



PLANNING COMMISSION RESOLUTION NO. 21-02

A Resolution Recommending that the City Council adopt Unified Development Code Amendments REVV21-001 for Home Occupations in Everett Municipal Code Sections 19.04.050 Use definitions, residential, 19.05.100 Home occupations, and 19.08.120 Home occupations

WHEREAS, THE PLANNING COMMISSION FINDS THE FOLLOWING:

1. Economic development is a key component of a healthy, thriving community; and
2. Home occupations contribute to the City's economy; and
3. The proposed amendments will facilitate the creation of small businesses in Everett and support their early stages by lowering barriers to entry and creating a clearer and more predictable regulatory environment.
4. The proposed amendments will simplify regulatory oversight and code enforcement activities and enable more predictable and consistent decision-making by city staff.
5. The proposed amendments will expand home occupation business opportunities to dwellings in all zones while ensuring compatibility with residential uses; and
6. The Planning Commission has conducted a public hearing and has considered the recommendations by staff of the Planning and Economic Development Divisions concerning the proposed amendments to the home occupation regulations; and
7. The proposed amendments are consistent with the applicable provisions of the City of Everett Comprehensive Plan; and
8. The proposed amendments bear a substantial relation to public health, safety or welfare; and
9. The proposed amendments promote the best long-term interests of the Everett community.

NOW, THEREFORE, THE PLANNING COMMISSION RECOMMENDS THE FOLLOWING:

1. The Planning Commission recommends that the City Council amend the Regulations, attached hereto as Exhibit A-1 with the following prohibited uses added to proposed EMC 19.05.067(J):
 - a. Adult retail or adult use business
 - b. Retail sales of firearms or ammunition



PLANNING COMMISSION CHAIR



PLANNING COMMISSION SECRETARY

DATED: JULY 20, 2021

For: Commissioner Adkins, Commissioner Finch, Commissioner Lavra, and Chair Yanasak

Against: Commissioner Zelinski

Absent: Commissioner Holland, Commissioner McGinn, and Commissioner Lark

Abstain:

EXHIBIT A-1

*Everett Municipal Code
JULY 20, 2021 PROPOSED CODE AS REVISED
19.04.100, 19.05.067, and 19.08.120 Home occupations*

19.04.100 Use definitions, residential.

“Home occupation” means a business carried out in a dwelling by a resident of that dwelling.

19.05.067 Home occupations.

Home occupations are permitted in any dwelling provided the home occupations comply with the requirements in this subsection.

- A. Any person engaging in a home occupation shall register as a business with the city clerk’s office and shall be subject to the city business and occupations tax.
- B. Home occupations shall comply with all other local, state, and federal regulations pertinent to the activity pursued, and the requirements of or permission granted by this section shall not be construed as an exemption from such regulations.
- C. The home occupation shall be secondary to the residential use of the property;
- D. The home occupation shall be carried on entirely within a dwelling or accessory building by the occupant thereof and employees as allowed in this subsection;
- E. The home occupation shall be conducted in such a manner as to give no outward appearance of a business, affect the appearance of the building(s) as a residence, nor manifest any characteristics of a business;
- F. No noise, vibration, dust, smoke, light, glare, or odor shall be emitted other than is commonly associated with a residential use. The maximum permissible noise levels of Noise Control District I applies to all home occupations;
- G. The home occupation shall be fully enclosed within the residence or accessory building with no outside storage of equipment or materials allowed;
- H. No stock in trade shall be displayed on the premises;
- I. Signage is prohibit in accordance with EMC 19.36.030(A)(13) for residential zones;
- J. Prohibited home occupations include, but are not limited to:
 - 1. Veterinary clinic,
 - 2. Automobile or other vehicle sales, service, fueling, body repair and painting, or commercial parking,
 - 3. Wedding or event venues;
 - 4. Any home occupation of a nature which is similar to those listed in this subsection 19.05.067.J or which creates impacts on surrounding properties which are similar to those created by the uses listed herein;
- K. No more than two people other than residents of the dwelling may work on the property at any time;
- L. If the home occupation is the type in which classes are held or instruction is given, not more than five students are allowed in any one class or instruction period and not more than ten students are allowed on the property on any day;

- M. If the home occupation is the type with client or customer visits, not more than two clients or customers are allowed on the property at any time, and not more than ten clients or customers are allowed on the property on any day;
- N. Employees shall only be allowed to work, and students, customers, and clients shall only be allowed to do business on the property from eight o'clock a.m. to six o'clock p.m. on weekdays or from nine o'clock a.m. to five o'clock p.m. on weekends and holidays;
- O. The number of business vehicles is limited to two;
- P. Parking of any vehicles associated with the home occupation shall use legal on-site or off-site parking spaces and shall comply with the provisions of EMC 19.34.105;
- Q. No receipt or delivery of products shall be permitted except as is commonly associated with residential use. The gross vehicle weight of delivery vehicles shall not exceed eighteen thousand pounds;
- R. Garage Sales shall not be considered a home occupation and are subject to the limitations in EMC 19.05.068.H.1.

19.08.120 Home occupations.

This section is repealed.