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**17-2.3.120 Home Occupations**

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- A. **Purpose.** The purpose of this section is to encourage those who are engaged in small commercial ventures that could not necessarily be sustained if it were necessary to lease commercial quarters, or which by the nature of the venture are appropriate in scale and impact to be operated within a residence.
- B. **Applicability.** This section applies to home occupation uses in residential zones. A home-based business in a commercial zone is considered a commercial use and is not subject to the standards of this section.
- C. **Home Occupation in Residential Zones.** Home occupations of less than 1,000 square feet of lot area are permitted, provided the owner completes a Zoning Checklist and obtains a City of Molalla business license. Home occupations greater than 1,000 square feet of lot area are allowed, subject to approval of a Conditional Use Permit. For the purpose of this section, “lot area” includes building floor area, areas within accessory structures, and all other portions of a lot.
- D. **Home Occupation Standards.** Home occupations shall conform to all of the standards below, except the City may approve adjustments to the standards through the Conditional Use Permit approval, provided all uses and structures on the subject property conform to applicable City regulations, including, but not limited to, building codes and nuisance regulations.
1. **Appearance of Residence.**
    - a. The home occupation shall be restricted to lawfully built enclosed structures and be conducted in such a manner as not to give an outward appearance of a business.
    - b. The home occupation shall not result in any structural alterations or additions to a structure that will change its primary use or building code occupancy classification.
    - c. The home occupation shall not violate any conditions of development approval (i.e., prior land use development permit or approval).
    - d. No products or equipment produced or used by the home occupation may be displayed to be visible from outside any structure.
  2. **Storage.**
    - a. Outside storage visible from the public right-of-way or adjacent properties that exceeds what is customary for a single-family residence in the vicinity is prohibited.
    - b. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible, or flammable material) beyond those normally incidental to residential use is prohibited.
    - c. Storage of inventory or products and all other equipment, fixtures, and activities associated with the home occupation shall be enclosed in a structure or otherwise screened from view from adjacent properties and public right-of-way.
  3. **Employees.**
    - a. Other than people residing within the dwelling located on the home occupation site, there shall be no more than two employees at the home occupation site at any given time. As used in this chapter, the term “home occupation site” means the legal lot on which the home occupation is

conducted.

- b. Additional individuals may be employed by or associated with the home occupation, so long as they do not report to work, pick up, or deliver at the home occupation site.
  - c. The home occupation site shall not be used as a headquarters for the assembly of employees for instruction or other purposes, including dispatch of employees to other locations.
4. **Advertising and Signs.** Signs shall not exceed a total of four square feet of surface area on each side of one or two faces.
  5. **Vehicles, Parking, and Traffic.**
    - a. Not more than one commercially licensed vehicle associated with the home occupation is allowed at the home occupation site in the same 24-hour period. Vehicles shall be of a size that would not overhang into the public right-of-way when parked.
    - b. There shall be no commercial vehicle deliveries between 9:00 p.m. and 7:00 a.m.
  6. **Business Hours.** There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation only from 7:00 a.m. to 9:00 p.m., Monday through Friday.
  7. **Prohibited Home Occupation Uses.**
    - a. Any activity that produces radio, TV, or other electronic interference; noise, glare, vibration, smoke, or odor beyond allowable levels as determined by local, state, or federal standards, or that can be detected beyond the property line, is prohibited.
    - b. Any activity involving on-site retail sales, including garage sales exceeding the thresholds of a temporary use, is prohibited, except that the sale of items that are incidental to a permitted home occupation is allowed. For example, the sale of lesson books or sheet music from music teachers, art or craft supplies from arts or crafts instructors, computer software from computer consultants, and similar incidental items for sale by the home business is allowed.
    - c. The following uses, and uses with similar objectionable impacts because of motor vehicle traffic, noise, glare, odor, dust, smoke, or vibration, are prohibited:
      - (1) Ambulance service.
      - (2) Animal hospital, veterinary services, kennels, or animal boarding.
      - (3) Auto and other vehicle repair, including auto painting.
      - (4) Repair, reconditioning, or storage of motorized vehicles, boats, recreational vehicles, airplanes, or large equipment on-site.
  8. **Enforcement.** With cause, the City's designated Code Enforcement Officer may visit a home occupation site to inspect the site and enforce the provisions of this Code. (Ord. 2017-08 §1)

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