



HOME OCCUPATION PERMIT APPLICATION

HOME OCCUPATION APPLICATION FEE: \$200
LIMITED HOME OCCUPATION APPLICATION FEE: \$50

LIMITED HOME OCCUPATION:

- 1. _____ One (1) Completed Application Form
- 2. _____ One (1) General Business License Application
- 3. _____ Limited Home Occupation Application Review Fee

STANDARD HOME OCCUPATION:

- 1. _____ One (1) Complete Application Form
- 2. _____ One (1) General Business License Application
- 3. _____ One (2) Site plan drawn to scale depicting all existing structures and the location of all available parking in relation to existing structures, property lines, driveway entrances and public street frontage.
- 4. _____ One (1) Affidavit of Posting* (attached)
- 5. _____ Standard Home Occupation Application Review Fee

*PRIOR TO APPLICATION SUBMITTAL, the applicant will be required to post a notice board on the property. The notice board shall be a four foot by four foot (4'x4') plywood generic notice board mounted and bolted onto at least two (2) four inch by four inch (4"x4") wood posts and placed securely in the ground. The notice board shall be placed by the applicant in a conspicuous location on the street frontage bordering the subject property. The Affidavit of Posting shall be signed after the notice board has been installed, and submitted with the application materials.

BUSINESS ADDRESS: _____

BUSINESS NAME: _____

TYPE OF BUSINESS: _____

PARCEL NUMBER (S): _____ **ZONE:** _____ **ACRES:** _____

APPLICANT: (mandatory)

Name: _____ Daytime Phone: _____

Mailing Address: _____ Fax Number: _____

City/State/Zip: _____

PROPERTY OWNER 1: (mandatory if different from applicant)

Name: _____ Daytime Phone: _____

Mailing Address: _____ Fax Number: _____

City/State/Zip: _____ Signature: _____

PROPERTY OWNER 2: (if more than two property owners attach additional info/signature sheets)

Name: _____ Daytime Phone: _____

Mailing Address: _____ Fax Number: _____

City/State/Zip: _____ Signature: _____

Please answer the following questions in detail:

1. Provide a description of the proposed home occupation: _____

2. Will any part of the home occupation require outside storage? If so, explain. _____

3. Will the home occupation be conducted outdoors? _____

4. Are there to be any modifications made to the dwelling to accommodate the home occupation?

5. Will there be any deliveries to the residence for the home occupation? _____

6. How many vehicular trips are expected to be generated by the home occupation, including client related trips and deliveries? _____

7. If the home occupation includes selling merchandise, how will the items be sold; i.e., by mail order, telephone sales, etc. _____

8. Will any services be provided to clients on site? _____

9. If there are to be customers to the site, what days and hours will they be allowed to visit? _____

10. How many customers or clients are expected to be on the premises at any one time? _____

11. Will utility demand for sewer, water, electricity, garbage or natural gas increase as a result of the home occupation? If so, by how much? _____

12. Will any equipment or operation processes utilize, produce, or cause the emission of gasses, dust, odors, vibration, electrical interference, smoke, noise, or light? If so, explain. _____

13. Will the home occupation use equipment that results in a change to the fire rating of the structure; fluctuations in line voltage at or beyond the property line; or visual or audible interference in radio or television receivers or electronic equipment located off-premises? _____

14. Will any flammable materials be stored, distributed or produced by the home occupation? _____

15. Will the home occupation be operated by a resident of the home? _____

16. How many employees other than residents of the dwelling will be on the site at any one time?

17. How many parking spaces are provided on the property? _____
18. Will any commercial vehicles be parked on the property? _____
19. What is the size of the dwelling? _____ square feet.
20. How much of the dwelling will be devoted to the home occupation? _____ square feet.
21. Will a sign be displayed on the site? _____

AUTHORIZED HOME OCCUPATION OWNER SIGNATURE:

By affixing my signature hereto, I certify under penalty of perjury that the information furnished herein is true and correct to the best of my knowledge and that I am the owner or the renter of the premises where the home occupation will be located. I have read and understand the home occupation regulations LMC Chapter 18A.70.200.

I understand that if the home occupation changes in such a manner that any of the answers provided above will be incorrect or require modification, I must review the changes with the Community Development Department for approval, and if deemed necessary, apply for a new home occupation permit.

Home Occupation Owner

Date

OFFICE USE ONLY:

DATE APPLICATION RECEIVED: _____ DATE APPLICATION COMPLETE: _____

LIMITED HOME OCCUPATION

Denied

Approved

Approved with following conditions: _____

STANDARD HOME OCCUPATION REQUIRING ADMINISTRATIVE USE PERMIT REVIEW

PLANNER THAT COMPLETED REVIEW: _____ DATE: _____

18A.70.200- Home Occupations

18A.70.210- Purpose - Home Occupations

The purpose of this section is to provide standards which allow residents of single-family or multifamily dwellings to operate businesses or conduct commercial activity from their principal residence or from a permitted accessory structure while achieving the goals of retaining the residential character of the dwelling and the neighborhood, maintaining property values, and preserving environmental quality.

18A.70.220- Applicability - Home Occupations

Limited home occupations are permitted as an accessory use to a Single-Family Detached Dwelling, Single-Family Attached Dwelling, or Multifamily Attached Dwelling use type, with approval of a limited home occupation permit.

Home occupations are permitted as an accessory use only to a Single-Family Detached Dwelling use type, with approval of an administrative use permit.

18A.70.230- Exemptions - Home Occupations

The following uses are exempt from the regulations of this section.

- A. Daycare Facilities, Level 1 and Level 2, which are instead subject to LMC 18A.70.100.
- B. Lodging, Level 1.
- C. Garage sales; yard sales; bake sales; temporary home bazaars for hand-crafted items; parties for the display of clothing, gifts and household products;, and other similar uses shall not be considered home occupations subject to regulation pursuant to this section; provided, that any such use shall not be in existence for more than twenty (20) days in any one (1) calendar year and is not in violation of any other section of the title or other City ordinances; and provided further, that any such garage sales and yard sales involve only the sale of household goods, none of which were purchased for the purpose of resale.

- D. On-line endeavors that do not generate any outward appearance, including but not limited to deliveries, of commercial use at the site.
- E. For-profit production of produce or other food products grown on the premises. This may include temporary or seasonal sale of produce or other food products grown on the premises.
- F. Hobbies which do not result in payment to those engaged in such activity.

18A.70.240- Prohibited Activities - Home Occupations

- A. No person shall carry on a home occupation or a limited home occupation, or permit such use to occur on property which that person owns, occupies or is in lawful control of, contrary to the provisions of this section.
- B. The following activities are prohibited as home occupations:
 - 1. Motor vehicle, commercial truck and heavy equipment repair.
 - 2. Motor vehicle, commercial truck and heavy equipment body work.
 - 3. Motor vehicle, commercial truck and heavy equipment painting.
 - 4. Motor vehicle, commercial truck and heavy equipment wash and/or detailing services.
 - 5. Parking and storage of motor vehicles, commercial trucks or heavy equipment.
 - 6. Storage of used parts of vehicles and/or used machinery in inoperable condition.
 - 7. Storage of building materials such as lumber, plasterboard, pipe, paint or other construction materials unless being used to construct a specific structure on the premises, pursuant to a current City building permit.
 - 8. Escort services.

18A.70.250- Performance Standards - Home Occupations

The following performance standards prescribe the parameters under which home occupation activities may be conducted when incidental to a residential use. Activities that exceed these performance standards are subject to Chapter 18A.20, Use Types and Levels, to determine the appropriate Civic, Commercial, or Industrial use category that applies to the activity.

- A. General Standards. The following standards apply to all home occupation activities within the city of Lakewood:
 - 1. A home occupation permit shall be obtained for each home occupation and for each property on which a home occupation is undertaken.
 - 2. A City business license shall be obtained and maintained for each home occupation, which clearly indicates each property on which a home occupation is undertaken.
 - 3. The home occupation shall be clearly incidental and secondary to the use of the property for residential purposes and shall not change the residential character of the dwelling or neighborhood.
 - 4. All the activities of the home occupation(s) shall be conducted indoors, except for those related to growing or storing of plants used by the home occupation(s).
 - 5. No modification shall be made to the dwelling to establish or operate the home occupation that would cause it to resemble anything other than a dwelling.

6. There shall be no more than three (3) deliveries per week to the residence by suppliers, including postal and parcel delivery services but excluding regular mail service.
 7. Traffic generated by a home occupation shall not exceed eight (8) vehicular trips per day associated with the home occupation, including deliveries and client-related trips.
 8. Sales, either retail or wholesale, shall be limited to mail order and telephone sales with off-site delivery.
 9. Services to patrons shall be arranged by appointment or provided off-site.
 10. Utility demand for sewer, water, electricity, garbage or natural gas shall not exceed normal residential levels.
 11. Equipment or operation processes shall not be utilized which would produce or cause the emission of gasses, dust, odors, vibration, electrical interference, smoke, noise, or light in a manner likely to cause offense or irritation to neighboring residents.
 12. The home occupation(s) shall not use electrical or mechanical equipment that results in:
 - a. A change to the fire rating of the structure(s) used for the home occupation(s);
 - b. Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or
 - c. Fluctuations in line voltage at or beyond the property line.
 13. There shall be no storage, distribution and/or production of toxic or flammable materials, nor spray painting or spray finishing operations that involve toxic or flammable materials which, in the judgement of the Fire Marshal pose a dangerous risk to the residence, its occupants, and/or surrounding properties. An applicant shall make available the Material Safety Data Sheets, listing all potentially toxic and/or flammable materials associated with the home occupation, to the Fire Marshal if requested for review.
 14. Bed and Breakfast facilities shall be classified as a "Lodging- Level 1" commercial use type, and are subject to the requirements of LMC 18A.70.900.
 15. Where home business use areas exceed 500 sq. ft., such areas may be subject to the area separation requirements of Section 302.4 of the Uniform Building Code, or any applicable succeeding building code.
- B. Standards for Limited Home Occupations. One (1) or more home occupations may be conducted in a residential dwelling as an accessory use or uses, excepted as prohibited in LMC 18A.70.240, Prohibited Activities, provided that the limited home occupation(s) shall:
1. Not have any employee, volunteer or other person engaged in the commercial activity on the site, other than residents of the dwelling.
 2. Be operated in its entirety within the principal dwelling or accessory structure.
 3. Not have a separate entrance from outside the building.
 4. Not use any mechanical equipment except that which is used normally for purely domestic or household purposes.
 5. Not utilize more than twenty-five (25) percent of the total floor area of the living space of the dwelling. Areas within attached garages, unfinished basements and storage buildings shall not be considered living space for purposes of calculating allowable home occupation area but may be used for storage of goods or other activities associated with the limited home occupation.
 6. Not show any evidence that a business is being conducted from the premises.
 7. Not have any exterior signage that identifies the property as a business location.
 8. Not allow clients or customers to visit the premises for any reason.
 9. Not have any exterior storage of materials.
- C. Standards for Home Occupations. One (1) or more home occupations may be conducted in a Single-Family Residential Detached Dwelling use type as an accessory use or uses, excepted as prohibited in LMC 18A.70.240, Prohibited Activities, provided that the home occupation(s) shall:

1. Be operated by a resident of the property on which the business is located.
2. Not have more than one (1) full or part-time employee, other than residents of the dwelling, on the site at any one time.
3. Be operated within the dwelling or other accessory buildings normally associated with uses permitted in the zone in which the property is located.
4. Not interfere with existing uses on nearby land or with other uses permitted in the zone in which the property is located.
5. Comply with all conditions imposed pursuant to LMC 18A.10, Discretionary Permits, Administrative Use Permits.
6. Have one (1) parking space per employee provided on the same parcel of land, in addition to that parking required for the dwelling.
7. Not park or store more than one (1) commercial vehicle on site . Parking for said vehicle shall be provided in accordance with the requirements of LMC 18A.50.150, Parking of Commercial Vehicles Accessory to Residential Uses.
8. Store all materials, parts, tools and other equipment used in the operation of the home occupation entirely within the dwelling or accessory building.
9. Comply with building, land use and fire code requirements for permits, occupancy, and inspection, including use of hazardous materials or equipment.
10. Limit manufacturing to the small-scale assembly of already manufactured parts but shall not preclude production of small, individually hand-crafted items, furniture or other wood items as long as the activity meets the other standards of this section.
11. Prohibit customers or clients on the premises prior to 9 AM and after 7 PM on Mondays through Fridays, and prior to 11 AM and after 5 PM on weekends and state or federal holidays.
12. Prohibit more than two (2) customers or clients on the premises at any one time.
13. Limit the home occupation activity to forty (40) percent of the gross floor area of the residence, including garages and unfinished basements, and accessory buildings; or two thousand (2,000) square feet, whichever is less.
14. Meet the signage requirements of LMC 18A.50, 600, Signs.

18A.70.260- Criteria for Approval and Conditions - Home Occupations

- A. The decision to approve, approve with conditions, or deny an application for a home occupation permit shall be made by the Community Development Director upon findings of whether or not the purposed home occupation is or will be:
 1. In conformance with the standards contained in this section;
 2. Clearly subordinate to the residential use of the property; and
 3. Undertaken in a manner that is not detrimental or disruptive in terms of appearance or operation to neighboring properties or the community.
- B. Conditions Applicable to Approval.
 1. The Community Development Director may impose conditions upon the approval of a home occupation permit to ensure compatibility with adjacent residential uses and surrounding neighborhoods. These conditions may include, but are not limited to, the following:
 - a. Further limiting the hours, days, place and manner of operation.
 - b. Requiring site and building design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor and dust.
 - c. Requiring additional building setbacks, and increased lot area, depth or width.
 - d. Further limiting the building area used by the home occupation and restricting the location of the use on the site in relationship to adjoining uses.

- e. Designating the size, number, location and design of vehicle access points.
- f. Requiring street right-of-way to be free at all times of vehicles associated with the home occupation.
- g. Requiring landscaping, buffering and/or screening of the home occupation from adjoining uses and establishing standards for the continued maintenance of these improvements.
- h. Requiring the protection and preservation of existing trees and other vegetation.
- i. Requiring storm drainage improvements, and surfacing of parking and loading areas.
- j. Limiting the extent and type of interior or exterior building remodeling necessary to accommodate the home occupation.
- k. Limiting or setting standards for the location and intensity of outdoor lighting.
- l. Requiring and designating the size, height, location of fences and materials used for their construction.

18A.70.270- Permit Revocation and Expiration - Home Occupations

- A. The Community Development Director may revoke a home occupation permit if the conditions of approval have not been complied with and the home occupation is otherwise being conducted in a manner contrary to this title.
- B. When a home occupation permit has been revoked due to violation of these standards, a minimum period of one (1) year shall elapse before another application for a home occupation permit by the applicant(s) or member of the family residing on the subject property will be considered.
- C. A home occupation permit shall become invalid if the applicant moves his or her residence.

18A.70.280- Nonconforming Uses - Home Occupations

- A. An ongoing home occupation may be granted nonconforming status, provided that it was permitted under Pierce County authority prior to Lakewood's incorporation or under City authority prior to adoption of this code and has been in continuous operation since initial approval.
- B. The burden of providing a home occupation's nonconforming status rests with the property owner or tenant. A home occupation which cannot prove nonconforming status, shall be considered to be in violation of this section and shall cease until all appropriate approvals have been obtained.

APPLICANT/OWNER AFFIDAVIT OF POSTING

PRIOR TO APPLICATION SUBMITTAL, the applicant is required to post a notice board on the property. The notice board shall be a four foot by four foot (4'x4') plywood generic notice board mounted and bolted onto at least two (2) four inch by four inch (4"x4") wood posts and placed securely in the ground. The notice board shall be placed by the applicant in a conspicuous location on the street frontage bordering the subject property. The affidavit is to be completed and submitted with the application **after** the notice board has been installed.

I, _____ state and swear; that in compliance with the provisions of the City of Lakewood Land Use and Development Code, I caused to have posted a four foot by four foot (4'x4') plywood face generic notice board in ____ conspicuous place(s) on the street frontage bordering the subject property which is the subject of the _____ application on the _____ day of _____, 20__.

Applicant Signature

Date

OR

Property Owner Signature

Date