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Starting or Moving a Business in Molalla

Introduction

This information sheet is intended to aid entrepreneurs in navigating the process to start or move a business in the City of Molalla. The zoning maps and Municipal Code referenced below can be accessed on the City of Molalla website under the Planning Department webpage:

<https://www.cityofmolalla.com/planning>.

*Note – If your commercial or industrial site is a brand-new development, it is likely your use approvals were included as part of the site design review or building permit process. Check with Planning Staff to determine whether you can skip to Step 3.

Step 1 – Ensure the property is properly zoned for your business enterprise

Different zones allow for different types of business functions. You can determine whether the zone of the property you want to locate on is properly zoned for your enterprise using the following methods:

1. **Determine how the property is zoned.** This can be accomplished by reviewing the City of Molalla zoning maps available through the city's website on the Planning Department page.
2. **For Commercially and Industrially zoned properties:** Determine whether your business use is allowed in the zone where the property is located. The Molalla Municipal Code section 17-2.2.030 contains a table of allowed uses, organized by zone. The Molalla Municipal Code can also be accessed through the city's website on the Planning Department page.
3. **For Residentially zoned properties:** Determine whether your business use qualifies for "home occupation." The Molalla Municipal Code section 17-2.3.120 contains home occupation standards that determine whether your use can qualify.

If the use/occupation is not permitted in the zone, or you are not sure after following 1 and 2 above, contact the Planning Department for verification.

If the use/occupation is permitted in the zone, proceed to Step 2 below.

Step 2 – Obtain the appropriate use or home occupancy approvals

Even though a use or occupancy may be permitted in a zone, the property owner still must obtain approval of the use or occupancy. This allows City staff to ensure the property meets the requirements of the Building Code and Development Code. A change of use will also trigger non-conforming properties to bring property into conformance prior to a new or changed use.

1. **For Commercially and Industrially zoned properties:** Determine if your proposed use is a new or changed use from the prior or existing use.

- a. A change of use is: a change in the primary purpose for which land or a structure is designed, arranged, intended, occupied, or maintained. MMC 17-5.1.020.
- b. A new use is: a different or additional purpose (need not be the primary purpose) for which land or a structure is designed, arranged, intended, occupied, or maintained. MMC 17-5.1.020.

If your proposed use is not a new or changed use, proceed to step 3 to obtain a Business License.

If your proposed use is a new or changed use, you will be required to submit a zoning checklist.

- a. City staff will review the checklist and either approve your use or prescribe any additional process required by the City Code (new/changed uses often trigger site design review).
 - b. If additional process is required, you will receive a credit for your Zoning Checklist Fee against the next steps in that process.
2. **For Residentially zoned properties:** All home occupations, regardless of size, will require a Zoning Checklist and Site Plan. First, determine whether your home occupation encompasses 1,000 square feet or more.
- a. Occupations of 1,000 square feet or more will require a Conditional Use Permit.
 - i. You will be advised on this process as part of your Zoning Checklist and you will receive a credit for the Zoning Checklist Fee against your Conditional Use Permit.
 - b. Occupations of less than 1,000 square feet will only require a zoning checklist.
 - i. Your Zoning Checklist will serve as your home occupation application and you will need to address all home occupation criteria from MMC 17-2.3.120 on the site plan and/or in narrative format.

Once your occupation is approved proceed to Step 3 to obtain a Business License.

Step 3 – Obtain a City of Molalla Business License

Once your use or occupation has been approved (or if it did not require approval due to being an already approved use on a Commercial or Industrial property), you may apply for a City of Molalla Business License. Applications are available on the City’s website under the City Recorder’s page: <https://www.cityofmolalla.com/cityrecorder/page/business-licenses>.

- 1. Your Business License application will be reviewed by Public Works, the Fire Marshall, the Police Chief, and Planning.
- 2. If there are outstanding code violations, or the use/occupation has not been approved, your application will be denied until those things have been resolved.

Contact information is contained in the header of this document.