

House Bill 3368

Sponsored by Representative JOHNSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies authority for conditional land use approval to allow home occupation in resource zones to be conducted in outdoor setting on lot or parcel containing dwelling.

A BILL FOR AN ACT

1
2 Relating to home occupations conducted in resource zones; amending ORS 215.448.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 215.448 is amended to read:

5 215.448. (1) The governing body of a county or its [*designate*] **designee** may allow, subject to the
6 approval of the governing body or its [*designate*] **designee**, the establishment of a home occupation
7 and the parking of vehicles in any zone. However, in an exclusive farm use zone, forest zone or a
8 mixed farm and forest zone that allows residential uses, the following standards apply to the home
9 occupation:

10 (a) It shall be operated by a resident or employee of a resident of the [*property*] **lot or parcel**
11 on which the business is located;

12 (b) It shall employ on the site no more than five full-time or part-time [*persons*] **employees**;

13 (c) It shall be operated [*substantially in*]:

14 (A) **In** the dwelling; [*or*]

15 (B) [*Other buildings*] **In another building** normally associated with uses permitted in the zone
16 in which the [*property*] **lot or parcel** is located; **or**

17 (C) **In an outdoor setting on the lot or parcel on which the dwelling is located**; and

18 (d) It shall not unreasonably interfere with other uses permitted in the zone in which the
19 [*property*] **lot or parcel** is located.

20 (2) The governing body of the county or its [*designate*] **designee** may establish additional rea-
21 sonable conditions of approval for the establishment of a home occupation under subsection (1) of
22 this section.

23 (3) [*Nothing in this section authorizes*] **This section does not authorize** the governing body or
24 its [*designate*] **designee** to permit construction of any structure that would not otherwise be allowed
25 in the zone in which the home occupation is to be established.

26 (4) The existence of home occupations [*shall not be used as*] **is not a** justification for a zone
27 change.

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.