

Home Businesses

The issue has recently been raised regarding regulation of in-home businesses within the MCCA by the application of a prospective business owner for an Architectural Control Permit for modifications to a home in a residential area. As long as the business does not in any way disrupt the residential character of the neighborhood, I think most of us have no problem with such an operation and may well be unaware of its existence. The researcher or investor, who utilizes the Internet, the accountant or insurance adjuster who conducts business over the telephone and by making personal visits to the customer has no impact on the nature of the community.

The question of in-home businesses becomes of more concern when customers of the proposed business may generate additional traffic to the neighborhood and require parking for their cars, when the business may produce some noise or require more than occasional deliveries of supplies or products.

The City of Mill Creek regulates in-home businesses by the issuance of a permit which limits the number of employees and sets standards regarding physical changes to the residence and other minimal requirements. The MCCA restrictive covenants do not address this issue.

The consensus of the Architectural Control Committee and the Covenant Committee is that only those businesses that can operate in such a manner as to be invisible to residents and visitors to the neighborhood should be allowed within the MCCA. Washington State law supports the enforceability of "residential purposes only" covenants as long as they are reasonably enacted and enforced. MCCA attorney, Ron Housh suggests the following addition to our covenants

"No commercial activity (retail, service, distribution, assembly, manufacturing, etc.) shall be permitted on any residential lot or in any residential living unit except as may otherwise be approved or authorized in accordance with the plat of Mill Creek of the declaration of Restrictive Covenants of Mill Creek Community Association. The Association may permit certain home-based commercial activity to be conducted if allowed by law, and if such conduct will not, in the reasonable judgment of the Association, cause disruption of the residential character of Mill Creek. No home-based commercial activity shall occur without the prior written consent of the Board of Directors."

Existing businesses will not be exempt.

The Board of Directors passed this policy November 17, 1999.

Under the policy approval of a business operation will be dependant upon the applicant's ability to show that a business will have no impact on the residential character of the neighborhood. That is it will not generate noise or require a modification to the residence. Only businesses that will be invisible to neighbors or visitors will be approved.

Procedures for Home Based Business Registration

Registration will be on a one time only basis:

- Obtain list of business licenses from the City of Mill Creek on a quarterly basis.
- Check the list against the previous quarter.
- Send letter and application form to any new listing, to be returned in 14 days.
- Information will be logged on a spreadsheet to become a permanent record for the file.
- A letter and application form will be included in the new member packet.



COMMUNITY ASSOCIATION

ESTABLISHED 1973

For Office Use Only	
Permit No.	Date Sub.

Home Based Business Application

Name: _____ Address: _____

Div & Lot # : _____ Phone # : _____

Business Name: _____

Business Phone: _____

Business Description: _____

Does the Operation of this business require any of the following?

1. Modification of the existing residence? Yes / No
2. Delivery Trucks? Yes / No
3. Employees coming to the place of business? Yes / No
4. Customers coming to the place of business? Yes / No
5. Does this business generate any noise? Yes / No

- MILL CREEK COMMUNITY ASSOCIATION DECLARATION OF RESTRICTIVE COVENANTS APPLY TO ALL BUSINESSES.
- SHOULD YOUR BUSINESS TERMINATE OPERATION PLEASE NOTIFY MCCA.

Permission to operate a home-based business will be withdrawn immediately if any violations occur.

Signature of Applicant(s): _____ Date: _____

Application Approved: _____ Date: _____

Application Disapproved: _____ Date: _____

Reason: _____

Make sure you attach:

- City of Mill Creek Business License
- State of Washington Business License