

REQUEST FOR PLANNING COMMISSION REVIEW

Meeting Date: July 16, 2025

Subject: Home Occupations

Attachments: Draft TMC 17.54 Code Language

Presented by: Andrew Hattori, CED Director

Approved For Agenda By: Andrew Hattori, CED Director

Background:

Planning Commission discussed the potential modifications to Home Occupancies at the April 16, 2025 Planning Commission meeting, directing staff to revise the code to make it easier to understand and include provisions for a slight increase in allowable square footage. These modifications were made, and staff additionally presented the preliminary work for Council consideration at the May 5, 2025 City Council Study Session meeting. City Council relayed some concerns over the removal of neighbor considerations and the potential of excluding certain types of businesses. At the May 21, 2025 Planning Commission meeting, discussion was further had on if we should set parameters or specifically prohibit certain types of uses. Staff was directed to research and present parameters other jurisdictions have successfully implemented to present at a later meeting. And at the June 18, 2025 Planning Commission meeting discussion occurred about different options available to the City to limit/monitor different uses, the result was an increase to the listed parameters as attached in the draft code.

Discussion:

After the June 18, 2025 Planning Commission meeting, staff prepared the attached code language increasing the level and amount of parameters that a potential home occupation would need to comply to in addition to previous procedural amendments presented at prior meetings.

The added code parameters and language can be described as:

- No media or off-premises advertising shall give the address or location of the home occupation.
- May only be operated and staffed with residents of the property.
- Client visits may only occur during the hours between 8:00 AM and 8:00 PM.
- No more than eight customer vehicles visits to the site a day.
- No materials that are explosive, highly flammable, corrosive, radioactive or toxic may be utilized or discarded on premises.
- Services to patrons shall be arranged by appointment.
- All stock and goods must be produced on site, by hand, without the use of automated or production line equipment.
- Delivery and shipments to and from the site with frequency that would involve commercial motor vehicles are prohibited.
- The home occupation cannot require the use of electrical or mechanical equipment that would change the fire rating of the structure.
- The home occupation does not require the use of electrical equipment that exceeds the FCC standards for residential use.
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- The home occupation shall not increase the water or sewer use so that the combined total use of the dwelling and the home occupation is significantly more than the average for residences in the neighborhood.
- Any home occupation authorized under the provisions of the Municipal Code shall be open to inspection and review at all reasonable times by enforcement officials for purposes of verifying compliance with the conditions of approval and other provisions of this code.

Staff is seeking direction on if the proposed code language is sufficient enough to be presented for approval by City Council, or if further discussion and modifications are needed before proceeding.

Recommendation: Option 1. Recommend approval for creating TMC 17.54 relating to home occupations as presented at the July 16, 2025 Planning Commission meeting. **Option 2.** Continue for discussion at the August 20, 2025 Planning Commission meeting.

Chapter 17.54

Home Occupations

Sections:

17.54.010 Purpose

17.54.020 Application

17.54.030 Administrative decision

17.54.040 Approval Criteria

17.54.050 Appeal

17.54.060 Revocation of license and appeal

17.54.010 Purpose

This chapter is established to provide a means to provide a means for the conduct of business to be permitted as an accessory to an established residence within a residential district. The purpose is to create an administrative framework to authorize such uses that do not pose a disruption to or conflict with the existing and planned residential environment.

17.54.020 Application

Applications for a home occupation shall be submitted to the City on forms provided by the Development Services department with a fee as required, that may be amended from time to time, contained with the City's fee schedule.

17.54.030 Administrative decision

~~Special Property~~Home occupation permits may be issued as defined in TMC 17.08.170, by the zoning administrator or ~~his/her~~ their designee, within the R1 and R2 residential districts only.

17.54.040 Approval criteria

Applications for a home occupation shall be approved following the review by the zoning administrator or their designee once the applicant has shown that their business conforms with all of the following criteria:

- A. There must be a residence on site, and the ~~proprietor of the home occupation business must reside in that residence~~ property owner must provide approval for the home occupation business.
- B. The home occupation must be of a service character or service-oriented only. Retail sales of goods are permissible only if incidental and directly pertaining to the service being offered.
- C. The home occupation shall be allowed in any attached portion of the dwelling unit or in a detached accessory building. All aspects of the conduct of a home occupation shall be confined, contained and conducted within the dwelling or within a completely enclosed accessory building.

D. The aggregate of all space within any or all buildings devoted to a home occupation shall not occupy more than the lesser of: (1) 500 square feet in floor area; or (2) ~~30~~³⁵ percent of the residence's floor area.

~~E. Only one accessory building, including detached garages, shall be allowed on the premises. One storage structure of 120 square feet or less shall be excluded from this provision.~~

F. The premises shall at all times be maintained as residential in appearance, cleanliness and quietness.

G. Where customers are served on the premises of the home occupation a minimum of one off-street parking space shall be provided in addition to any and all spaces required for the principal use as provided by this title.

H. Any home occupation which is objectionable due to unsightliness or an emission of odor, dust, smoke, noise, glare, heat, vibration or similar causes discernible on the outside of any building containing such home occupation shall be prohibited.

I. One unlighted sign not exceeding two square feet in area pertaining to the home occupation shall be permitted in lieu of, not in addition to, any name plate provided for in Chapters 17.28 and 17.32 TMC. Such sign shall not be located in the required front or side yards ~~setback areas~~.

J. No media or off-premises advertising shall give the address or location of the home occupation.

K. The home occupation may only be operated and staffed with residents of the property.

L. Client visits may only occur during the hours between 8:00 AM and 8:00 PM.

M. No more than eight customer vehicles may visit the site per day.

N. No materials that are explosive, highly flammable, corrosive, radioactive or toxic may be utilized or discarded on the premises of the home occupation.

O. Services to patrons shall be arranged only by appointment.

P. All stock and goods must be produced on site, by hand, without the use of automated or production line equipment.

Q. Delivery and shipments to and from the site with frequency that would involve commercial motor vehicles are prohibited.

R. The home occupation cannot require the use of electrical or mechanical equipment that would change the fire rating of the structure.

S. The home occupation shall not increase the water or sewer use so that the combined total use of the dwelling and the home occupation is significantly more than the average for residences in the neighborhood.

T. Any home occupation authorized under the provisions of this code shall be open to inspection and review at all reasonable times by enforcement officials for purposes of verifying compliance with the conditions of approval and other provisions of this code.

~~J. A home occupation special property use permit may contain such other conditions as the hearing examiner may deem necessary to preserve the district and to assure compatibility with permitted uses.~~

~~K. The city shall notify the adjacent property owners and applicant of its intent to approve or deny a home occupation special property use permit, together with any conditions. Notification shall be made by mail only. The notice shall include:~~

~~1. A description of the proposal and decision of the city, including any conditions of approval;~~

~~2. A place where further information may be obtained; and~~

~~3. A statement that the decision of the city will be final, unless an appeal requesting a public hearing is filed with the city clerk within 15 days of the date of the notice.~~

17.54.050 Appeal

Appeals of the zoning administrator's decision to the conditions of approval or the denial of a home occupation shall be submitted to the zoning administrator and reviewed by the Hearing Examiner in accordance with TMC 2.50.080. Appeals may only be filed by the applicant.

17.54.060 Revocation of license and appeal

A home occupation permit may be revoked by the zoning administrator if the zoning administrator find the home occupation no longer complies with the approval criteria set forth in 17.54.040 or the home occupation permit's approval criteria. The permit holder may file a written appeal to the revocation in accordance with TMC 17.54.050.