operations similar in nature may be operated as an accessory use to a dwelling unit:

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1. Custom dressmaking, millinery, tailoring, sewing of fabric for custom apparel and home furnishing;
2. Teaching of piano, voice or dancing, limited to a total of six pupils simultaneously;
3. Fine art studio in which are created only individual works of art;
4. Rooming and boarding of not more than four persons, exclusive of the resident family;
5. Beauty salon, provided the business is limited to the operations of two dryers;
6. Offices staffed only by resident of dwelling unit; or
7. Any use not mentioned will be reviewed against the home occupation required criteria and deemed a home occupation by the City Planner or his/her designee;

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8. All types of services and commercial businesses, providing they meet all of the requirements of this section after having the compatibility of the enterprises ascertained by the hearings examiner.
9. Any use not mentioned will be reviewed against the home occupation required criteria and deemed a home occupation by the Community Development Director or his/her designee.

C. Prohibited Home occupation uses. The following uses, regardless of whether they meet the standards of 17.48.130, are not permitted as home occupations:

1. Veterinary clinics, animal hospitals, or kennels;
2. Equipment rental;
3. Funeral chapels, mortuaries, or funeral homes;
4. Wedding chapels;
5. Medical or dental clinics;
6. Repair or painting of automobiles, motorcycles, trailers, boats, or other vehicles;
7. Repair of large appliances (e.g., ranges, ovens, refrigerators, washers, dryers, and the like);
8. Repair of power equipment (e.g., lawn mowers, snow blowers, chain saws, string trimmers, and the like);
9. Restaurants; and
10. Welding or metal fabrication shops.

D. Exempt. If the home occupation is limited to those activities which involve professional remote office work for a business conducted elsewhere, has no outward manifestation of the business, and no customers or employees coming to the home, it shall be considered "exempt." An exempt home occupation shall be considered an accessory use and permitted outright with no land use permit required.

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17.48.130 Home occupations – Required criteria.

A. Development requirements. Failure to comply with any or all of the following development standards will result in revocation of the home occupation permit. The director shall have authority to place such restrictions and conditions on the permit as deemed necessary to protect the neighborhood from any detrimental effect which may arise from the proposed use. Once a home occupation permit has been issued, it shall not be transferable to another person or location, nor shall the specified conditions be changed in any manner except upon reapplication. If after issuance of the permit, the use violates any of the conditions of the permit, or if the director otherwise finds the use to have a detrimental effect on the surrounding neighborhood, the director shall have the authority to place additional restrictions on the permit or to revoke the permit and order the use abated.

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B. Criteria. All permitted home occupations shall comply with the following criteria:

1. **Business License:** All home occupations shall be required to obtain a business license as provided for in Chapter 5.01, CRMC. Consideration of a home occupation business license requires a Type I development review process, the application materials and procedures for which are provided in CRMC 17.77.040. Thereafter all home occupations shall be required to renew the business license each year from the city clerk-treasurer's office and, upon review by an authorized representative of the city ~~and/or fire department,~~ shall:

- a. Either be allowed to continue if found to be conforming to this title or any conditional use requirements;
- b. Be allowed to continue with corrective modifications made by the applicant if found to be nonconforming to any requirements of this title or any conditional use requirements; or
- c. Be discontinued for cause if found to be nonconforming to this title or any conditional use requirements and, despite modifications, the use is not capable of conformance.

1.2. **Annual Inspection:** ~~During the required annual inspection it shall be determined if the current conditions of the home occupation comply with those that existed at the time of original approval and the other criteria of this section. An inspection shall be required upon the initial application to confirm compliance with this Chapter.~~ Additionally, the city clerk-treasurer or designated representative may inspect the location of the home occupation at any time during the year if there is reason to believe that the provisions of this title are not being obeyed ~~or if changes have occurred to the structure that could have altered compliance with this Chapter.~~ For example, a complaint is made against the home occupation or possible inappropriate activities are observed by city staff. If the home occupation is not in compliance with this section then the alternatives listed in subsection (A) of this section shall apply.

3. **Building Code Compliance:** ~~The home occupation shall not result in an increase in the life safety hazard rating of the subject property as defined in the building and fire code. The applicant shall produce copies of a floor plan in accordance with the requirements listed in 17.77.040.~~

4. ~~The home occupation is to be secondary to the main use of the dwelling as a residence or a single residential accessory building.~~

5. ~~The home occupation does not generate, in excess of levels customarily found in residential neighborhoods in the City, any vibration, smoke, dust, odors, noise, electrical interference with radio or television transmission or reception, or heat or glare that is noticeable at or beyond the property line of the subject property.~~

2.6. ~~No entrance to the space devoted to the home occupation other than from within the dwelling or accessory building shall be allowed except when otherwise required by law.~~

3.7. ~~A maximum of two persons may be engaged in the home occupation, provided the business owner resides in the dwelling unit associated with the home occupation.~~

8. ~~Window displays or sample commodities displayed outside the home or accessory structure may be permitted as a conditional use or a temporary use permit if associated with a temporary sale or event.~~

9. Home occupation signs shall meet the standards in 17.82.

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10. No materials or mechanical equipment shall be used which will be detrimental to or cause adverse effects to the residential use of the dwelling, accessory building, adjoining dwellings, or neighbors because of vibrations, noise, dust, smoke, odor, interference with radio or television reception, or other factors.
11. No materials or commodities shall be delivered to or from the resident which are of such bulk or quantity as to require delivery by a commercial vehicle or trailer, excluding such small delivery vehicles as the United States Postal Service, UPS, Federal Express, Pony Express and other similar services.
12. The type of use, as determined by the city director of public works, shall not be one which generates frequent customer visits, creates street-side parking problems or inconveniences to adjacent and nearby residents, or creates potential or real traffic hazards to neighborhood residents.
13. Materials, products or commodities related to the home occupation may be stored and/or operated upon any yard area of the subject residential property as a conditional use.
- 4.14. Fees for home occupation business licenses, conditional use permits and required inspections shall be set forth in a fee schedule as determined by the city council and/or fire department.

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