

NOTICE

To: Applicants for a **Home Occupation Business License**
Re: Home Occupation Business License Applications (BMC Chapter 17.12)

Why a Home Occupation License?

It is the responsibility of all applicants for a Home Occupation Business License in the City of Brier to process a Business License in accordance with Chapter 17.12 of the Brier Municipal Code. The reason for requiring a Home Occupation License is to; 1.) Protect residential areas from adverse impacts of activities associated with home occupations, 2.) Permit residents of the community a broad choice in the use of their homes as a place of livelihood and production or supplementing of personal and family income, 3.) Establish criteria and development standards for home occupations conducted in dwelling units and accessory structures in residential zones.

A quick overview of the process.

In order to process a Home Occupation License the applicant must submit a complete application as noted below. The process will take approximately twenty days. The Code requires that a notice be sent ten days in advance of the hearing to adjoining properties. Prior to a public hearing date the application will also be sent to the pertinent Departments requesting comments for the hearing. Those comments will be incorporated into the staff report that is forwarded to the City Council. A hearing will then be held before the City Council to determine whether or not the application is approved. If the City Council approves the application the responsible Departments will then need to approve the application and the License will be issued.

Required submittal information.

All applicants are required to submit two copies of a completed application (available at Brier City Hall), a list of property owners within 300' of the applicants address along with stamped, addressed (with no return address) legal size envelopes to each of the properties on the list. (See Instructions attached) In addition, a drawing of the floor plan of the home in which the Home Occupation is to actually take place must be submitted with the exact location(s) and size of the room(s) that business is to transpire.

Chapter 17.12.040 lists the performance criteria that must be met in order for the City Council to approve the application. As the applicant you are required to categorically respond to performance criteria A through U or else the application will not be accepted. Once the application is deemed complete the City will notify the surrounding property owners and a public hearing will be held before the City Council within twenty days.

For additional information please contact the Community Development Department at 425) 775 -5440, go to the City of Brier website and look up the information on the City's website at www.ci.brier.wa.us or visit Brier City Hall at 2901 228th St SW.

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INSTRUCTIONS FOR OBTAINING PROPERTY OWNERSHIP
FROM SNOHOMISH COUNTY

To obtain names and addresses of property owners within 300 feet of the boundary of the subject property, the applicant must take the following steps:

1. Go to the Snohomish County Administration Building:

3000 Rockefeller, 1st Floor, Everett, WA Phone: 425 -388-3433
Business hours are from 9:00 to 5:00 Monday thru Friday
2. Locate your parcel on a copy of the Assessor section map.
3. Using the Assessor section map, make a list of account numbers for each property with a 300 foot radius of your property .
4. Present list to counter staff. The staff will assist you by providing the Assessor's tax rolls to copy. The tax rolls are listed by numerical order of tax account numbers

HOME OCCUPATION REGULATIONS

Sections as per the Brier Municipal Code (BMC):

17.12.010	Purpose
17.12.030	Home Occupation License Required
17.12.040	Performance Criteria
17.12.050	Procedures

Purpose: BMC 17.12.010

- A. Protect residential areas from adverse impacts of activities associated with home occupations.
- B. Permit residents of the community a broad choice in the use of their homes as a place of livelihood and the production or supplementing of personal and family income.
- C. Establish criteria and development standards for home occupations conducted in dwelling units and accessory structures in residential zones. (Ord. 20.M §8.1, 1991)

Home Occupation License Required: BMC 17.12.030

Existing home occupations shall apply to the City for license renewal no later than one year following issuance of the valid license and each year thereafter.

New home occupations shall be issued a license following review and the City Council approval of the application and shall be required to apply for license renewal on an annual basis. (Ord. 20.W §5, 2001; Ord 20.M §8.3, 1991)

Procedures for a Home Occupation Business Licenses per BMC 17.12.050

- A. **Application:** All new home occupations and all existing home occupations shall be required to apply for a license or license renewal on an annual basis, which shall be issued only after conformance to the performance criteria and other requirements, has been established. All new home occupations and applications for license renewal of existing home occupations shall be on forms prescribed by the city clerk which shall require the applicant to describe in sufficient detail the nature of the home occupation and associated impacts. Sufficient detail to determine whether or not performance standards can be met shall be provided by the applicant.
- B. **City Council Review:** New home occupations shall be set for hearing before the City Council. Notification of the time, place and purpose of the hearing shall be given as required for Conditional Use Permits. Additionally, there shall be placed on the property a clearly visible notice stating that an application to operate a Home Occupation has been filed with the City and noting the date and time of the City Council hearing. At the Public Hearing, the City Council shall take the testimony from all parties and conduct a hearing which shall provide the applicant proponent, those opposed and any other persons with an interest in the proceeding full opportunity to be heard. The City Council shall follow usual quasi-judicial rules of proceedings.
- C. **Time Limit:** All home occupation licenses issued hereunder shall be valid for a period of one year, whereafter a renewal shall be required and an inspection to insure compliance with the requirements of this section may be conducted by the City. Any change in ownership of a home occupation, whether by conveyance, under will or inheritance, by assignment or other transfer in whole or in part, shall require the subsequent owner or operator to apply for a new license

City Of Brier Home Occupation Business License Criteria

17.12.030 Home occupation license required.

Existing home occupations shall apply to the city for license renewal no later than one year following issuance of the valid license and each year thereafter. New home occupations shall be issued a license following review and city council approval of the application and shall be required to apply for license renewal on an annual basis. Application procedure and license renewal information is further described in Section 17.12.050 of this division. (Ord. 20.W §5, 2001; Ord. 20.M §8.3, 1991)

17.12.040 Performance criteria

Home occupations shall be permitted in single family residential zoning districts provided they meet all of the following criteria.

Please address the following questions that follow each criteria on a separate piece of paper referencing the letter (A,B,C Ect.)

Giving complete information is in your best interest. If a question does not apply mark as "N/A"

Criteria A. The floor area devoted to a new home occupation not exceed twenty -five percent of the living area of the dwelling unit or one thousand, two hundred fifty square feet, whichever is less. No new home occupation shall be allowed in any accessory building or detached garage. Home occupations may be permitted in an attached garage, but for purposes of computing the living area, the area of the garage shall be excluded .

What is the proposed size of the floor area dedicated to the new home occupation, and where will it be located within the dwelling?

Criteria B. Existing home occupations, including those currently operating from an accessory building or detached garage, shall be permitted to continue provided the home occupation meets the other performance criteria of this section. Transfer of the home occupation pursuant to a will and inheritance shall be permitted provided the other performance criteria of this section are met. Additions or expansions of existing home occupations may be permitted with city council approval, provided the total square footage devoted to the home occupation does not exceed one thousand, two hundred fifty square feet.

Is this an existing home occupation that is currently operating from an accessory building or detached garage? Are you requesting an addition or expansion of an existing home occupation? If so, how many square feet of the home will be dedicated to the new home occupation?

Criteria C. The home occupation shall be clearly incidental and secondary to the use of the property for residential purposes.

Will the home occupation be clearly incidental and secondary to the use of the property for residential purposes?

Criteria D. The home occupation must be carried on by resident(s) of the dwelling with not more than three nonresident persons being employed on a full -time basis or the equivalent of full-time hours. "Resident" shall mean a person who actually resides within the residence on a full-time basis and intends to remain permanently at the dwelling. Persons engaged in building trades or similar fields, using their dwelling units as an office for business activities carried out off the premises may have more employees if such employees do not work on the premises.

Will the home occupation be carried on by resident(s) of the dwelling? How many employees will work at the residence? How many of these employees are nonresidents of the dwelling?

Criteria E. There shall not be conducted on the premises the business of selling stocks of merchandise, supplies or products, except that retail sales may be made in conjunction with other permitted home occupations. For example, a hair stylist would be allowed to sell combs, shampoo and other miscellaneous items to clients. However, a dressmaker, for example, would be required to do custom work for specific clients and would not be allowed to develop stocks of dresses on-site for sale to the general public.

Will any stocks of merchandise, supplies, or products be sold at the dwelling? If so, explain.

Criteria F. There shall be no exterior evidence of the home occupation, and the structure in which the home occupation is located shall be residential in character. Structural modifications or additions shall require city council approval.

Will there be any exterior evidence of the home occupation?

Criteria G. The home occupation and activities associated with such home occupation shall be visually buffered from adjacent land uses. Fencing and/or landscaping may be required by the city to mitigate the impacts of the home occupation on adjacent land uses.

Will the home occupation activities be visually buffered from adjacent land uses? How?

Criteria H. There shall be no externally visible storage of business materials except nursery plants.

Will there be visible external storage of business materials other than nursery plants?

Criteria I. Electrical or mechanical equipment or processes that create visible or audible interference in radio or television receivers or fluctuations in line voltage outside the dwelling unit or which create a hazard or nuisance such as noise, vibration, dust, heat, odors, glare, fumes or fire hazards shall be prohibited.

Will there be any electrical or mechanical equipment or processes that create visible or audible interference in radio or television receivers or fluctuations in line voltage outside the dwelling unit or which create a hazard or nuisance such as noise, vibration, dust, heat, odors, glare, fumes or fire hazards?

Criteria J. The home occupation shall not generate significantly greater traffic volume than would normally be associated with residential use or that creates a nuisance to the neighborhood. Deliveries from commercial suppliers to the property shall not exceed an average of two trips per week over a one-month period.

Will the home occupation generate significantly greater traffic volume than would normally be associated with residential use or that creates a nuisance to the neighborhood? Will there be commercial deliveries associated with the home occupation, and if so, how often?

Criteria K. Off-street parking shall be provided for employees and clients.

Will there be adequate off-street parking for employees and clients? Where will the off-street parking be located?

Criteria L. No internal or external alterations involving a change in the fire rating of the structure shall be permitted.

Will there be any internal or external alterations that involve a change in the fire rating of the dwelling?

Criteria M. The hours of operation for any home occupation shall be within the following time periods: 7 a.m. to 8 p.m. Mondays through Fridays and 9 a.m. to 6 p.m. Saturdays. Daycare operations may commence as early as 6 a.m.; however, no outdoor play shall be permitted before 7 a.m. Adult education classes shall be required to terminate by 9:30 p.m. Home occupations that are not detectable, involving writing, for example, may be excepted from the foregoing hour limitations.

What will the hours of operation be?

Criteria N. Adult education classes shall be held no more frequently than fifteen times per month in order to be considered a home occupation. Classes that meet more frequently than three times in any seven -day period shall be subject to conditional use permit requirements as described in Section 17.36.050 of this division.

Will there be adult education classes held at the dwelling? If so, what is the schedule for the classes?

Criteria O. The home occupation shall not result in significant adverse impacts on the environment.

Will the home occupation result in a significant adverse impact on the environment?

Criteria P. One sign shall be allowed, not to exceed six square feet, non -illuminated, constructed of wood with routed lettering to be compatible with the city's semi -rural character, and subject to any other limitations then applicable by the current sign ordinance of the city. A sketch of the proposed sign shall accompany the home occupation license application.

Will you install a sign identifying the home occupation? If so, will it comply with Brier's current sign ordinance?

Criteria Q. All home occupations shall present a state business license or required state permits upon application for a home occupation license.

Do you have a current state business license and/or permits to operate your home occupation? Did you submit these with your application?

Criteria R. All home occupations shall be subject to inspection, upon reasonable request, of the city public works department, police department, or other department responsible for supervision and oversight.

Will you allow inspection, upon reasonable request, by the city public works department, police department, or other department responsible for supervision and oversight?

Criteria S. The home occupation shall comply with all the requirements of the city's nuisance and noise ordinances.

Will the home occupation comply with all requirements of the City's nuisance and noise ordinances?

Criteria T. Garage sales may be permitted up to three times per year per residence with administrative approval from the city.

Do you plan on holding garage sales on the property? If so, how many per year?

Criteria U. If two or more home occupations shall operate on one property, the combined home occupations shall comply with the foregoing performance standards. (Ord. 20.M §8.4, 1991)

Are there any existing home occupations at the dwelling? If so, will the existing and proposed home occupations jointly comply with the foregoing performance standards?

**CITY OF BRIER
HOME OCCUPATION BUSINESS LICENSE APPLICATION**

New Business License #

Name of Applicant: _____

Name of Business: _____

Type of Business: _____

Business Address: _____ Work Phone (____) _____

Home Address: _____ Home Phone (____) _____

State Business License: _____

Contractor License/L&I License: _____

Do you own this property: ____ Yes ____ No. If no, please state the name address and phone number of the property owner.

Is the property owner aware that you are operating this business ____ Yes ____ No?

Property Owner: _____ Address _____

City _____ State ____ Zip _____ Phone: (____) _____ Phone: (____) _____

_____ Can you operate your business in accordance with the City of Brier Home or Neighborhood Business Regulations?
(Yes No)

_____ Do you realize your business license can be revoked for violation of any City Business License Ordinance or State
Licensing Regulation if applicable?
(Yes No)

Total Resident Sq. Ft. _____ Home Occupation Sq. Ft. _____ Home Occupation % _____

Give a brief narrative of your business, what it is and what you will be doing, etc. _____

OF EMPLOYEES INCLUDING RESIDENTS: Resident: _____ Non-resident: _____

Applicant:

The Superfund Amendments and Reauthorization Act of 1986 requires all facilities who use, store or transport hazardous chemicals or extremely hazardous substances be reported to [1] the local fire department, [2] the local emergency planning committee, and [3] the Washington State Emergency Response Commission. To assist you in compliance with this federal statute, please respond to the listed questions to the best of your knowledge.

Do you use hazardous chemicals or extremely dangerous substances in your business, occupation or industry?

Yes No

If you answered YES to question 1, then list all chemicals or hazardous substances used in your business.

Name of chemical or substance

Quantity/Volume

1. _____

2.		
3.		
4.		

Do you have Material Safety Data Sheets (MSDS) on each of these substances/chemicals?

If you need assistance with the safety questions on this questionnaire, please contact The City of Brier at (425) 775 -5440 or the Fire Marshal for Fire District 1 @ (425) 551 -1232.

NEW APPLICATIONS FOR HOME BUSINESSES: Must submit a dimensioned floor plan of the entire home, including dimensioned space to be utilized for the home business.

PEDDLERS LICENSE: Specify articles or services to be peddled and state time during which such items are to be peddled.

State Number of Peddlers _____

All applicants who are required or do have insurance as required by Labor and Industries must provide a certificate of proof of insurance. All contractors must provide a copy of their State Contractors License.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

Signature of Applicant: _____ Date: _____ Signature Location: _____
(City, State)

- | | |
|---|---|
| <input type="checkbox"/> \$150.00 New Home Occupation License
<input type="checkbox"/> \$100.00 Home Occupation License Renewal
<input type="checkbox"/> \$250.00 New Neighborhood Business License
<input type="checkbox"/> \$150.00 Neighborhood Business License R enewal | <input type="checkbox"/> \$75.00 Peddlers
<input type="checkbox"/> \$15.00 **Per Each Peddler
<input type="checkbox"/> \$50.00 Reinspection Fee
<input type="checkbox"/> \$2.00 **Per Each Non Resident Employee |
|---|---|
- ** (For Home Occupation Only)**

APPROVALS IF REQUIRED	OFFICIAL USE ONLY
Police Department: _____	Date: _____
Fire Department: _____	Date: _____
Compliance: _____	Date: _____
Building Dept: _____	Date: _____
Mayor: _____	Date: _____
License Number: _____ Receipt #: _____ Total Fee: _____	Date Paid _____

License Issued by: _____ Date Issued: _____ Expires _____