

<p>CITY OF PUYALLUP DEVELOPMENT SERVICES 333 South Meridian Puyallup, WA 98371</p>	<p>HOME BASED BUSINESS - NOTICE OF PRELIMINARY APPROVAL DECISION</p>	<p>Date of decision: 5/24/2018 Appeal period ends: 6/8/2018, 5pm Decision final: 6/8/2018, 5pm</p>
<p><u>Decision:</u> Approved, conditions attached</p> <p>Proposal: Home Occupation application request to conduct Interior Design and Construction services out of residence.</p> <p>Applicant: Rebekah Milsten</p> <p>Location: 320 17th ST NW.</p> <p>File number: P-18-0057</p> <div style="text-align: center;">  </div>		<p>Why you are receiving this notice: Per Section 20.75.010 of the Puyallup Municipal Code, the city is required to notify all property owners within one hundred fifty (150) feet of the property for which the permit is requested to notify you of the establishment of a home based business that will generate traffic. City staff mailed this notice to neighbors on May 24, 2018 indicating staff's initial determination that the requested home occupation meets all applicable city standards for approval. This report will address all of the standards required of a home occupation. A full description of the reconsideration and appeal processes are outlined at the end of this staff report.</p>
<p>Staff Contact: Riley Johnson, GIS/Planning Assistant (253) 770-3338 rileyj@ci.puyallup.wa.us</p>		

BACKGROUND

The applicant has applied for a home occupation permit to conduct an Interior Design and Construction business within the residence at 320 17th ST NW. The Normal conduct of the business will require client visits to the subject property. There will be no exterior storage of any materials and/or equipment related to the home occupation business at the residence. The applicant has proposed a flush mounted nameplate, no greater than two (2) square feet, be mounted against the wall of the residence to identify the homebased business.

FINDINGS

A requested home occupation is subject to meeting and maintaining the following five (5) performance standards per city code section 20.75.015. Staff findings are as follows:

1. **A home occupation shall be conducted in a dwelling and shall be clearly incidental and secondary to the use of the structure as a dwelling. No such home occupation shall occupy a floor area greater than 25% in the area of the total enclosed floor area on the property.**

Staff Comment: According to Pierce County Assessor-Treasurer data, the primary residence is 1,360 square feet, with an attached 228 square foot garage, providing a total floor area of 1,588 square feet. The applicant has indicated that the home occupation will occupy approximately 132 total square feet of the residence for the purposes of Interior Design and Construction services, which is 25 percent of the total structural square footage on site, therefore meeting the maximum allowed floor area ratio. **Staff finds consistency with this criterion.**

- 2. In no way shall the appearance of the structure or premises and property be so altered, or the conduct of the occupation within the structure be such that the structure or premises may be reasonably recognized as serving the home occupation. Such alterations or conduct shall include but not be limited to color, materials, construction, lighting, signs, sounds, noises, storage of construction equipment, vehicle parking area, radio or television interference, vibrations, smoke, odors and/or display of equipment or materials.**

Staff Comments: The business services will be conducted indoors and is not anticipated to generate noise greater than what would be normally incidental to a typical residence. The proposed business is considered a general commercial use and the applicant has indicated that no substantial modifications to the property are necessary to accommodate the conduct of the business. **Staff finds consistency with this criterion.**

- 3. Employees who do not reside at the location of the home occupation may be allowed to work at the home occupation; vehicular trips associated with employees entering and leaving the site for employment shall count toward the maximum trips allowed by this section.**

Staff Comments: The applicant has indicated that the home business will not be operated by anyone other than a resident family member of the residential dwelling. **Staff finds consistency with this criterion.**

- 4. No motor or mechanical equipment shall be permitted other than that normally incidental to the use of the structure as a dwelling. Nor shall any home occupation involve the use of commercial vehicles, other than those owned by the occupant for the delivery of products or materials to and from the premises, except that no such vehicle shall exceed one ton in capacity.**

Staff Comments: The applicant has not indicated any need for commercial vehicles or the need for delivery of products or goods needed to conduct the business. The business is proposed to be a general commercial use that will generate client visits to the property, but as the applicant indicated on their application, there is no need for commercial vehicles as part of their business operations. **Staff finds consistency with this criterion.**

- 5. Said home occupation shall not result in the use of utilities or the generation of traffic by the property beyond what is normal and typical to a residential use.**

Staff Comments: The city uses a specific formula to determine the maximum number of allowable motor vehicle trips on properties containing home occupation businesses. The formula uses a calculation that multiplies the size of the subject property by a specific

quotient derived from the street classification that provides primary access to the property by a coefficient for the zoning district which applies to the subject property. The following is the application of this formula to the subject property:

$$\begin{array}{rcccccc} \mathbf{0.1917} & \mathbf{X} & \mathbf{19} & \mathbf{X} & \mathbf{2.0} & \mathbf{=} & \mathbf{7.49} & \mathbf{(rounded\ down\ to\ 6)} \\ \mathbf{(Acreage)} & & \mathbf{(Street\ Classification)} & & \mathbf{(RS-8\ Zoning\ coefficient)} & & \mathbf{(Allowable\ Vehicle\ Trips)} \end{array}$$

The maximum number of visitor vehicle trips per day generated by the home occupation, based on the code formula is six (6) vehicle trips per day.

(Note: each trip coming to and each trip leaving from the property is considered to be a single vehicle trip, so that each visitor to the home occupation would typically generate two vehicle trips)

On the application, the applicant indicates that they anticipate less than ten (10) vehicle trips, or ten (10) round-trip client visits per year. Per the above-cited formula from City code, the applicant is allowed to generate a maximum of (6) vehicle trips per day. Given the applicant's estimate of approximately ten (10) vehicle trips per year, staff finds consistency with the findings. Therefore, **staff finds consistency with this criterion (see condition #6).**

DECISION

Therefore, upon staff's initial determination as outlined above, the Planning Director hereby grants preliminary approval to this requested home occupation permit application, to conduct an Interior Design and Construction business within the residence at 320 17th ST NW., for the applicant Rebekah Milsten, based on the findings set forth above, with the following conditions:

1. Adequate off-street parking shall be provided for all clients visiting the residence for business. The off-street parking need not be a paved surface but should be located in areas on the property that will not cause mud or dust to be tracked into the city right-of-way;
2. The home occupation shall be conducted within the primary residence on the property. The gross floor area shall not in any event exceed 132 square feet (25 percent of the total structural floor area on the site) for business space as well as any storage of surplus materials. No storage of any home occupation related surplus/materials shall be located outdoors;
3. In no way shall the appearance of the structure or premises and properties be so altered, or the conduct of the occupation within the structure be such that the structure or premises may be reasonably recognized as serving the home occupation. Such alteration or conduct shall include but not be limited to color, materials, construction, lighting, sounds, excessive noise, storage of construction equipment, designated (painted or otherwise marked out) vehicle parking areas, radio and television interference, vibrations, smoke, odors and/or displays of equipment or materials;
4. No motor or mechanical equipment is permitted other than that normally incidental to the use of the structure as a dwelling;

5. Commercial vehicles are not allowed other than those owned by the occupant; said vehicles shall not exceed one-ton in capacity or two axles in size;
6. The maximum number of motor vehicle trips that the home occupation is allowed to generate is six (6), or three (3) roundtrips daily. Peak hour business traffic is limited to no more than four (4) vehicular trips, or (2) roundtrip visits per peak hour. In no event shall this maximum amount be exceeded in the future. Exceeding this amount shall be grounds for revocation of this permit approval;
7. Like all businesses within the city, all home occupation permits are required to renew their business license annually. However, no further decision is required from the city in the form of an additional staff report. Any non-compliance with the conditions outlined in this decision shall be grounds for permit revocation.



Riley Johnson
GIS/Planning Assistant

5/24/2018
Date



Tom Utterback, AICP
Development Services/Planning Director

5/24/18
Date

PROCESS FOR RECONSIDERATION/APPEAL OF FINAL DECISION

Upon making an initial determination that an administrative adjustment (variance) – as permitted herein – complies fully with the required performance standards of PMC 20.86, the Planning Director shall notify by mail the applicant and all owners of property abutting the property for which the permit is requested informing them of the requested permit and the City's initial determination to issue the permit (including any permit conditions, if applicable). **This report serves as such notice.** If a written objection to issuance of the permit is filed by any such property owner or by the applicant within ten (10) business days of said notification, the Planning Director shall re-consider the initial determination in light of the objection(s) as raised and render a final decision on the permit. This final decision shall result in either the director's concurrence with original determination of permit approval, the approval of the permit with additional conditions, or the denial of the permit. Any party aggrieved by the director's final decision may file an appeal of that decision to the hearing examiner. Such appeals for hearing examiner review must be filed within 10 business days from the date the written decision.

If no written objection is filed to the initial determination of impending permit issuance, this decision to issue a permit becomes final. If you would like to contact the city to discuss this decision, please contact the following staff member:

Riley Johnson, GIS/Planning Assistant
rileyj@ci.puyallup.wa.us
(253) 770-3338

** Please note that the City of Puyallup does not regulate/enforce 'Homeowners Association Covenants, Conditions and Restrictions' (CC & R's). Any conflict with the CC & R's is purely a matter between the applicant and the local 'Homeowners Association' or other enforcing body.*