

ARTICLE 8.11 – HOME OCCUPATION

SECTION 8.11.001 - PURPOSE

The purpose of these Sections are to ensure that occupations conducted within one's own residence shall not be objectionable to the neighborhood in which it is located and shall maintain the residential character and appearance of both the dwelling and neighborhood.

SECTION 8.11.002 - WHERE PERMITTED

Home occupations shall be permitted in any Residential use, subject to Article 9.2, Community Development Department/Planning Division Review Procedure. Application shall be made on forms provided by the Community Development Department/Planning Division. The application shall be accompanied by any such information as listed on the application submittal checklist.

EXCEPTION: If a Home Occupation is to employ no persons from outside the home, anticipates no clients or customers calling at the home to do business, erects no signage visible from the exterior of the home and meets all of the other Home Occupation standards of this Article, such Home Occupation shall be processed as a Business Permit.

SECTION 8.11.003 - HOME OCCUPATION CRITERIA

A Home Occupation Permit shall be granted if the Community Development Director/Planner or other designated City official finds that it satisfies all applicable requirements of this Code.

SECTION 8.11.004 - PROCESSING

In the processing of a Home Occupation Permit, the following procedures shall be followed, in accordance with Chapter 9 of this Code:

- A. Initiation - Application for a Home Occupation Permit shall be initiated by the business owner, with written support or endorsement by the property owner.
- B. Filing - Application for a Home Occupation Permit shall be filed on forms provided by the City Community Development Director/Planner, shall set forth in detail all the information requested, and shall be accompanied by a filing fee. Twenty (20) copies of the submittal information shall be submitted to the Community Development Department/Planning Division, for distribution to and review by the Development Review Committee, along with the application and appropriate filing fee.
- C. Filing Fee - There shall be a filing fee set by the City Council, by resolution, to defray the costs incidental to the review process.
- D. Filing Fee - There shall be a filing fee set by the City Council, by resolution, to defray the costs incidental to the review process.

SECTION 8.11.005 - STANDARDS FOR HOME BUSINESSES

Home businesses are subject to the requirements of the base zone, as well as the following standards, which have been established to preserve the neighborhood character of which the dwelling engaged in a home business is a part:

- A. No home business shall be operated in such a manner as to cause a nuisance, e.g., noise, vibration, dust, odors, glare, debris, smoke, television or radio interference, heat, radiation, or other nuisances as defined by the Community Development Director/Planner that are detectable outside the dwelling, accessory structure or through vertical or horizontal common walls of an attached dwelling;
- B. The home business shall be clearly incidental and secondary to the use of the dwelling for residence purposes, and shall not change the residential character nor shall it alter the external or internal appearance of the dwelling unit other than those alterations normally allowed for residential structures;
- C. There shall be no sales of products other than products hand-crafted by the occupants, or products which are related and incidental to a service provided;
- D. Only one (1) sign, visible from any public street, identifying the home business is allowed; the sign cannot exceed three (3) square feet of area, must be non-illuminated, and mounted flat against the wall of the principal building;
- E. No more than twenty-five percent (25%) of the gross floor area of one (1) floor of said residence shall be used for the purpose of the home business, exclusive of garage floor areas and floor areas of accessory structures;
- F. The use does not involve the storage of hazardous, flammable, or combustible liquids or materials, other than those customarily found in or of greater intensity and/or duration of those customarily associated with a residence;
- G. Business hours are limited to 9:00 a.m. and 8:00 p.m. by appointment only. (An exception may be granted by the Community Development Director/City Planner for those home businesses that do not involve disruptive activities);
- H. The entrance to the space devoted to the home business shall be from within the main dwelling unit and there shall be no internal or external alterations to the existing residence that would operate to provide an entrance other than the same of the entire dwelling unit;
- I. The home business shall be restricted to either the interior of the dwelling unit or the interior of no more than one (1) accessory structure;
- J. No outdoor storage may occur. Any interior areas devoted to storage of inventory or products shall be counted toward the twenty-five percent (25%) square footage standard of Subsection E above;
- K. No more than one (1) person other than residents of the dwelling shall work or report to work on the premises. An allowable exception is that two (2) persons other than the resident may work on the premises if their work hours are not simultaneous and when combined, do not exceed forty (40) hours per week (1 FTE);
- L. Only two (2) clients are permitted in the dwelling at any one time. (Residential garage sales being the only exception);
- M. No article may be regularly displayed, sold, or offered for sale on the premises. (Residential garage sales being the only exception);

- N. An order may be filled on the premises if it is placed earlier by a patron using telephone, mail order, or through attendance at a sales party;
- O. The home business shall not generate pedestrian or vehicular traffic and/or parking in excess of what is normal in a similar residential dwelling not having a home business. Specifically, the home business shall cause no more than twelve (12) visits in any one twenty-four (24) hour day by those patronizing the home business by vehicle. Nor shall the home business cause delivery vehicles to visit the site more than once in a five (5) day work week (excluding normal package delivery by United States Mail, United Parcel Service, or other company involved in small package delivery);
- P. The home business shall not generate refuse, sewage, electrical, or water use in excess of what is normal for a similar residential dwelling not having a home business;
- Q. No mechanical or electrical equipment may be installed or maintained other than such as is customarily incidental to a domestic use;
- R. Vehicles with commercial signing shall be prohibited, other than one (1) such vehicle that is regularly used by the occupant for transportation. If such a vehicle is not removed from the residential neighborhood at least once every seventy-two (72) hours, it must be stored within an enclosed structure on the premises; and,
- S. The dwelling is the principal residence of the business operator and the applicant complies with all City laws, regulations, ordinances, and any other requirements, as established by the Community Development Director/Planner.

SECTION 8.11.005 - BUSINESSES PROHIBITED IN THE HOME

The following uses by the nature of the investment or operation have a pronounced tendency to rapidly increase beyond the limits permitted for home businesses or includes characteristics that may adversely impact the safety or residential character of the dwelling or neighborhood (e.g. hazardous materials, noise, odors, other), and thereby substantially impair the use and value of a residentially zoned area for residential purposes:

- A. Animal breeding beyond three (3) litters per year of domestic animals (e.g., cats, dogs, rabbits, birds, etc.);
- B. Appliance repair; other than the repair of small household appliances;
- C. Dental or other medical offices;
- D. Hair salons, unless limited to two (2) stations;
- E. Motorized garden tool repair, such as, but not limited to, lawnmowers, chain saws, and leaf blowers;
- F. Pest control;
- G. Painting of vehicles, trailers, boats, and like vehicles/vessels;
- H. Vehicle-related uses such as, but not limited to, the cleaning, dismantling, embellishment, installation, manufacture, repair or service, sale, lease, or rental, and towing of vehicles. The

dispatching of vehicles such as limousines, taxicabs, and ambulances is allowed as a home business so long as those vehicles need not regularly come into the vicinity of the subject residence;

- I. Welding;
- J. Any uses which require a Hazardous Materials Permit from the City of La Grande Fire Department;
and
- K. Any other uses as determined by the Community Development Director/Planner to be inappropriate as a home business.