

RZCRW Phase 2: Amendments for conforming with state legislation per a change to terminology only. Change from the term "marijuana" to "cannabis". Amendments also to reflect waivers to family day care provisions, also per recent state legislation.

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### **21.08.340 Home Business.**

A. **Purpose.** The purpose of the home business regulations is to allow for limited commercial activity within dwelling units while ensuring that all commercial activity remains incidental to the primary use based on the underlying zoning and does not interfere with the character of the neighborhood through the creation of disproportionate levels of noise, traffic, safety hazards, or other public nuisances that may be generated.

B. **Applicability.** Home businesses are allowed in all residential, multifamily, and mixed-use zones of the City as an accessory use to an existing dwelling unit. A business license shall be required for all home businesses. In addition, the Administrator may impose conditions to mitigate any potential adverse impacts on surrounding uses and may consider the need to limit the hours of operation of a home business.

C. **Requirements.** The following standards shall apply to all home businesses. An applicant wishing to apply for a business license for a home business must demonstrate compliance with these standards prior to obtaining a business license.

1. **Location.** A home business shall be carried on wholly within the principal building, dwelling unit, or within an accessory structure. No home business, or any storage connected with a home business, shall be allowed outside of the principal building, dwelling unit, or accessory structure, except as allowed for family day care providers. Where an accessory dwelling unit exists, a home business may be conducted in both the primary dwelling unit and the accessory dwelling unit.
2. **Number.** Any number of home businesses may be conducted within any single dwelling unit, including an accessory dwelling unit and all accessory structures; provided, that the combined impacts of any and all businesses do not exceed the limits set forth in this section.
3. **Size.** No more than 25 percent of the gross floor area of the principal dwelling unit may be used for the home business. In the case of home businesses being conducted within

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accessory structures or detached accessory dwelling units, there shall be no size restriction placed upon the usable area for the home business.

4. Residency. A home business must be conducted by a family member who resides in the dwelling unit. Floor space in either the primary dwelling unit or an accessory structure may not be rented out to persons not residing within the primary dwelling unit or accessory dwelling unit for business purposes. No more than one person outside the family group that resides on the premises shall engage in any business located on the premises.

5. Restricted Materials. No toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive, or other restricted materials shall be used or stored on the site.

6. Maintaining Residential Character. The business shall be conducted in a manner which is consistent with the residential use in the zone where it is located. Alterations and operations that have potential to impact residential uses include but are not limited to exterior alteration of the property, expansion of parking, construction, creation of a separate entrance, the use of color, materials, lighting, signs (other than on the applicant's vehicle), exterior storage of materials, goods or merchandise, or by the emission of sound, electric interference, vibration, dust, glare, heat, smoke, odors or liquids.

7. Business Traffic.

a. Visitors, customers, and/or deliveries to home businesses within residential zones shall be limited to two per hour. In any case, no combination of visitors, customers, and/or deliveries may exceed a total of eight per day.

b. Visitors and customers to home businesses within multifamily and mixed-use zones shall be prohibited unless authorized by the Code Administrator.

8. Vehicles.

a. Vehicles larger than 10,000 pounds gross weight shall not be operated out of the premises or park on the property or adjacent streets. No more than one vehicle used

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in the business may be parked on the premises or operated out of the premises when the business is located in a single-family zone.

b. Home businesses operated in multifamily and mixed-use zones shall be prohibited from parking or storing vehicles other than personal vehicles permitted on site by the underlying zone or authorized by a transportation management program.

9. Parking. The home business shall not displace or impede the use of required parking spaces for primary or accessory dwelling units.

10. Utility Demand. Utility demand (water, sewer, or garbage) shall not exceed normal residential levels.

11. Applicable Codes. Structures must meet City building, construction, fire and land use regulations.

12. Motor Vehicle-Related Home Businesses.

a. Office-only activities for motor vehicle-related uses may be allowed as home businesses, provided all other requirements of this section are met.

b. Office-only motor vehicle-related home businesses and stock-in-trade within the residence may be allowed, provided that the following activities related to the office use are performed at other locations: washing and waxing, paint striping and detail application, window repair or replacement, and repairing and tuning of boats.

c. Except as provided in subsections C.9 and C.12.b of this section and for businesses legally licensed as such within the City of Redmond as of June 14, 1995, no motor vehicle-related businesses shall be allowed as home businesses, including, but not limited to: auto, truck, or heavy equipment repair; body work, welding, detailing, or painting; or taxicab, van shuttle, limousine, or other transportation services.

13. Family Day Care Providers.

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- a. Family day care providers are permitted as home businesses as permitted or limited by the underlying zone.
- b. Family day care providers shall obtain a business license and maintain the City of Redmond license as long as the use operates.
- c. The family day care provider shall not care for more than 12 children at any time or as licensed pursuant to a waiver granted by the Washington State Department of Children, Youth, and Families per Chapter 43.216 RCW and Chapter 110-300 WAC, now or as hereafter amended.

i. Family day care providers are encouraged to request from the City of Redmond pre-application review of proposed waivers to the number of children to be cared for at any time in advance of application to the State.

**Commented [KD1]:** Addition to support state issued waivers to the number of children and staff supported by individual operations.

d. Family day care facilities are required to adhere to all standards prescribed in this section for home businesses, except that:

- i. Family day care facilities are exempt from the limitations on business traffic to and from the facility as specified in subsection C.7 of this section.
- ii. The amount of gross floor area within the principal dwelling unit that may be devoted to the family day care business shall be the minimum number of square feet required by the State, ~~or 25 percent of the total gross floor area, whichever is the greater.~~
- iii. Family day care providers may have two additional employees on the premises at a time outside the family group that reside on the premises engaged in the family day care home business.

**Commented [KD2]:** See WAC definition of Family Living Quarters (WAC 365-196-210) in context of definition for Family day-care provider. Also refer to WAC 110-300-0010.  
  
This portion of the paragraph differs from state and federal requirements. Staff tracked this back to a 2008 amendment that might have included the provision based on the overarching requirements for Home Businesses (21.08.340.C.3 Size.)

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**A. Family day care providers may exceed two additional employees outside the family group up to the number of employees required to comply with the terms of the waiver issued by the State.**

**Commented [KD3]:** Addition to support state issued waivers to the number of children and staff supported by individual operations.

- e. Family day care providers may operate from 5:30 a.m. to 9:00 p.m.
- f. Family day care providers shall comply with all building, fire, safety, and health codes.

**i. Family day care providers that receive a waiver from the State to increase the number of children permitted under the terms of their license shall request an inspection from the City of Redmond, and any other agencies with jurisdiction, to confirm that operations comply with all building, fire, safety, and health codes. This inspection shall be performed, and compliance with applicable building, fire, safety, and health codes shall be confirmed in advance of the operation receiving an updated business license.**

**Commented [KD4]:** Addition to support state issued waivers to the number of children and staff supported by individual operations.

- g. Family day care providers shall obtain all required state approvals. The State shall certify that the proposed family day care provider will have a safe passenger-loading area. The family day care provider shall provide the City with a copy of the state license.

- 14. **Marijuana-Cannabis**-related Home Businesses. No **marijuana-cannabis** production, **marijuana-cannabis** processing or **marijuana-cannabis** retail sales shall be allowed as a home business. (Ord. 2744; Ord. 3083)

**Commented [KD5]:** Change to terminology only for conformance with state legislation.