



CITY OF OTHELLO PLANNING COMMISSION

Regular Meeting 500 E. Main St. May 16, 2022 6:00 PM

For those who would like to attend remotely, see virtual instructions at the end of the agenda

1. Call to Order - Roll Call
2. Public Input
3. Approval of Minutes
 - a. March 21, 2022 minutes p.3
 - b. April 18, 2022 study session minutes p.6
4. Active Transportation Public Engagement p.9
5. Zoning Update – Landscaping/Street Trees – OMC 17.74 – Discussion p.17
6. Zoning Update – Home Occupations – OMC 17.59 – Discussion p.18
7. April Building & Planning Department Report p.42
8. Old Business
 - a. Subdivision Update – OMC Title 16 – This should be the next big project for the Commission
 - b. Housing Action Plan
 - A) When time allows, the Commission should discuss whether there are further recommendations the Commission wants to consider implementing.
 - B) City has received a grant to explore the Multi-Family Tax Exemption program. Next step will be to hire a consultant.
 - c. Residential Landscaping Installation Timing
 - d. Underground Utilities ordinance—City Attorney presented draft changes to Council May 9. He will be making revisions based on Council input

Next Regular Meeting is Monday, June 20, 2022 at 6:00 PM

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City of Othello
Planning Commission
March 21, 2022
Zuleica Morfin

CALL TO ORDER

Chair Chris Dorow called the meeting to order at 6:06 PM.

ROLL CALL

Commissioners Present: Chair Chris Dorow, Alma Carmona, Brian Gentry, Daniela Voorhies, and Kevin Gilbert

Absent: None

Staff: Community Development Director Anne Henning, Building and Planning Secretary Zuleica Morfin

Attendees: Councilmember John Lallas, Councilmember Corey Everett, Bob Carlson, Jake Mendez

MINUTES APPROVAL

February 22, 2022, minutes were approved as written. M/S Gentry/Carmona

ZONING UPDATE – USES IN RESIDENTIAL ZONE – PUBLIC HEARING

Community Development Director Anne Henning provided a summary of what the Commission discussed at the last meeting about existing uses along 7th Ave that do not fit in the R-2 zone. Since 7th Ave. is a collector street, it has developed with churches, schools, multi-family, and somewhat commercial uses. Chair Chris Dorow mentioned a request that was made last month to consider commercial activity on 7th street which is zoned as a residential area. Commissioners felt the request was worthy for the entire city's growth and had a lot of area to consider to be transitional from residential to commercial. Chair Dorow opened the public hearing at 6:10 PM asking the public if anyone would like to speak in favor/ neutral/ opposed to the change in the OMC. Hearing none, Chair Dorow closed the public hearing at 6:11pm.

Chair Dorow asked if the Commission had any comments or concerns on the proposed draft. With no comments from the other Commissioners, Chair Dorow stated he wanted to revisit a few items. He asked the Commission to reconsider allowing hotels/motels on 7th Ave, as this might be a good addition with all the activities that take place on 7th. Commissioner Alma Carmona stated she had concerns about hotels/motels being so close to schools. Commissioner Kevin Gilbert stated he didn't see any point in allowing hotel/motels to be near schools when there is plenty of ground for them to be built within a reasonable drive. Commissioners Daniela Voorhies and Brian Gentry were also not in favor of allowing hotels/motels along 7th Ave. There was a question from the audience about whether there was evidence of problems related to hotels/motels. Chair Dorow responded that there were police reports on crime related to hotels/motels. Commissioners agreed to not add hotels/motels as allowed uses in the ordinance. Council member John Lallas agreed there were already other areas where the zoning would allow this use.

Chair Dorow asked Community Development Director Anne Henning if food trucks are allowed on 7th. Ms. Henning replied that for a food truck you need the permission of the property owner, and you cannot locate on Main St. No stationary vendor may locate in a residential zone. Ms. Henning stated that the Othello City code did not specifically address food trucks that are actually mobile, like an ice cream truck.

Chair Dorow state that nothing would be done with food trucks for now but in the future the ordinance needed to be readdressed. He felt there might be a situation where a food truck might want to locate on a church site.

The next item Chair Dorow wanted to clarify in the draft was “Clubs, lodges, and assembly halls”, which are listed as prohibited in Residential Zones. He wondered if that would prevent a church from renting out their fellowship hall for an event, or even having a fellowship hall at all, since it is an assembly use. Ms. Henning stated that a fellowship hall is a typical part of a church use. She suggested adding language to clarify that clubs, lodges, and assembly halls as a primary use were prohibited. The Commission was in favor of this change.

There was a question about parking. Ms. Henning stated that parking per OMC 17.61 would be required for any new use, but that the draft had specific language in Footnote 4. For clarity, this same note could be added to Footnote 1. The Commission was in favor of this change.

There was discussion about building design standards. The Commission determined the design standards for the C-1/C-2 Zones should apply to new buildings but not to conversions of existing buildings. This language will be added to Footnotes 1 and 4.

Ms. Henning stated she would be sure all the requirements in Footnotes 1 and 4 were consistent with each other.

Motion passed to recommend the ordinance related to uses in Residential Zones to City Council, with the changes as discussed. M/S Gilbert/Carmona

OLD BUSINESS

Ms. Henning updated the Commission that the Park Plan they had recommended had been adopted by Council and approved by RCO.

Chair Dorow reminded the Commission that the subdivision update is the longest item on old business and that Commission will have to dig deep into it to get it done, similar to the zoning update that took several years.

The residential landscaping installation timing is another item on old businesses that will need to be revisited as the Commission was asked by the Mayor to review it.

Chair Dorow stated that when the Commission runs out of ideas to talk about, they will go back into the Housing Action Plan for recommendations on how to help with housing issues. Community Development Director Anne Henning mentioned that the City has been awarded a grant to study whether the state’s multi-family tax exemption program would benefit housing supply and affordability, which is a potential strategy in the Housing Action Plan.

HOME OCCUPATION CODE

The current home occupation code was adopted in 1995. Ms. Henning did not research if that was a readoption of a previous code or new at that time. In any case, with complaints on home businesses, the code now needs to be updated. Chair Chris Dorow questioned if at-home daycares were allowed in the current code. Ms. Henning explained that the state requires all cities to allow family home

daycares, which are 12 or fewer children in the home of the provider, anywhere that housing is allowed. Chair Dorow went over a list of 10 items that are currently allowed by the code. He felt the list was not very modern.

Commissioner Kevin Gilbert wondered about complaints on home businesses as he couldn't see what the problem would be. Other than someone parking their car in someone else's driveway, he couldn't really see think of what the complaints would be.

The Commission will be ready to discuss home occupation regulations at the next meeting.

FEBRUARY BUILDING & PLANNING DEPARTMENT REPORT

Chair Dorow mentioned that the rental housing licensing and safety inspection program is making progress to ensure that residential rental properties are safe and meet state standards, even though February was a slow month for rental licenses. He is looking forward to the annual report to Council, which will show that the program is good for the city.

Chair Dorow noted that there have been several projects that seem to be stalled, such as the Ochoa Short Plat. He stated his willingness to help if there is anything the Commission can do to get these projects moving again.

ADJOURNMENT

Having no further business, the meeting was adjourned at 7:09 PM. Next regular meeting is Monday, April 18, 2022.

_____ Date: _____
Chris Dorow, Chair

_____ Date: _____
Zuleica Morfin, Building and Planning Secretary



City of Othello
Planning Commission
April 18, 2022
Anne Henning

CALL TO ORDER

Chair Chris Dorow called the hybrid meeting to order. Because there was not a quorum of Commissioners, this was a study session rather than a regular meeting.

ROLL CALL

Commissioners Present: Chair Chris Dorow and Brian Gentry

Absent: Alma Carmona, Daniela Voorhies, and Kevin Gilbert

Staff: Planning Secretary Zuleica Morfin

Attendees: Councilmember John Lallas, Bob Carlson, Jake Mendez

MINUTES APPROVAL

Bob Carlson pointed out an error in the March minutes to be corrected before the minutes are brought back for formal approval next meeting.

PUBLIC INPUT

Chair Dorow explained an update to state law that requires the Commission to allow public input before any decisions are made. This will be a new item on the agenda. He considered whether to set a 5-minute time limit like the Council has, but since public attendance at Planning Commission meetings is typically small, he felt a set limit is not needed at this time. The time limit might be revisited in the future if it becomes an issue.

ZONING UPDATE – HOME OCCUPATIONS – OMC 17.59 – DISCUSSION

Chair Dorow explained that the Planning Commission worked for several years on a major update of the zoning code, which simplified the code and made it more consistent. But some topics were left out, to come back to later, like Home Occupations.

Staff looked for examples of more modern Home Occupation codes, to use as models, but many seemed very similar and/or too complicated. A few short examples were provided.

Chair Dorow stated that the only problem he saw with current Othello code is the list of allowed and prohibited businesses. A beautician is allowed in most cities but not Othello. He didn't see why a beautician should be disallowed when it seems similar to uses that are allowed, like massage. He would like to set up rules to allow appropriate businesses while managing businesses that are incompatible with residential. Many cities don't have lists of allowed/not allowed, just set standards.

Need to encourage entrepreneurial spirit without allowing infringement on neighbors.

Bob Carlson said he would like to see a prohibition of retail sales in residential. Chair Dorow agreed, he felt that was better than trying to limit the number of customers. Mr. Carlson pointed out that hours of operation are not addressed in the current code but should be. Chair Dorow agreed.

Chair Dorow felt the first section of the code (17.59.010 Home Occupation Defined) should be cleaned up, because it is too wordy. All the concepts are important but could be stated more concisely. This section says basically the same thing multiple times when once would have been sufficient: business clearly incidental to the residence, must not change residential character of the dwelling, no outward appearance or characteristic of a business.

Chair Dorow felt that if a business was not creating noise and not generating traffic, it is not a home occupation by the current definition. An example would be making items, such as metalwork, that are sold over the internet. He felt the definition would need to be precise. He felt if items are created in a shed/workshop but not sold out of the house, then it is not a home occupation. He felt the line was when clients came to the home, and how many clients.

Chair Dorow listed what he felt were deficiencies in Othello's Home Occupation code: Outside storage, no transfer of home occupation permit, regular business license requirements (bring up to standard), shipping and receiving, requirements for expansion, client limit, working hours/hours of operation.

Chair Dorow was surprised that of the 12 other codes reviewed by staff, Moses Lake was the only city other than Othello to not allow a home occupation in an accessory building. Group tried to think of businesses that might need to be in an accessory building. Mr. Carlson brought up vehicle repair. Chair Dorow stated that vehicle repair shouldn't be allowed as a home occupation, due to noise, smell, deliveries, and removal of contaminants.

Non-resident employees. About half of cities reviewed, including Othello, do not allow this. Chair Dorow is inclined to allow a non-resident employee, as long as it is **in addition** to resident employees, and not the homeowner renting space to a non-resident to operate a business unrelated to the residents. The feeling was that a non-resident employee might be important to a business such as legal or medical that might need a receptionist/bookkeeper.

Signage. Othello limits home occupation signs to 1 SF. Most cities allow more signage, at least 2 SF. Chair Dorow thought 1 SF was too limiting. Jake Mendez pointed out that signs in Othello may need to have both English and Spanish, so would need to be larger. Chair Dorow thought that 4 SF would be about right. But home occupation signs should not be illuminated. The point of the sign is not to attract random traffic but just to confirm to a customer that they are in the right place.

Number of clients. One at a time? Would beauty salon have waiting area? Space is limited to 30% of the residence. Commissioner Gentry asked whether a married couple would be allowed to have an appointment to talk about their taxes. Chair Dorow felt that the couple would be considered one client. By limiting to 1 at a time, that also limits the parking needed.

Retail. Chair Dorow likes the East Wenatchee provision, which allows retail when supportive of the business (shampoo at beautician, etc.) Bob Carlson brought up a woodshop selling its products. Jake Mendez brought up selling products over the internet. Chair Dorow felt that selling products over the internet or at craft shows were not home occupations, because no customers come to the house. He felt retail from the home should be prohibited other than when supportive of the service.

Traffic. Current rules about traffic are consistent with the other jurisdictions, so should just leave it in. Shows the expectations for appropriate businesses.

Parking. 1 for non-resident employee. 1 for customer. Don't want to require excessive parking.

Noise, vibration, electrical interference, etc. All the jurisdictions had similar provisions. Chair Dorow felt the existing code was good.

Should small engine repair be allowed? Existing lawn mower tune-up business on 15th Ave. Any complaints? Is the amount of noise comparable to people mowing their lawns?

Outdoor storage. Most cities prohibit it. Does the code already address this elsewhere?

Operating hours. Different in a residential zone than commercial zone. Discussed 7 AM to 7 PM or 9 PM for clients. But maybe not important to regulate it, would be self-limiting.

ADJOURNMENT

The study session was adjourned about 8:12 PM. Next regular meeting is Monday, May 16, 2022.

Chris Dorow, Chair

Date: _____

Anne Henning, Community Development Director

Date: _____

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: May 16, 2022

SUBJECT: Active Transportation Plan – Public Engagement – Request for Direction

Othello has never had an active transportation plan (bicycle/pedestrian/non-motorized transportation) to specifically plan for these facilities. Last year, we had an opportunity to apply for a planning grant through QuadCo RTPO (Quad County Regional Transportation Organization). We received funds to hire a consultant to prepare an active transportation plan. Based on the proposals received, we hired SCJ Alliance. As part of the planning process, we would like to get some public input on the work so far to determine the direction to go from here.

Staff Comments

1. Upcoming opportunities for public input are:
 - a. Baseball Opening Day, May 21
 - b. 4th of July event at Lions Park
 - c. Farmers Market
 - d. City website info
 - e. Social media
 - f. Focus group(s)
 - g. Surveys (online and/or paper)
2. SCJ Alliance's scope of work did not include public engagement within the budget of the grant award. Rather than spending City funds to have the consultants run public engagement events, the decision was to have staff gather public input, with support from the consultants for materials and suggestions.
3. SCJ provided the attached suggestions for outreach. Staff did not feel capable of implementing SCJ's proposals in time for the May 21 event and instead proposes a focus group, surveys, and website/social media, with maybe a general public event at the July 4 celebration in Lions Park, Farmers Markets, or other community events (CBHA Color Run, County Fair).

Attachments

- SCJ Alliance Proposed Outreach Activities
- Proposed Policies
- Pedestrian Network Map
- Bicycle Network Map
- Sidewalk Gap Map
- Facility Types

Action: The Planning Commission should discuss the proposed public engagement and provide any direction to staff.

Proposed Outreach Activities

The following activities are options to include in the public outreach efforts for this plan.

1. Destinations – Where do/would you most frequently bike or walk to?

Activity: Place a BLUE sticker on locations that you would walk or bike to. (Board 1)

2. Segment Prioritization – Which routes would you most like to see improved?

Activity: Place GREEN stickers on most desired routes. (Boards 2 & 3)

3. Facility Type Preferences – Which facilities are most appropriate and where?

Activity: Place sticky notes w/ comments on map boards to confirm or change proposed types. (Boards 3 & 6)

4. Safety Issues - Where are the crossings or streets that are most unsafe now?

Activity: Place RED stickers on crossings/locations with safety issues (Board 4)

5. What is missing? Are we missing other highly used routes?

Activity: Place sticky notes w/ comments or draw in where you'd like to see other routes. (Board 2, 3 & 7)

6. Policy Agreement - Which policies do you agree with?

Activity: Place stickers on policies you think are the most important to achieving a better active transportation environment in Othello. (Board 5)

Materials Needed:

- Board 1: City Context Map w/ Destinations
- Board 2: Proposed Pedestrian Network
- Board 3: Proposed Bicycle Network
- Board 4: Sidewalk Gaps Map
- Board 5: Proposed Policies
- Board 6: Facility Types
- Board 7: Free Form Comments

Outreach Goals

- Confirm proposed routes and facility types
- Priorities! Which routes are of highest priority to complete first? Which will make the most difference in the use of active transportation and the safety of the network?
- Confirm where major crossing improvements need to be implemented.
- Confirm which policies should be adopted and guide the development of the active transpo. network.

Next Steps

- Prioritize segments
- Outline more details about each priority segment (feasibility, partnerships, funding, etc.)
- Finalize a vision/goal/policy structure (simple)

Proposed Policies

The proposed policies will help guide how the active transportation network is implemented over time. Some policies may result in actions that need to be taken in the short term, such as addressing the development code, while others provide value statements about how the City *should* act when implementing bicycle and pedestrian facilities. These will eventually help create the plan's final recommendations.

Comfort & Convenience

1. Improve comfort along bicycle and pedestrian routes by adding street trees, lighting, rest areas or benches, and wayfinding/guidance signage.
2. Ensure the bicycle and pedestrian facilities connect seamlessly to schools, parks, transit, employment centers, and higher-density neighborhoods.
3. Require development projects to provide bicycle and pedestrian improvements if they are located along a designated active transportation route.
4. Ensure appropriate amenities are included in bicycle and pedestrian facility design, including compliance with ADA, bicycle racks, bus stop connections, shelters, rest areas, and bicycle carriers on transit buses.

Safety

5. Improve crossings where active transportation routes intersect with major arterials and where they connect to schools and parks.
6. Encourage traffic calming measures along all streets within the active transportation network.

Education & Awareness

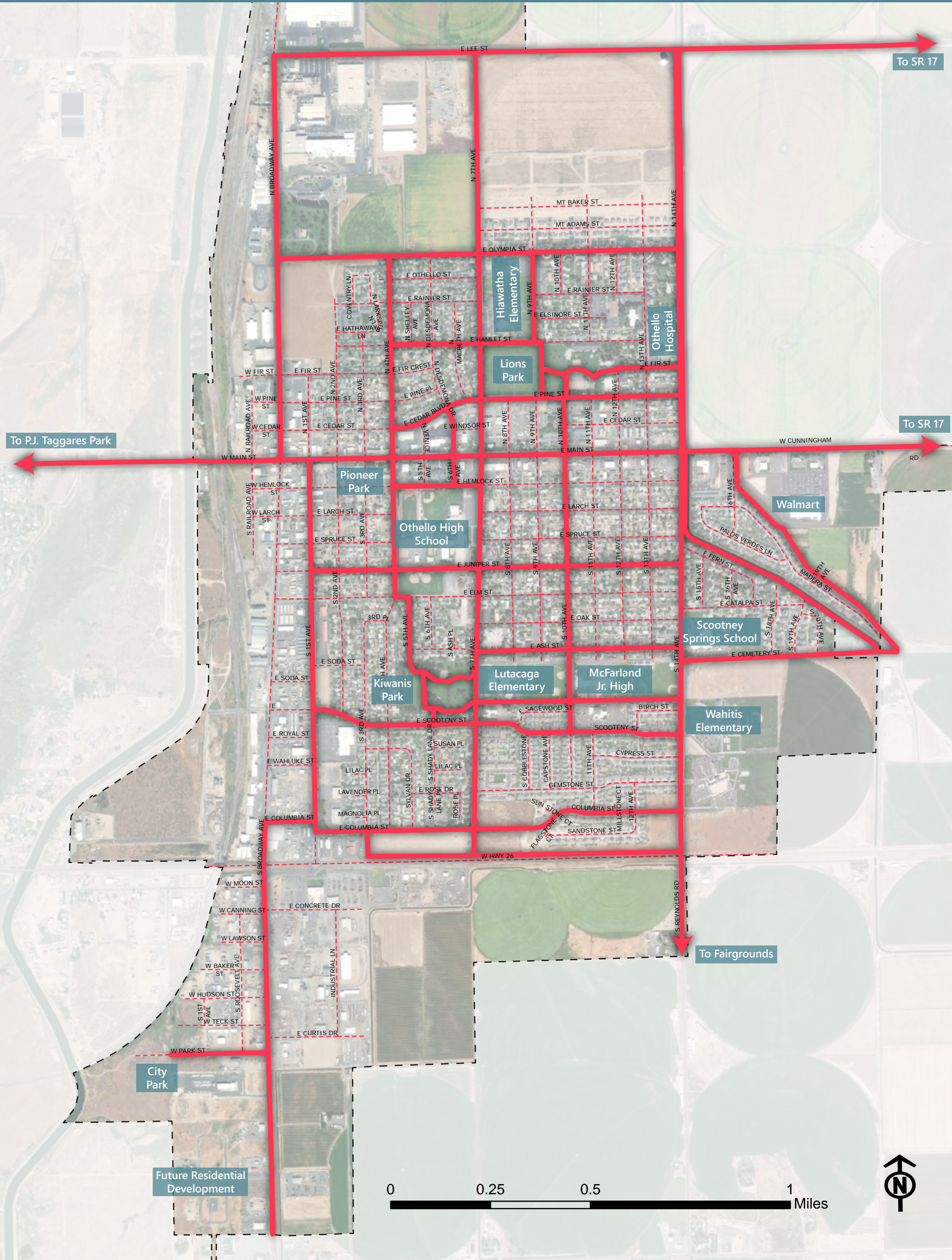
7. Organize educational and awareness programs such as 'Bicycle to Work Month' to promote and increase the use and safety of active transportation.
8. Develop a unified signage system for identifying routes and access points within the active transportation network that is consistent with established standards
9. Keep an updated map of bicycle and pedestrian routes available on the city's web page.

Funding

10. Identify and apply for funding to design, construct, and maintain active transportation facilities.
11. Include bicycle and pedestrian facilities in the CIP
12. Incorporate bicycle and pedestrian improvements during scheduled street maintenance/construction.
13. Where funding and/or time is short, utilize tactical urbanism approaches to initiate pilot projects. This includes installing temporary bicycle lanes, parklets, street furniture, & traffic calming to inspire long-term change and gauge community support.

Administrative & Maintenance

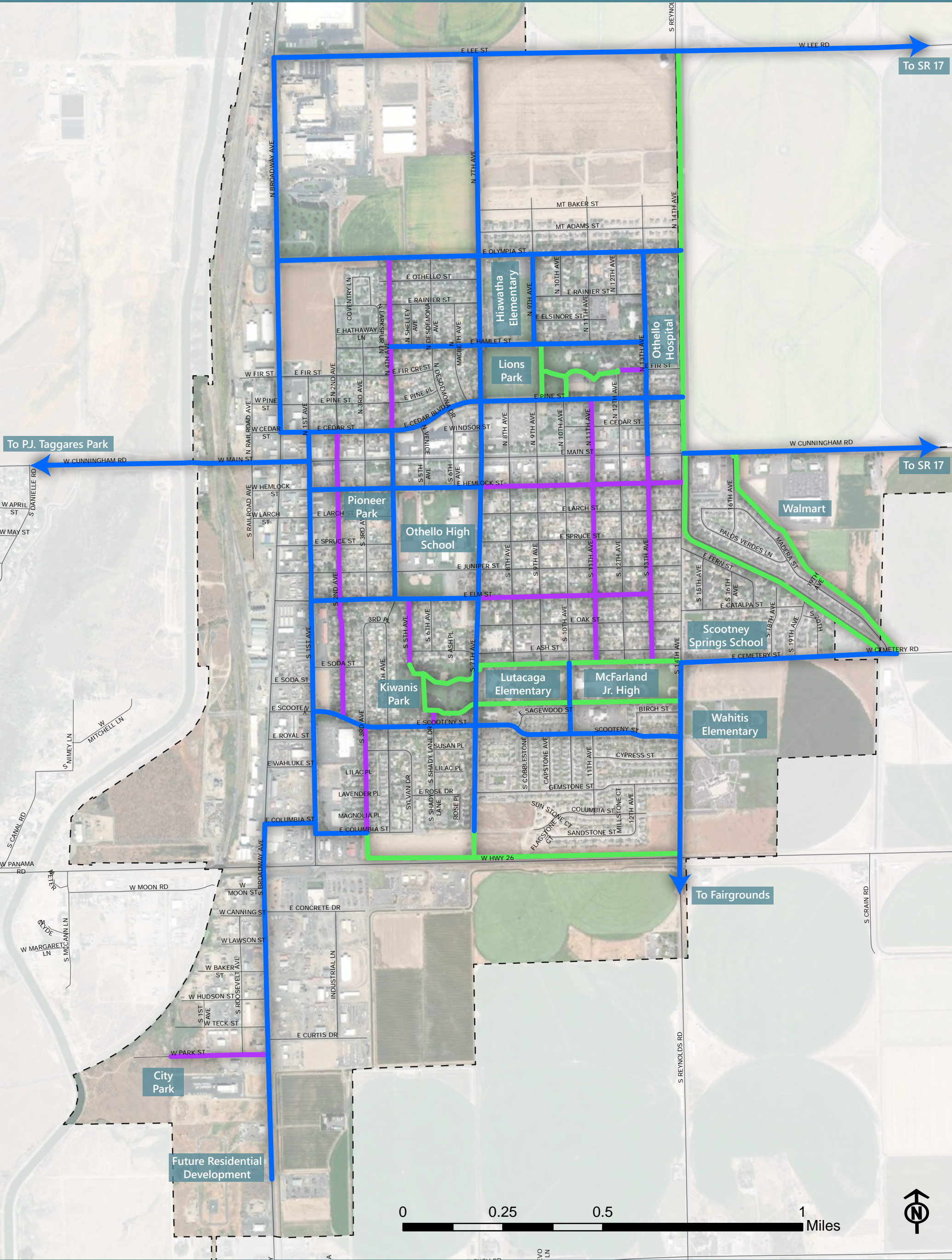
14. Regularly monitor the active transportation network to ensure that signs, pavement markings, crossings, and ADA accessibility are well maintained and cleaned.
15. Monitor volumes of cyclists and pedestrians to track where demand is high and where it is low, and adjust priorities of projects accordingly.



Othello, WA Pedestrian Network

- Priority 1 Pedestrian Routes
- - - Priority 2 Pedestrian Routes
- [- -] City Limits





Othello, WA Proposed Bicycle Routes

- Roads

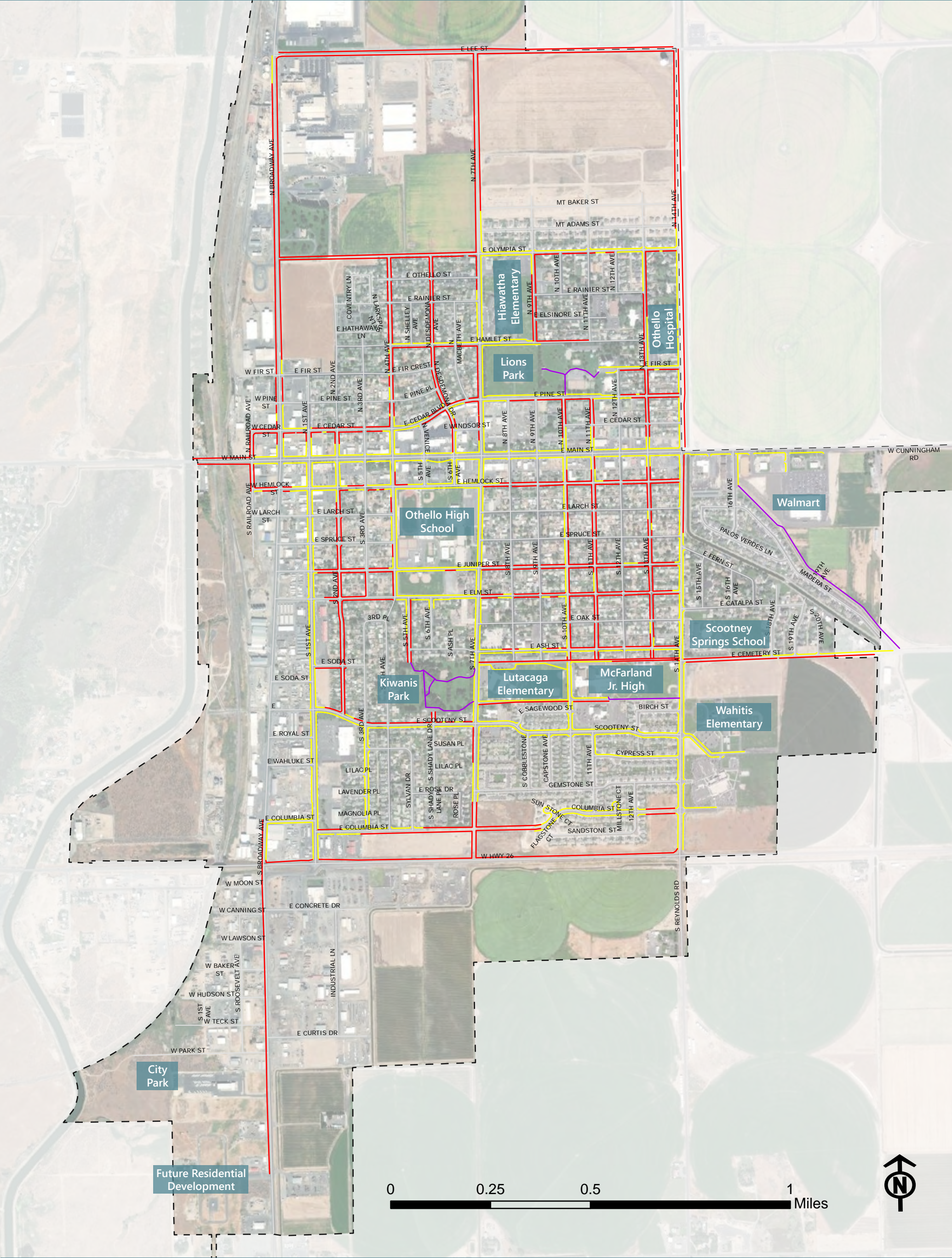
[- -] City Limits
- Proposed Bicycle Routes

Shared Use Path

Bicycle Lane

Bicycle-Friendly Street





Othello, WA Sidewalks

- City Limits
- Existing Sidewalks
- Missing Sidewalks
- Existing Paths
- Roads



SCJ ALLIANCE
CONSULTING SERVICES

Othello Proposed Active Transportation Routes

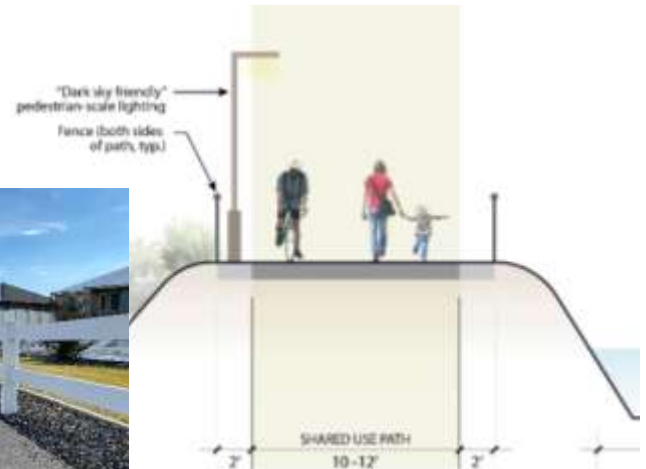
Bicycle Network

The proposed bicycle network aims to connect Othello's major destinations that residents would be most likely to bike to. This includes schools, recreation, higher density residential neighborhoods, and city services.

The network consists of three different types of bicycle facilities including:

Shared Use Paths

Shared use paths are pathways or trails that allow both bicycle and pedestrian use. They are the safest facilities for bicycles as they are physically separated from vehicle traffic. They are already common in Othello's parks and along the canal on the east side of town. The proposed network maintains the existing pathways and expands them to include a new path along the canal that follows 14th Avenue and one that is set off from, but parallel to, SR 26 on the south side of town.

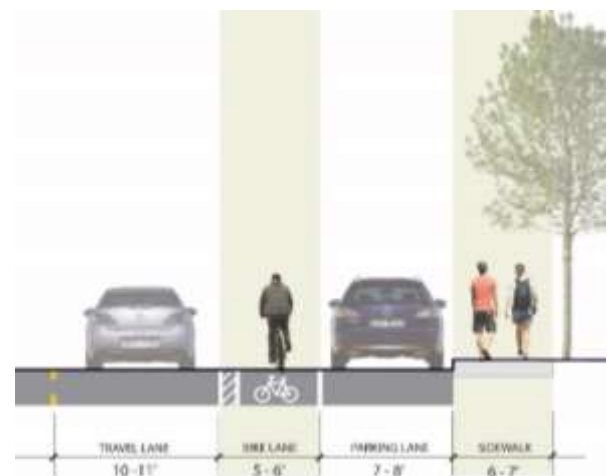


Bicycle Lanes

Bicycle lanes are typically stripes painted along existing roadways that designate space on the street for bicycle use. Othello has a lot of potential to add bicycle lanes because of its wide streets, meaning there is usually plenty of space for two-way traffic, street parking, sidewalks, and bicycle lanes. Bicycle lanes would likely be striped in the existing vehicle travel lanes, which would also narrow the vehicle travel lanes, potentially having a traffic calming effect.

Bicycle lanes are most appropriate on routes that have higher traffic volumes or faster speeds, but where complete separation of bicycles from vehicle traffic is not feasible.

Bicycle lanes are also a less expensive alternative because they can be incorporated into existing streets just by adding paint and signage.



Bicycle-Friendly Streets

Bicycle-friendly streets are designated bicycle routes but are already low-traffic, low-speed routes. These are often residential streets that provide connections across town. Bicyclists may already use these routes because of their calm and safe nature. Designating these routes as bicycle-friendly streets would help ensure cyclists are continued to be prioritized through investments in safe crossings where these routes cross busier collectors and arterials. Bicycle-friendly streets can be designated by adding signage to streets to help make drivers aware that the road is shared with bicycles, increasing awareness, and therefore safety, of the routes.



Pedestrian Network

The pedestrian network in Othello will help connect Othello's major destinations that residents would be most likely to access on foot. This includes schools, recreation, higher density residential neighborhoods, and city services. Othello should enact policies that ensure pedestrians have safe and consistent access on all city streets.



The proposed network separates all city streets into "Priority 1" and "Priority 2" routes.

Priority 1 Routes are the highest priority pedestrian routes. These typically follow arterial and collector streets that run across the city and provide a high degree of connection. These are also busier streets, making it more important that there are safe and continuous sidewalks and crosswalks.

Priority 2 Routes are all other city streets. Pedestrians should have safe access to all parts of Othello. While it will be important to ensure these routes have sidewalks or safe spaces for pedestrians, they are the routes that provide a lower degree of connection, often connecting to residential areas or city outskirts.

Sidewalk Gaps

The sidewalk gap map shows approximately where there are gaps in the sidewalk network along the Priority 1 pedestrian routes and along the routes included in the bicycle network. These will be the most important gaps to address.

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: May 16, 2022

SUBJECT: Street Trees – OMC 17.74 - Introduction

During the course of review of the new Cow Path Bakery location on Main Street, the City Council discussed the code requirements for landscaping for remodel projects, specifically street trees on Main Street, and whether this is an appropriate requirement for a remodel project. The Council has asked the Planning Commission to revisit the street tree requirement.

Staff Comments

1. OMC 17.74 Landscaping was adopted in February 2020. Updated landscape requirements were reviewed by the Planning Commission in 2018 (Jan. 16, Feb. 20, May 18, & Nov. 19) and 2019 (Jan. 23, May 20, & Aug. 19).
2. OMC 17.74 replaced previous landscaping requirement scattered among several OMC chapters, including 14.57 Landscaping (adopted 2009), which required Type III Street Frontage Landscaping with 1 tree and 4 shrubs for every 25' of street frontage for commercial developments, including remodels where the cost exceeded 25% of assessed value.
3. Staff will prepare materials for discussing this topic at a future meeting.

Action: No action is needed at this time. The Planning Commission may wish to provide staff some initial direction.

TO: Planning Commission

FROM: Anne Henning, Community Development Director

MEETING: May 16, 2022

SUBJECT: Zoning – OMC 17.59—Home Occupations—Discussion

When the Zoning Code was updated (2017-2020), we focused on the most glaring inconsistencies and the most important aspects that needed change, with the idea that we could come back to the other sections as we discovered problems with them.

Home occupations have come up enough recently that it is time to examine this chapter and bring it up to date. The world has changed a lot since 1995 when this code was adopted. Just in recent times and specific to Othello, conversion of garage area to living space is now allowed in certain circumstances, and accessory dwelling units are allowed. More generally, home-based businesses have become more common, as people try to supplement their incomes or work for themselves rather than an outside employer. Attitudes toward appropriate uses in residential have also been changing, as well as attitudes toward regulation of how people use their property.

Staff Comments

1. Staff looked for examples of more modern home occupation codes but they proved hard to find. Many of the codes are very similar, with just slightly different phrasing. Many also seem unnecessarily wordy and bureaucratic; staff is in favor of shorter and simpler regulations. Links to each code are included in the headers of the charts. In addition, copies of the most concise codes have been attached to this staff report for easy reference. Staff contacted these 5 jurisdictions for input on how their home occupation codes have been working. Here is the feedback received:
 - a. Anacortes (population 17,750) – Planning Manager says their code seems to work quite well. They have received 6 or fewer applications per year for the last 10 years. The regulations do not apply to home offices or similar that don't have any customer or employee visits to the site, so she feels that cuts down a lot on the paperwork for her department.
 - b. Marysville (population 71,250) – A Senior Planner says the code has been in place for some time, with just a couple of minor tweaks over the years. It seems to function well, and they have a lot of home occupations. One issue that comes up is that home-based businesses can outgrow the intent of a home occupation, and then Code Enforcement has to get involved to get them back in line with allowable square footage, number of clients, storage, etc. Another Senior Planner says that the only uses that have been challenging to administer are those related to firearms, auto repair, and home-based veterinarians, so she recommended more consideration of those types of uses if any are likely to be an issue here.
 - c. Sedro-Woolley (population 12,330) – Planning Director feels the code is out of date and needs to be revamped. The current structure of needing to review the applications creates a lot of work for him because he receives about 20 applications per week. (*Note: This is **much** higher than Othello's volume of about 5 per month*). He would like to be able to automate the review and approval process to lessen the time commitment.

- d. Spokane Valley (population 104,500) – Administrative Assistant/Business Licensing Specialist say their code works quite well. She said there have been a few instances where they felt having more specifics would be helpful, such as how many customers a home occupation can have in a day. They have had just over 200 home occupation applications so far this year.
2. Staff compiled a chart of the uses that were listed in the various ordinances as allowed or prohibited. Obviously, none of the lists were meant to cover all circumstances, but the length of the chart shows the futility of trying to list uses. Some codes had no lists at all, and others listed prohibited but not allowed uses. If there are uses that someone might reasonably propose but are clearly never suited as a home occupation, those could be listed as specifically prohibited in the updated code. Alternatively, standards could be set for proposed home occupations to be approved or denied based on whether they could meet those standards.
3. Several codes had exemptions that could be considered:
 - a. Anacortes does not require a home occupation license for a home office or home telephone or internet sales, or similar, with no customer or employee visits to the site.
 - b. East Wenatchee does not require a home occupation license for offices for businesses conducted elsewhere (construction contractors, lawn care, janitorial, etc.) where the only activity at the home is administrative such as scheduling, billing, accounting, etc. *(Note that this is the majority of home occupations applied for in Othello, specifically small trucking operators).*
 - c. Spokane Valley exempts from the fee home businesses that meet certain standards: No exterior alterations, no deliveries, no customers on site, no signs or window displays, no outside employees.
 - d. Wenatchee has a category for “mailing-address-only home occupations” for authors, composers, and writers; home offices using phone, mail, and internet; internet businesses; services and activities not performed at the residences, such as Tupperware parties; Avon and similar (but activities still might need regular home occupation license); and businesses that do not include customers coming and going from the residence. This category is not allowed any signs on the premises, the home address shall not be use in advertising, no outside employees coming to the home, no deliveries beyond those expected in a residential neighborhood, no stock in trade kept on the premises unless stored entirely within the primary residence, and no equipment or employees dispatched from the home.
4. The Commission should consider what purposes are we trying to achieve by regulating home occupations. According to Municipal Research & Services Center (MRSC, a non-profit organization that provides legal and policy guidance to Washington local governments), typical functions that business licensing serves include monitoring business activities operating within city limits, regulating certain businesses to ensure public safety and code compliance, and generating revenue. The purpose statements specific to home occupation codes include the following:
 - a. Allowing activities for profit within a dwelling while maintaining the residential character of the property and avoiding detrimental effects to the surrounding neighborhood. (Anacortes)
 - b. Recognize the desire and/or need of some citizens to use their residence for business purposes. Ensure home occupations will not be detrimental to the character and livability of the surrounding properties, maintain and preserve the character of residential neighborhoods, ensure home occupations are compatible with other uses

permitted in residential districts, provide flexibility for residents to use their homes as their workplace and encourage creativity in careers. (East Wenatchee)

- c. Preserve the residential character of neighborhoods from commercial encroachment while recognizing that certain business activities are compatible with residential use. (Ephrata)
- d. Allow small scale commercial operations while guaranteeing all residents freedom from excessive noise, traffic, nuisance, fire hazard, and other possible effects of commercial uses in residential neighborhoods. (Marysville)
- e. Protect residential areas from potential adverse impacts as a result of commercial activities. Also to permit residents a reasonable use of their residence as a place of livelihood and/or for supplementing personal/family income. (Moses Lake)
- f. Create an administrative framework to authorize business uses that do not pose a disruption to or a conflict with the residential environment. (Pasco)
- g. Protect residential areas from the adverse impacts of business activities, allow residents to use their homes as a place of livelihood and the production or supplementing of personal and family income, and establish standards. (Pullman)
- h. Provide residents with the option to use their residence for small-scale business activities that do not interfere with the residential character of their neighborhood. (West Richland)

Othello's priorities should guide Othello's regulations.

5. For reference, annual city revenue from all business licenses (all commercial uses including home occupations) is about \$60,000. The cost of a business license is \$80 (plus \$19 service fee to the state). The reporting system does not distinguish between home occupations and other business licenses, so we are unable to say how many home occupations there are.

Attachments

- Existing Othello Home Occupation Code OMC 17.59
- Comparison chart of home occupation regulations in selected cities
- Comparison chart of uses specifically allowed or prohibited as home occupations in selected cities
- Sample codes:
 - Anacortes Municipal Code 19.47.040 Home Occupations
 - Kennewick Municipal Code 18.42.090 Home Occupations
 - Marysville Municipal Code 22C.190 Home Occupations
 - Sedro-Woolley Municipal Code 17.68 Home Occupations and "home occupation" definition from 17.04.030 Definitions
 - Spokane Valley Municipal Code 19.65.180 Uncategorized Uses, Section A, Home Businesses

Action: The Planning Commission should discuss the home occupation regulations and provide direction to staff, specifically:

1. Standards that should or should not be regulated.
2. Whether uses (allowed and/or prohibited) should be listed in the code.
3. If any sample codes seem like a good model to work from.

Chapter 17.59 HOME OCCUPATIONS

Sections:

[17.59.010 Home occupation defined.](#)

[17.59.015 Application for home occupation uses and appeals.](#)

[17.59.020 Permitted occupations.](#)

[17.59.030 Participation restricted.](#)

[17.59.040 Floor area limitation.](#)

[17.59.050 Advertising and appearance restricted.](#)

[17.59.060 Accessory building use prohibited.](#)

[17.59.070 Retail sales prohibited.](#)

[17.59.080 Traffic and parking restricted.](#)

[17.59.090 Noise and interference prohibited.](#)

[17.59.100 Prohibited occupations.](#)

17.59.010 Home occupation defined.

A home occupation means any endeavor conducted for financial gain or profit in a dwelling unit where the endeavor is not generally characteristic of activities for which dwelling units are intended or designed, provided, that endeavors where the only activities include the receipt of mail, the use of a telephone, the occasional commercial delivery of goods and materials not inconsistent with such vehicular traffic in residential neighborhoods, are not considered home occupations subject to permitting requirements under this title. To be defined as a home occupation, the occupation or activity:

- (1) Must be carried on entirely within a residence by the occupants.
- (2) Must be clearly incidental to the use of the residence as a dwelling.
- (3) Must not change the residential character of the dwelling.
- (4) Must be conducted in such a manner as to not give any outward appearance nor manifest any characteristic of a business in the ordinary meaning of the term.

- (5) Must not infringe upon the right of the neighboring residents to enjoy a peaceful occupancy of their homes for which purpose the residential zone was created and primarily intended.

An occupation which does not meet this definition or which is incapable of or does not comply with the general requirements of this title shall not be deemed a home occupation. (Ord. 948 § 2 (part), 1995).

17.59.015 Application for home occupation uses and appeals.

An application for a home occupation use shall be submitted to the clerk's department for consideration. Such uses may be permitted by the individual(s) designated to review the applications subject to the provisions of this chapter. Any party aggrieved by a decision rendered by the individual(s) reviewing the application may appeal the decision to the hearing examiner, subject to the provisions of Chapter 19.11, Appeals. (Ord. 1546 § 6, 2020; Ord. 1066 § 1, 2000; Ord. 948 § 2 (part), 1995).

17.59.020 Permitted occupations.

Permissible home occupations include but are not limited to the following:

- (1) Accountant and tax consultants;
- (2) Artists and writers;
- (3) Architects and draftsmen;
- (4) Dressmakers, seamstresses and tailors;
- (5) Music or dance teachers;
- (6) Catering and party decorators;
- (7) Office facilities used in conjunction with business activities conducted off the premises, e.g., clergymen, salesmen, brokers, professional persons, etc.;
- (8) Tutoring;
- (9) Massage parlors;
- (10) Small appliance repair.

The above home occupations are limited to one client at a time. (Ord. 948 § 2 (part), 1995).

17.59.030 Participation restricted.

No person other than members of the family residing on the premises shall be engaged in such occupation. (Ord. 948 § 2 (part), 1995).

17.59.040 Floor area limitation.

The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than thirty percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation. (Ord. 948 § 2 (part), 1995).

17.59.050 Advertising and appearance restricted.

There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding one square foot in area, nonilluminated, and mounted flat against the wall of the principal building. (Ord. 948 § 2 (part), 1995).

17.59.060 Accessory building use prohibited.

No home occupation shall be conducted in any accessory building. (Ord. 948 § 2 (part), 1995).

17.59.070 Retail sales prohibited.

There shall be no retail sales of merchandise in connection with such home occupation. (Ord. 948 § 2 (part), 1995).

17.59.080 Traffic and parking restricted.

No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard. (Ord. 948 § 2 (part), 1995).

17.59.090 Noise and interference prohibited.

No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises. (Ord. 948 § 2 (part), 1995).

17.59.100 Prohibited occupations.

Prohibited home occupations include but are not limited to the following:

- (1) Barber shops;
- (2) Beauty parlors;
- (3) Kennels;
- (4) Stables;
- (5) Animal hospitals;

- (6) Pet grooming;
- (7) Real estate offices;
- (8) Restaurants;
- (9) Medical and dental clinics;
- (10) Vehicle repair, painting, servicing and renting;
- (11) Welding and metal work;
- (12) Cabinet, carpentry, and paint shops;
- (13) Mortuaries;
- (14) Private or nursery schools;
- (15) Private clubs. (Ord. 948 § 2 (part), 1995).

Requirements	Othello – 4 pages	Anacortes – 1 page	E. Wenatchee – 5 pages	Ephrata – 3 pages(p.178)	Kennewick – 1 page	Marysville – 2 pages	Moses Lake – 4 pages	Pasco – 5 pages	Pullman – 4 pages	Sedro-Woolley – 1 page	Spokane Valley – 2 pages	Wenatchee – 2 pages	West Richland – 4 pages
Entirely within a residence	Y						Y						
Within dwelling or detached accessory structure		Y	Y	Y	Y	Y		Y			Y	Y	Y
Non-resident employees	0	0	1	1	1 temporary or irregular employee during first 18 months	1	0 (& max of 3 total employees)	0	1 ¹	0	2	1	0
Clearly incidental to the use as a dwelling	y		Y				Y	Y				Y	Y
Must not change the residential character of the building	Y	Y	Dwelling & site must remain residential in appearance & character	Y		Y	Y			No exterior indication of anything other than a residence.	Y		
No change to outside appearance of building	Y	Y	Y										
No outward appearance of a business	Y		No exterior or window displays, storage or materials, or sample commodities displayed outside of the building except that horticulture & floriculture products grown on the premises may be displayed outdoors.		No structural alterations to accommodate the home occupation. Unless required by law, entrance to business must be from within the residence. No window displays nor commodities displayed outside building.		Y No structural alterations. Entrance to home occupation space shall be from within the residence, except when otherwise required by law. No window displays nor shall sample commodities be displayed outside the bldg	No modification of the property or exterior of its structures that indicates other than residential uses of the premises.	Y	No work areas or storage of materials visible from off the premises.	No window display nor display of sample commodities except flowers and produce grown on the premises.	No structural alterations unless required by law. No change in outward appearance of the building or premises or other visible evidence of the conduct of the home occupation except 1 sign. No window display and no sample commodities displayed outside the building.	No structural alteration or addition unless it would be suitable for typical residential purposes if not occupied by the business.
Must not infringe on rights of neighbors to enjoy peaceful	Y	Avoid detrimental effects to the	Not detrimental to the character				Y		Y		Uses which are detrimental to the existing		

¹ Except building trades & similar may have more employees if they are not employed on the premises. Home occupations with >1 nonresident employee require a CUP. 1 additional parking space required when nonresident employee works on premises.

Requirements	Othello – 4 pages	Anacortes – 1 page	E. Wenatchee – 5 pages	Ephrata – 3 pages(p.178)	Kennewick – 1 page	Marysville – 2 pages	Moses Lake – 4 pages	Pasco – 5 pages	Pullman – 4 pages	Sedro-Woolley – 1 page	Spokane Valley – 2 pages	Wenatchee – 2 pages	West Richland – 4 pages
occupancy of their homes		surrounding neighborhood	and livability of the surrounding properties and maintain and preserve the character of residential neighborhoods								residential appearance and character are not allowed as home businesses.		
Compatible with other uses permitted in residential districts		Y	Y										
# of clients	1 at a time			1 at a time, and by appt only	No more than 4 visits/day, by appt only, and only 1 at a time. Visit means up to 4 persons arriving in a single vehicle.	Services to patrons by appt only or provided off-site.		Only 2 client vehicles on site at any given time. No more than 8 customer vehicles per day. Client visits limited to 4 hrs per client visit per day.	No more than 6 during any 60 consecutive minutes. For classes, no more than 4 students at one time, but up to 6 if additional students will not generate more traffic. Occasional exceptions for recitals, demonstrations, etc.	No more than 12 per week, and no more than 2 clients on the premises at any one time.			
Floor area limitation	30% of dwelling	25% of dwelling unit, not including garage	25% of gross floor area of the structure being used or 500 SF of total floor area, whichever is less.	300 SF	25% of residential structure; and any accessory building	25% of floor area of dwelling unit or 600 SF, whichever is less	The use, including all storage space, shall not occupy >200 SF of residence or accessory structure.	Not more than 20% of the gross floor area of the residence. If in garage: not more than 600 SF.		25%		50% of one floor. If in accessory structure, not more than 50% of residence area or 800 SF, whichever is less	500 SF
Sign	1 SF, non-illuminated, flat against the wall	2 SF, non-illuminated		2 SF, attached directly to building, fence, standard, or mailbox. Unlighted or indirect illumination	Residential use sign allowed		Not allowed in R-1 unless required by law. 2 SF in R-2 & R-3. Flat against structure, unlighted. Larger sign can be allowed by	Not allowed. No media or other off premises advertising shall give the address of the home occupation.	2 SF, flush-mounted, non-illuminated. Sign shall show only the name of the occupant and type of occupation.		4 SF, unlighted, flush against exterior wall	6 SF, nonilluminated, mounted on building.	Nameplate up to 2 SF, compatible with the architectural character of the residence, shall not be illuminated or backlit without a special use permit.

Requirements	Othello – 4 pages	Anacortes – 1 page	E. Wenatchee – 5 pages	Ephrata – 3 pages(p.178)	Kennewick – 1 page	Marysville – 2 pages	Moses Lake – 4 pages	Pasco – 5 pages	Pullman – 4 pages	Sedro-Woolley – 1 page	Spokane Valley – 2 pages	Wenatchee – 2 pages	West Richland – 4 pages
							Hearing Examiner if will not adversely affect adjacent residential uses and if extra size is essential to the sign being seen.						
Retail	Prohibited		No stock stored nor commodities kept for sale on the premises which is not necessary to the profession or craft. Retail or wholesale sales limited to products created in the course of the home occupation or incidental items associated such as hair care products in beauty salons, sheet music offered by an instructor, implements for knitting, & similar.		Prohibited	Sales limited to merchandise produced onsite and/or mail order, internet, and telephone sales with off-site delivery.	Except for articles produced thereon, no merchandise, products, goods, or wares may be displayed or offered for sale upon the premises.						
Traffic	No more than would be expected in a residential neighborhood	May not exceed that which might reasonably be generated by residential use of the premises	Shall not be headquarters or dispatch center where employees come to the site and are dispatched to other locations.	4 (2-way) client trips per day		No more than 10 average daily round trips by customers.			Should not generate significantly greater traffic volume than would normally be expected in the residential district. No more than 4		Traffic or parking of vehicles shall not be generated in greater volumes than normally expected in a	Maximum of 10 vehicle trips per day for the business. A vehicle making a delivery and then leaving immediately would be	Combined customer, delivery, and employee vehicles visiting the property shall not exceed 6 per day.

Requirements	Othello – 4 pages	Anacortes – 1 page	E. Wenatchee – 5 pages	Ephrata – 3 pages(p.178)	Kennewick – 1 page	Marysville – 2 pages	Moses Lake – 4 pages	Pasco – 5 pages	Pullman – 4 pages	Sedro-Woolley – 1 page	Spokane Valley – 2 pages	Wenatchee – 2 pages	West Richland – 4 pages
									vehicles per hour (up to 6 vehicles/hour can be allowed after considering the availability of on-site parking, traffic circulation in the neighborhood, and business hours. Occasional exceptions for meetings, conferences, demonstrations, etc.		residential neighborhood.	considered 2 trips. No equipment or employees shall be dispatched from the residential premises, except the owner and owner’s vehicle.	Vehicle traffic shall not be an amount that would cause, or add to, any parking congestion problems, or represent a substantial increase in traffic through the residential area.
Parking	Parking needed for the business shall be met off street but not in required front yard	Adequate off-street parking for customers/clients	No parking beyond that normal to a residential area and no excessive vehicular or pedestrian traffic. Shall not displace required parking for the residence. Vehicles larger than 10,000 pounds gross weight may not be operated from the premises and may not be parked on the property or adjacent streets.	Shall not create a need for additional onsite or offsite parking	No more than 2 vehicles related to the occupation, not exceeding 10,000 pounds GVW shall be kept on premises, providing that appropriate off-street parking requirements are maintained.	No more than 1 vehicle for the home occupation, shall not park within any required setbacks or on adjacent streets, shall not exceed 16,000 pounds GVW or 20’ length or 8’ width.	No parking of customer vehicles in a manner or frequency causing disturbance or inconvenience to nearby residents or so as to necessitate a public parking lot.	1 vehicle not exceeding 14,000 GVW	Parking of customers’ vehicles should not create safety hazards or unusual congestion. At any 1 time, only 1 commercial vehicle associated with the business may be parked on-street near the premises for more than 4 consecutive hours. 1 additional parking space shall be required above the normal parking requirement for any business where 2 or more students or clients are likely to	2 more than 2 additional vehicles parked on or in the vicinity of the property due to the business at any one time.	Traffic or parking of vehicles shall not be generated in greater volumes than normally expected in a residential neighborhood. Parking shall be accommodated within the required off-street parking on private property.	2 spaces in addition to parking required for the primary dwelling (generally 2 for a house). Adjacent right-of-way shall not be used for parking. Required setbacks shall not be used for parking. One home occupation vehicle allowed, shall not park within any required setback area or on adjacent streets, shall not exceed weight capacity of 1 ton.	No more than 2 vehicles/trailers associated with the business shall be on or near the premises at any time. Vehicles shall not be larger than a typical passenger van or 1-ton pickup, trailer not more than 18’ overall length. Box-style cargo vans, semi tractors/trailers, heavy equipment, and similar vehicles are not authorized. Any vehicle or trailer that is not a typical passenger car or pickup must be parked off street. No

Requirements	Othello – 4 pages	Anacortes – 1 page	E. Wenatchee – 5 pages	Ephrata – 3 pages(p.178)	Kennewick – 1 page	Marysville – 2 pages	Moses Lake – 4 pages	Pasco – 5 pages	Pullman – 4 pages	Sedro-Woolley – 1 page	Spokane Valley – 2 pages	Wenatchee – 2 pages	West Richland – 4 pages
									concurrently visit the premises and their method of transportation are 2 or more separate motor vehicles.				parking on lawn.
Noise, vibration, glare, fumes, odors, electrical interference, etc.	No equipment or process which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. No visual or audible interference in any radio or TV receivers off the premises, or causing fluctuations in line voltage off the premises.	Must not create any noise, dust, glare, vibration, odor, hazardous waste, smoke, electrical interference, or other adverse impact to the surrounding residential area.	No noise, vibration, smoke, dust, odor, heat or glare which would exceed that normally associated with a dwelling. No use of electrical or mechanical equipment which would change the fire rating of the structure or would create visible or audible interference in radio or TV receivers or would cause fluctuations in line voltage outside the dwelling.	No noise, vibration, smoke, dust, odors, heat, glare, or other conditions which would exceed that normally produced by a single residence, or would create a disturbing or objectionable condition in the neighborhood. No use of electrical or mechanical equipment that would change the fire rating of the structure or create visual or audible interference in radio or TV receivers or electronic equipment or cause fluctuations in line voltage outside the dwelling unit. Utility demand for	No materials or equipment which may be detrimental to adjoining residences because of vibration, noise, odor, or interference with radio or TV reception.	No electrical or mechanical equipment that results in a change to the fire rating of the structure(s), no visual or audible interference in radio or TV receivers, or electronic equipment, or fluctuations in line voltage off-premises.	No material or mechanical equipment shall be used which is detrimental to residential uses because of vibration, noise, dust, smoke, odor, interference with radio or TV reception, or other factor.	Noise at property line shall not exceed 55 dBA from 8 AM to 8 PM, 45 dBA from 8 PM to 8 AM. No material or substance which is explosive, highly flammable, corrosive, radioactive or toxic shall be stored, created, utilized, or discarded in any way without prior knowledge of and written approval by the City. No light, glare, vibration, fumes or odors or other conditions which annoy, injure, or	Noise, dust, odors, noxious fumes, radioactive emissions, or vibrations emanating from the premises should not exceed that which is normally produced by a single dwelling. Mechanical or electronic equipment which is incidental to the home occupation may be used provided it does not create visible or audible interference in radio or TV receivers or cause fluctuations in line voltage off the premises.	No nuisance beyond what would normally be expected in a residential area.	No electronic interference with radio, satellite reception, telephone, or TV reception. Shall not generate measurable levels at the property line of noise, dust, smoke, odor, or glare. Shall not generate solid waste in volume or type which is not normally associated with residential use unless specifically permitted.	No equipment or process which creates noise, vibration, glare, fumes, odor or electrical interference or causes fluctuations in line voltage off the premises. No equipment shall be installed, no products shall be stored, and no activities shall be conducted that would violate the fire or building code limitations for a nonrated wooden structure (Type VB) regardless of the construction type of the building. No offensive noise, vibration, smoke, dust, odor, glare, electrical interference (cable, phone, radio, satellite, TV), or other detriments to neighboring properties.	

Requirements	Othello – 4 pages	Anacortes – 1 page	E. Wenatchee – 5 pages	Ephrata – 3 pages(p.178)	Kennewick – 1 page	Marysville – 2 pages	Moses Lake – 4 pages	Pasco – 5 pages	Pullman – 4 pages	Sedro-Woolley – 1 page	Spokane Valley – 2 pages	Wenatchee – 2 pages	West Richland – 4 pages
				sewer, water, electricity, garage, or gas shall not exceed normal residential levels.				endanger the comfort, health, repose, decency or otherwise comfortable enjoyment of life and property of neighboring residents.					
No outdoor storage		Y		Y	Y	Y	Y	Y	Y		Y		
Deliveries/ Shipping & receiving		Not to create excessive noise or traffic	No deliveries which are of such bulk or quantity as to require delivery by a commercial vehicle or trailer having more than a single axle.		All deliveries or shipments to or from the residence should be done by the operator of the occupation except for normal delivery service using delivery vehicles up to 26,000 pounds GVW		No materials or commodities delivered to or from the residence of such bulk or quantity to require delivery by commercial vehicle or trailer		Generally, delivery and pick-up of materials or commodities to and from the premises by a commercial vehicle should not exceed 2 trips per week.		Loading docks and mechanical loading devices are not permitted.	Deliveries shall only be between 7 AM and 7 PM.	
Operating hours			For non-resident employees and deliveries: 7 AM to 9 PM, Mon-Sat.	7 AM to 7 PM, Mon-Sat.	8 AM to 7 PM			Client visits 8 AM to 8 PM	Client visits 6 AM to 12 midnight		7 AM to 10 PM		7 AM to 7 PM
Other		Home office or home telephone or internet sales, with no customer or employee visits to the site is not regulated as a home occupation.				Minor modifications of standards for unique circumstances such as large acreage, remote site location, small scale of use			Multiple home occupations allowed on premises, so long as the impact no greater than of 1 home occupation.				Above conditions are for “Small scale home occupations”. There is also a process for large scale by conditional use permit.

	Othello	East Wenatchee	Ephrata (p.178)	Kennewick	Moses Lake	Pasco	Spokane Valley	Wenatchee	West Richland
Accountants	A								A
Adult bookstore, adult retail							X		
Adult entertainment		X					X		
Animal hospital	X								
Artists	A	A							A
Architects	A								A
Barber shop	X				A				
Barber or beauty parlor with >1 chair									X
Beauty parlor	X				A				
Bed & breakfast					A				
Boardinghouse									X
Cabinet, carpentry, & paint shops	X		X						
Cabinet shop		A			X		X		
Café		X							
Catering	A	A							
Classes for home cooking & preserving		A							
Clinic, medical or dental	X	X	X						
Composers		A							
Computer-based services such as programming, web design, graphics		A							
Construction-related heavy equipment or vehicles				X					
Consultant									A
Cooking & preserving for the purpose of selling the product		A			Home canners				
Crematorium									X
Cryptocurrency mining		X							
Delivery service								X	
Dog boarding				X		X			
Draftsmen	A								A
Dressmakers, seamstresses, tailors	A	A			A				A
Engineer									A
Entertainment establishment									X
Firewood cutting						X			

A = Allowed X = Prohibited

	Othello	East Wenatchee	Ephrata (p.178)	Kennewick	Moses Lake	Pasco	Spokane Valley	Wenatchee	West Richland
(Custom) florist					A				
Fumigation services shop					X				
Funeral home		X							X
H (Hazardous) occupancy per IBC						X			
Hazardous materials generating, storage, or use									X
Home crafts, such as model making, rug weaving, lapidary work, cabinet making		A							
Hospital		X							
Industry, light								X	
Kennel	X	X	X	X		X	X	X	X
Lodging									X
Manufacturing and/or related storage							X		
Marijuana production, processing, retail, and medical cannabis cooperatives		X							
Massage parlors	A				X				
(Licensed) massage therapy					A				
Mortuary	X	X	X						
Nursing home					X				
Office facilities used in conjunction with business activities conducted off the premises, e.g. clergymen, salesmen, brokers, professional persons, etc.	A								
Outdoor storage of building or construction materials not intended for immediate use in or on the premises		X							
Party decorators	A								
Personal & professional offices (no more than 2 persons per service provider on premises at any given time, no more than 2 vehicles parked on or in the vicinity of the property as a result of the business at any one time)		A							
Pet day care									X
Pet grooming	X	A	X						
Pet training									X
Photographer					A				A

A = Allowed X = Prohibited

	Othello	East Wenatchee	Ephrata (p.178)	Kennewick	Moses Lake	Pasco	Spokane Valley	Wenatchee	West Richland
Private club	X		X						
(Commercial) Print shop		X							
Professional service providers					A				
Real estate office	X		X						
Rebuilding motors						X			
Rental of equipment								X	X
Rental of trailers		X							
Repair, computers, small electronic devices		A							
Repair, electronic equipment					X		X		
Repair, furniture					X				
Repair, household appliances					X		X		
Repair, small appliances	A	A							
Repair, small engines					X		X		
Repair & service, nonmotorized								X	
Repair, watches					A				
Restaurant	X	X	X				X		
Retail sales of goods not made on premises (except incidental items associated with the business, hair care products at beauty salon, sheet music at instructor, implements for knitting, etc).		X					No retail		No retail
Sale of produce raised on the premises is 3 or more sales events are conducted per year		A							
Sales by internet, mail, or telephone (offsite delivery)									A
Schools & studios for group instruction for no more than 12 students per class		A							
School, private or nursery	X		X						
Sculptors		A							
Slaughter and meat processing service									X
Small appliance repair	A	A							
Stable	X	X	X				X		X
Tax consultants	A								
Taxicab with single vehicle					A				
Taxi business with more than 1 vehicle					X				

A = Allowed X = Prohibited

	Othello	East Wenatchee	Ephrata (p.178)	Kennewick	Moses Lake	Pasco	Spokane Valley	Wenatchee	West Richland
Teacher/tutor									A
Teacher, dance	A								
Teacher, music	A								A
Towing services									X
Truck hauling and/or tow storage yard							X		X
Tutoring	A								
Typist									A
Upholstery shop					X	X			
Vehicle body repair			X	X			X		X
Vehicle building			X						
Vehicle detailing		X							
Vehicle painting	X	X				X			X
Vehicle rental	X								
Vehicle repair	X	X	X	X	X	X	X	X	X
Vehicle sales							X		X
Vehicle servicing (maintenance)		X	X			X			X
Vehicle storage									X
Veterinary clinic or hospital		X	X						
Welding & metal work	X		X			X	X	X	X
Wholesale							X		X
Woodworking shop					X				
Writers	A	A							

Codes without uses listed: [Anacortes](#), [Marysville](#), [Pullman](#), [Sedro-Woolley](#)

Codes listing prohibited uses but not allowed uses: [Ephrata \(p.178\)](#), [Kennewick](#), [Pasco](#), [Spokane Valley](#), [Wenatchee](#)

19.47.040 Home occupations.

A. *Purpose.* The purpose of a home occupation is to allow certain activities to be undertaken for gain or profit within a dwelling, or a building accessory to a dwelling, in any zone in which dwellings are present, while maintaining the residential character of the property and avoiding detrimental effects to the surrounding neighborhood.

B. *Applicability.* This section applies to all home occupations except a home office or home telephone or internet sales, or similar use, with no customer or employee visits to the site.

C. *Requirements.*

1. The occupation must not create any noise, dust, glare, vibration, odor, hazardous waste, smoke, electrical interference, or other adverse impact to the surrounding residential area.
2. The principal use of the premises must be residential and at no time may the home occupation exceed 25 percent of the floor area of the dwelling unit, not including the garage.
3. There may be no exterior indication of the occupation, including no outdoor storage related to the occupation, nor exterior modification of the building(s) to accommodate the occupation, other than an allowed sign (see AMC [19.67.070](#)).
4. No person other than members of the family residing on the premises may be engaged in such occupation.
5. If the occupation requires that customers or clients visit the premises, adequate off-street parking must be a condition of the permit, and traffic generated by the business may not exceed that which might reasonably be generated by residential use of the premises.
6. A home occupation permit may not be transferred to another person.
7. All regular business license requirements must be met.
8. The requirements for shipping and receiving of materials in connection with the business do not create excessive noise or traffic.

D. Any expansion or change of the nature of the home occupation that does not qualify for a minor permit revision requires a new permit. (Ord. 3040 § 2 (Att. A), 2019)

The Anacortes Municipal Code is current through Ordinance 4011, passed January 24, 2022.

18.42.090: Home Occupations.

Under this Section the Planning Director may approve a home occupation for any residential unit, regardless of zoning designation.

- (1) The Planning Director or Designee may approve a home occupation if he finds that it complies with the following criteria:
 - (a) There must be no structural alterations to accommodate the occupation;
 - (b) Unless otherwise required by law, the entrance to the home occupation must be from within the residence;
 - (c) The use must not occupy more than 25 percent of the floor area of the residential structure; and any accessory building used in conjunction with the home occupation;
 - (d) The occupation may occupy an accessory building or structure, providing that off-street parking requirements are maintained;
 - (e) During the first 18 months of operation, a home occupation may engage one temporary or irregular employee or business assistance person in addition to members of the immediate family;
 - (f) There must be no exterior advertising, except a residential use sign;
 - (g) There must be no window displays nor commodities displayed outside the building;
 - (h) There shall be no retail sales on the premises;
 - (i) No materials or equipment which may be detrimental to adjoining residences because of vibration, noise, odor, or interference with radio or television reception will be permitted;
 - (j) All deliveries or shipments to or from the residence should be done by the operator of the occupation except for normal delivery service using delivery vehicles up to 26,000 pounds GVW;
 - (k) No more than two vehicles, related to the occupation, not exceeding 10,000 pounds GVW, shall be kept on the premises, providing that appropriate off-street parking requirements are maintained;
 - (l) There must be no exterior storage of materials or equipment other than the occupation-related vehicle;
 - (m) There shall be no more than four customer/client visits per day, by appointment only, at the residence, and no more than one on the premises at any given time between the hours of 8:00 a.m. and 7:00 p.m. For purposes of this section, one customer/client visit shall be considered to include not more than four persons arriving in a single vehicle; and
 - (n) A home occupation shall not include automobile repair, body shop work, dog kennels, dog boarding, nor construction-related heavy equipment or vehicles.
- (2) Within "R" Districts, if the Planning Director finds that the applicant cannot substantially meet each and every one of the above-described criteria, the application will be denied.
- (3) No home occupation permit is final until the applicant has obtained a business license.

(Ord. 5180 Sec. 1, 2007)

Chapter 22C.190

HOME OCCUPATIONS

Sections:

- 22C.190.010 Purpose.
22C.190.020 Home occupation standards.

22C.190.010 Purpose.

The purpose of this chapter is to allow small scale commercial occupations incidental to residential uses to be located in residences while guaranteeing all residents freedom from excessive noise, traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential neighborhoods. (Ord. 2852 § 10 (Exh. A), 2011).

22C.190.020 Home occupation standards.

(1) Home occupations are permitted as an accessory use to the residential use of a property only when all of the following conditions are met:

- (a) The total area devoted to all home occupation(s) shall not exceed 25 percent of the floor area of the dwelling unit or 600 square feet, whichever is less;
- (b) The home occupation may be located in the principal dwelling or in an accessory structure. If located in an accessory structure, the area devoted to the occupation, as described in subsection (1)(a) of this section, shall be based upon the floor area of the dwelling only;
- (c) Not more than one person outside of the family shall be employed on the premises;
- (d) The home occupation shall in no way alter the normal residential character of the premises;
- (e) The home occupation(s) shall not use electrical or mechanical equipment that results in:
 - (i) A change to the fire rating of the structure(s) used for the home occupation(s);
 - (ii) Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or
 - (iii) Fluctuations in line voltage off-premises;
- (f) No equipment or material may be stored, altered or repaired on any exterior portion of the premises;
- (g) Sales shall be limited to merchandise which is produced on the premises and/or mail order, Internet and telephone sales with off-site delivery;
- (h) Services to patrons shall be arranged by appointment or provided off-site;
- (i) The home occupation(s) may use or store a vehicle for pickup of materials used by the home occupation(s) or the distribution of products from the site, provided:
 - (i) No more than one such vehicle shall be allowed;
 - (ii) Such vehicle shall not park within any required setback areas of the lot or on adjacent streets; and
 - (iii) Such vehicle shall not exceed a manufacturer's gross vehicle weight in excess of 16,000 pounds, a length in excess of 20 feet, or a width in excess of eight feet;
- (j) Signs in connection with the home occupation shall comply with the restrictions of MMC 22C.160.150(9);

- (k) No sales or services will be conducted on the premises which will generate more than 10 average daily round trips per day by customers.
- (2) A home occupation permit issued to one person shall not be transferable to any other person, nor shall a home occupation permit be valid at any other address than the one listed on the permit.
- (3) In granting approval for a home occupation, the reviewing official may attach additional conditions to ensure the home occupation will be in harmony with, and not detrimental to, the character of the residential neighborhood.
- (4) Any home occupation authorized under the provisions of this chapter 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 title.
- (5) The community development director shall have authority to administratively grant a minor modification to the standards listed in subsections (1)(a) and/or (c) of this section, provided the use is consistent with the purposes of this chapter and will be operated in harmony with the character of a residential neighborhood. Minor modifications shall be limited to the home occupations standards in subsections (1)(a) and (c) of this section, provided they create no significant impacts to the residential neighborhood. The community development director is authorized to approve minor modifications only in cases of unique circumstances such as large property acreage, remote site access or site location, or small scale of use, when these circumstances ensure the commercial operation remains incidental to the dwelling and in no way alters the normal residential character of the premises. No variance shall be granted which would be detrimental to public health, welfare or environment. (Ord. 2852 § 10 (Exh. A), 2011).

Chapter 17.68

HOME OCCUPATION PERMITS

Sections:

- 17.68.010 General requirements.
- 17.68.020 *Repealed.*
- 17.68.030 Procedure.

17.68.010 General requirements.

This permit process shall apply in zones where home occupations are a permitted use subject to obtaining a permit in accordance herewith. In zones where the gainful activity itself is a permitted use, this permit is not required. (Ord. 1013 § 4.05.01, 1985)

17.68.020 Fee.

Repealed by Ord. 1651-09. (Ord. 1013 § 4.05.02, 1985)

17.68.030 Procedure.

The procedure for a home occupation permit application shall be as follows:

- A. The applicant completes and submits to the city planning department a home occupation permit application form together with fee. The application form will establish the necessary information.
- B. The planning director judges whether the application will conform to the definition of home occupation and grants or denies accordingly, with conditions as necessary.
- C. The decision of the planning director may be appealed to the hearing examiner pursuant to the procedures set forth in Chapter 2.90. (Ord. 1607-08 § 7(K), 2008; Ord. 1312-98 § 1 (part), 1998; Ord. 1013 § 4.05.03, 1985)

Definition from SWMC **17.04.030 Definitions.:**

“Home occupation” means a gainful occupation carried on in a residence in which:

1. No outside help is employed on the premises;
2. The business utilizes no more than twenty-five percent of the gross floor area of the structure in which it is located;
3. There are no more than two additional vehicles parked on or in the vicinity of the property due to the business at any one time;
4. There are no more than twelve clients or customers visiting per week and there are not more than two clients on the premises at any one time;
5. No work areas or storage of materials are visible from off the premises, nor other exterior indication given of anything other than a residence;
6. No nuisance is created beyond what would normally be expected in a residential area.

19.65.180 Uncategorized uses.

A. Home Businesses. The following supplemental regulations apply to all home businesses.

1. Applicability. Any person, group, or entity conducting a “for profit” enterprise from a location whose primary use is a residence shall obtain a home business permit. A home business may only be established in a residence that has been legally permitted. Businesses may be exempt from the home business permit fee, as established by the master fee schedule, if all of the following criteria are met:

- a. There are no proposed exterior alterations to the residence or any accessory structure(s) which change the residential character of the property;
- b. Goods and commodities associated with the business are not delivered to the premises;
- c. There are no business customers visiting the premises;
- d. There are no signs or window displays on the property related to the business; and
- e. Any employee(s) engaged in the business shall live in the residence.

2. Home businesses are permitted as accessory uses, except as indicated by SVMC 19.65.180 (A)(3), incidental to the property’s primary use as a residence, subject to the following requirements:

- a. Business owner shall be primary resident;
- b. Property shall retain a residential appearance and character;
- c. All storage shall be enclosed within the residence or accessory structure;
- d. There shall be a limit of two employees not residing on the premises engaged in the home business;
- e. One unlighted sign placed flush against the exterior wall of the primary structure not exceeding four square feet in area is permitted;
- f. There shall be no window display nor shall sample commodities with the exception of flowers and produce grown on the premises be displayed outside the building(s);
- g. The hours of operation are limited to 7:00 a.m. to 10:00 p.m.;
- h. The home business use shall not create electronic interference including, but not limited to, interference with radio, satellite reception, telephone, or television reception, nor generate measurable levels at the property line of noise, dust, smoke, odor, or glare. The business activity shall not generate solid waste in volume or type which is not normally associated with residential use unless specifically permitted;
- i. Loading docks and mechanical loading devices are not permitted;
- j. Traffic or parking of vehicles shall not be generated in greater volumes than normally expected in a residential neighborhood. Parking shall be accommodated within the required off-street parking on private property; and
- k. Uses which are detrimental to the existing residential appearance and character are not allowed as home businesses.

3. Specific uses which are not permitted as home businesses include, but are not limited to, the following:

- a. Adult retail use establishment;
- b. Adult bookstore or adult entertainment establishment;
- c. Auto repair;

- d. Auto body repair;
- e. Cabinet making;
- f. Kennel or stables;
- g. Large appliance/electronics or equipment repair or service;
- h. Manufacturing and/or related storage;
- i. Restaurants/drinking establishments;
- j. Small engine repair;
- k. Truck hauling and/or tow storage yard;
- l. Vehicle sales;
- m. Welding or metal plating shops; and
- n. Wholesale or retail sales.

(Ord. 16-018 § 6 (Att. B), 2016).

City of Othello
Building and Planning Department
April 2022

Building Permits			
	Applied	Issued	Final
Residential	10 ¹	9 ⁴	17 ⁷
Commercial	6 ²	5 ⁵	4 ⁸
Industrial	1 ³	0	1 ⁹
Total	17	14	22

¹ 2 new residences, 4 residential foundation-only permits, 1 bedroom addition, 1 remodel, 1 reroof, 1 furnace replacement.

² School District office storage building, CBHA monument sign, 2 reroof (Port office & Ace Hardware), HVAC at Post Office, sewer service line at Inspire

³ Entryway structure at SVZ

⁴ 2 new residences, 3 residential foundation-only permits, 1 reroof, 1 furnace replacement, 1 remodel, 1 bedroom addition.

⁵ 2 Reroof (Port office & Ace Hardware), HVAC at Post Office, sewer service line at Inspire, CBHA monument sign

⁷ 3 new residences, 3 residence foundation-only permits, 2 HVAC, 1 patio cover, 4 roof, 1 siding, 1 pool, 1 remodel, 1 water heater

⁸ Cow Path Bakery remodel & addition (Temporary C of O), McDonalds HVAC, Fire Station HVAC

⁹ MCain Foods office remodel

Inspections

- The Inspector completed 132 inspections in April, including 9 rental inspections.

Land Use Permits		
Project	Actions in April	Status as of April 30
1 st Ave Filling Station SEPA review	Received 1 of the missing items, issued Notice of Incomplete. Proponent changed to a different Authorized Representative. Rec'd more of the missing items.	Will be reviewed for completeness when workload allows.
Charan Short Plat	Application received	Will be reviewed for completeness when workload allows.
Kiwanis Park improvements SEPA review	Issued SEPA exemptions	SEPA completed.
M. Gomez Boundary Line Adjustment (Matching lines with businesses at 724-728-740 E. Main St)	Applicant brought in missing info. BLA approved.	Waiting for copy of recorded BLA
Ochoa Short Plat	No change (Deferrals heard at Aug. 2021 Planning Commission meeting.)	Waiting for proposed covenant language from applicant's attorney, as specified in PC recommendation.

Land Use Permits		
Project	Actions in April	Status as of April 30
Sand Hill Estates #4	Appeal period on preliminary plat approval ended April 8, with no appeals filed. Provided comments to Engineering on street & utility construction plans.	Street and utility construction must be completed or bonded for before final plat can be accepted for review.
Story Rentals Short Plat (Ace Hardware)	No change (Preliminary plat approved in Oct.)	Next steps are sidewalk improvements and then final plat.
Wahitis Short Plat	(History: May 2019 Plat approved. Dec. 2019 Scootney street/utility improvement plans approved by City. 5/26/20 USBR notified School District that it will be about a year before they have time to review it. Dec. 2021 OSD received paperwork releasing the USBR easement, but it had some errors that will need to be corrected by USBR.)	No change: Street improvements must be completed or bonded before accepting mylars for recording. USBR issues must be resolved before street improvements can proceed.

Rental Licensing & Inspection Program

- 17 new rental applications for 31 units were received in April.
- 9 sites with a total of 25 units were inspected in April.
- 1 site with 2 units was approved in April.
- 34 locations with a total of 56 units have been fully approved so far.
- There are currently 78 active applications for a total of 179 units in various stages of inspection and correction.
- In mid-March, we re-notified 29 known landlords to get their licenses. 6 more complied in April, leaving 21 for whom we will need to take the next steps in the enforcement process in the near future.
- Permit Tech made contact with some of the rentals that were inspected in the past and still had corrections needed, and scheduled inspections, to try to get more rentals finalized.
- Prepared an Annual Report on the Rental Licensing & Inspection Program for the Council and Planning Commission, to summarize the first year of the program.

Development Projects

- Othello School District asked questions about any required setback from the well and reservoir at 14th Ave south of Ash. The well/reservoir site was just shown as part of the McFarland/Lutacaga site, owned by the School District. After a lot of searching, the City Engineer located the deed showing City ownership of a small parcel at the corner. Staff provided the deed to the Assessor's office and requested that it be shown on Map Sifter.
- Permit coordination for STCU new location
- Working on scheduling a few pre-application meetings for new projects.
- Prepared Cow Path Bakery landscape modification request for City Council.

Municipal Code

- Compiled Home Occupation information from various cities for April Planning Commission meeting.
- A business owner has asked about providing outdoor seating within right-of-way (abutting wall of building). The Municipal Code does not address this issue, but many cities have a “sidewalk use license” or similar. This issue will be presented to the Planning Commission in the near future for direction.
- City Attorney sent draft of Underground Utilities ordinance amendments (OMC 14.56). Provided comments.

Parks/Recreation

- Attended Council Parks & Rec Committee meeting about funding strategies for upcoming projects.
- Confirmed with RCO that the statements on the 1978 IACC grant application restricting team sports in Kiwanis Park would not affect upcoming RCO applications.
- Reviewed and provided comments on the RCO grant applications being prepared.

Transportation

- Attended virtual meeting with City Engineer and consultants for Active Transportation Plan, to discuss progress so far.

Training

- Attended Open Public Meeting Act/Public Records Act training by Assistant Attorney General Morgan Damerow (May 2 City Council meeting).

Website

- Updated [Long Range Planning](#) page with the most recent changes.

Other

- Attended Adams County virtual Planning Commission meeting. They are starting discussions of updating their Industrial code, and are trying to keep it consistent with the requirements inside the city, for an easier transition as areas are annexed.
- Provided past year building permit information to OFM (Washington Office of Financial Management) for annual population estimate.
- Prepared information for Council on annexation of City-owned properties.
- West lagoons of the Wastewater Treatment Facility were not shown as owned by the City. Found deed, provided it to Adams County Assessor’s office and requested that Map Sifter be updated.
- Othello has been asked to participate in an EPA Climate Resiliency Pilot Project. Initial discussions.
- Gathering documents for recording of quit claim deed for Tract A, Ashwood Notch (irrigation facilities).