

# D R A F T

## SUMMARY

Digest: This Act describes work that may be done from within homes on forest or farm land. (Flesch Readability Score: 90.1).

Describes allowable home occupations on lands zoned for forest or farm use.

## A BILL FOR AN ACT

Relating to home occupations on resource lands; amending ORS 215.448.

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

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

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

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

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

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

**(1) As used in this section, “home occupation” means an occupation or profession that is customarily conducted in a dwelling and is accessory, incidental and subordinate to the primary use of the dwelling for residential use.**

**(2) A county may allow a home occupation to be established in any**

1 **zone. A home occupation may be established in an existing dwelling**  
2 **on lands zoned for exclusive farm use, forest use or mixed farm and**  
3 **forest use, only if the home occupation:**

4 (a) **Is operated by an owner of the property who is also a resident**  
5 **of the dwelling;**

6 (b) **Employs on the site no more than five individuals, other than**  
7 **an owner of the property, each of whom may work full-time or part-**  
8 **time;**

9 (c) **Does not provide clients with on-site dining, drinking, event**  
10 **hosting or lodging of more than five unrelated persons, except as al-**  
11 **lowed under ORS 215.449, 215.451, 215.452, 215.453 or 215.461;**

12 (d) **Does not use external signs identifying the home occupation**  
13 **that are lighted or larger than 12 square feet;**

14 (e) **Does not allow for the parking of more than three client vehi-**  
15 **cles;**

16 (f) **Is operated substantially within an area no greater than 2,000**  
17 **square feet located in:**

18 (A) The dwelling; or

19 (B) Other buildings normally associated with, **and accessory to, the**  
20 **dwelling** [*uses permitted in the zone in which the property is located*]; and

21 [(d)] (g) [*It shall*] **Does** not unreasonably interfere with:

22 (A) **The use of the dwelling as a dwelling; or**

23 (B) Other uses permitted in the zone in which the property is located.

24 [(2)] (3) [*The governing body of the county or its designate*] **The county**  
25 may establish additional reasonable conditions of approval for the estab-  
26 lishment **or use** of a home occupation under [*subsection (1) of*] this section.

27 [(3) *Nothing in this section authorizes the governing body or its designate*  
28 *to permit construction of any structure that would not otherwise be allowed in*  
29 *the zone in which the home occupation is to be established.*]

30 (4) **This section does not authorize or limit the development of any**  
31 **structure.**

1        [~~4~~] **(5)** [*The existence of home occupations shall*] **A home occupation**  
2 **may** not be used as justification for a zone change.

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