

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2281

AN ORDINANCE relating to Home Occupation Permits, amending City of Bellevue Ordinance No. 2173 Sections 6, 14 and 17, Ordinance No. 1635 Section 1, and Bellevue Zoning Code Sections 18.08.132, 18.08.167, 18.11.173 and 18.14.167; adding new sections 18.08.131, 18.08.133, 18.08.134 and 18.08.135 to the Bellevue Zoning Code; repealing Section 18.35.082 of the Bellevue Zoning Code and adding new section 18.35.082 to the Bellevue Zoning Code.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. City of Bellevue Ordinance No. 2173 Section 6, and Bellevue Zoning Code Section 18.08.167, are each hereby amended to read as follows:

18.08.167 PERMITTED USES REQUIRING REVIEW AND APPROVAL by the Board of Adjustment:

HOUSE TRAILERS, CONNECTED TO UTILITIES (See 18.47.402)

Section 2. There is hereby added to the Bellevue Zoning Code a new Section 18.08.131 to read as follows:

18.08.131 HOME OCCUPATIONS: ADMINISTRATIVE PERMIT REQUIRED. The establishment of a home occupation shall require a permit which may be granted by the Planning Director upon finding that the home occupation as described in the application will comply with the following conditions:

1. That the occupation or profession is to be carried on wholly within the principal building or other structure accessory thereto, and utilizes no more than 25% of the gross floor area of the buildings on the lot.
2. That not more than one person will be employed in the home occupation who is not a member of the applicant's immediate family and who is not a resident in the applicant's home.
3. That there will be no exterior display, no exterior sign, no exterior storage of materials, and no other exterior indication of a home occupation or variation from the residential character of the premises.
4. That there will be no noise, vibration, smoke, dust, odors, heat or glare produced as a result of the home occupation

which would exceed that normally produced by a single residence.

5. That there will be no demand for parking beyond that which is normal to a residential area and no unusual or excessive traffic to and from the premises.

A home occupation shall not include a barber shop, beauty parlor, commercial stable or kennel, real estate office or restaurant.

All information relevant to the above conditions shall be provided to the Planning Department by the applicant.

Section 3. City of Bellevue Ordinance No. 1635 Section 1 and Bellevue Zoning Code Section 18.08.132 are each hereby amended to read as follows:

18.08.132 HOME OCCUPATION PERMITS FOR STATE-LICENSED DAY-CARE HOMES. A home occupation permit for the performance of services in the applicant's private home in connection with day care of children or infants may be granted upon a finding of compliance with the conditions imposed by Section 18.08.131 and a showing that the home and the applicant are duly licensed by the State Department of Public Assistance for operation as a licensed family day-care home in accordance with standards promulgated by said department.

Section 4. A new Section 18.08.133 is hereby added to the Bellevue Zoning Code to read as follows:

18.08.133 NOTICE. Upon receipt of an application for a home occupation permit, the Planning Department shall post notice in the neighborhood which includes a statement of the fact of the application and the nature of the home occupation being sought. Such notice shall be given prior to the Planning Department Director reviewing and acting upon the application. Written and oral public comment will be received regarding the home occupation permit, but no public hearing is required. Following the decision of the Planning Director, the applicant and parties of record will be notified of the action taken, findings made and appeal procedure.

Section 5. A new Section 18.08.134 is hereby added to the Bellevue Zoning Code to read as follows:

18.08.134 APPEAL FROM ADMINISTRATIVE DECISION. Any person aggrieved, as defined in Bellevue City Code Section 3.54.120, by an administrative decision granting, denying or revoking a home occupation permit may appeal such decision to the Board of Adjustment when it is alleged there is an error in the order, requirement, decision or determination. The appeal shall be filed with the Planning Department within thirty (30) days of the adminis-

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trative decision, and shall comply with Bellevue City Code Chapter 3.54. An appeal filed in compliance with the requirements of this ordinance shall stay the revocation of a permit pending a decision by the Board of Adjustment.

Section 6. A new Section 18.08.135 is hereby added to the Bellevue Zoning Code to read as follows:

18.08.135 PERMIT REVOCABLE BY PLANNING DIRECTOR FOLLOWING NOTICE. The right granted by a home occupation permit may be revoked by the Planning Director upon a determination that there has been a violation of any condition imposed by 18.08.131 and/or 18.08.132. A written notice of violation, describing the alleged violation, shall be mailed to the permit holder. The permit holder must comply with all conditions imposed by 18.08.131 and 18.08.132 (where applicable), or show cause why the permit should not be revoked, within 15 days of mailing of the notice of violation. At the end of the 15 day period, the Planning Director shall sustain or revoke the permit.

When a home occupation permit is revoked or denied by the Planning Director, a written notice of revocation or denial shall be sent by certified mail to the permit holder or applicant together with a written statement of the findings upon which the revocation or denial is based and notice of the appeal procedure available before the Board of Adjustment.

Section 7. Section 18.11.173 of the Bellevue Zoning Code and City of Bellevue Ordinance No. 2173 Section 14 are each hereby amended to read as follows:

18.11.173 PERMITTED USES requiring review and approval by the Planning Director and compliance with Sections 18.08.131, 18.08.132, 18.08.134 and 18.08.135:

#### HOME OCCUPATIONS

Section 8. Section 18.14.167 of the Bellevue Zoning Code and City of Bellevue Ordinance No. 2173 Section 17 are each hereby amended to read as follows:

18.14.167 PERMITTED USES REQUIRING REVIEW and approval by the Planning Director and compliance with Sections 18.08.131, 18.08.132, 18.08.134 and 18.08.135:

#### HOME OCCUPATIONS

Section 9. Section 18.35.082 of the Bellevue Zoning Code is hereby repealed.

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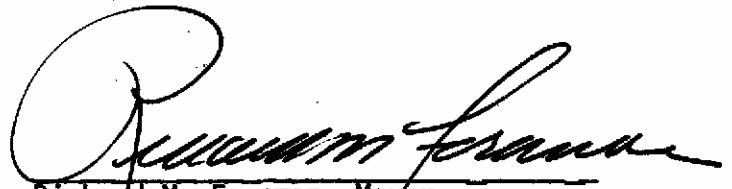
Section 10. A new section is hereby added to the Bellevue Zoning Code to be designated as follows:

18.35.082 HOME OCCUPATIONS requiring review and approval by the Planning Director and compliance with Sections 18.08.131, 18.08.132, 18.08.134 and 18.08.135.

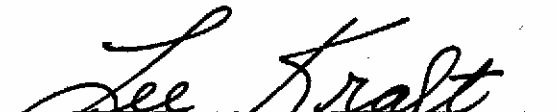
Section 11. This ordinance shall take effect and be in force thirty (30) days after enactment by the City Council.

PASSED by the City Council this 22 day of December, 1975, and signed in authentication of its passage this 22 day of December, 1975.

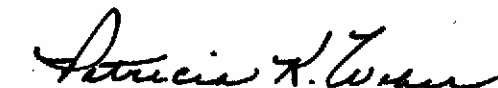
(SEAL)

  
Richard M. Foreman, Mayor

Approved as to form:

  
Lee Kraft, City Attorney

Attest:

  
Patricia K. Weber, City Clerk

Published December 27, 1975