



**March 2024 City Council Meeting
Agenda Item No. 11**

**Home Occupation Code Updates
GMC Chapter 17.78**



Chapter 17.78
HOME OCCUPATIONS

Sections:

~~17.78.010 Uses allowed as home occupations, Purpose~~

~~17.78.020 Applicability and Exemptions~~

~~17.78.030⁴⁶ Type I and Type II home occupations, Prohibited Home Occupations~~

~~17.78.040 Approval criteria and standards.~~

~~17.78.020 Limitations on home occupations.~~

~~17.78.050 Procedure to establish and maintain a home occupation.~~

~~17.78.060 Action regarding complaints and violation of standards.~~

~~17.78.070 Violations~~

~~17.78.010 Uses allowed as home occupations, Purpose~~

~~The purpose of this chapter is to:~~

~~(1) Permit residents an opportunity to use their homes to engage in small-scale business ventures which could not be sustained if it were necessary to lease commercial quarters, or because the nature of the activity would make it impractical to expand to a full-scale enterprise; and~~

~~(2) Establish approval criteria and standards to ensure that a home occupation is conducted as a lawful use that is subordinate to the residential use of the property and is conducted in a manner that is not detrimental or disruptive in terms of appearance or operation to neighboring properties and residents.~~

~~17.78.020 Applicability and Exemptions~~

~~(1) A person shall not carry on a home occupation, or permit such use to occur, on property that the person owns or is in lawful control of, contrary to the provisions of this chapter.~~

{00860984; 1 }

Proposal:

- City staff propose updates to Gladstone Municipal Code Chapter 17.78- Home Occupations.
- The proposed update overhauls the current language and creates new standards for home occupation permits approved after adoption of these updates.
- Current approved home occupations would continue to be approved under the former standards.

Background:

The city's current home occupation standards have been difficult for staff to apply and administer and difficult for applicants and neighbors to understand. The proposed updates simplify the process and clarify the applicable regulations.

Project Resources:

Staff from five city departments reviewed home occupation criteria from other cities as well as pertinent publications and collaborated to draft the proposed updates.

- Administration
- Code Enforcement/Police
- Public Works
- Economic Development
- Planning

Proposed Updates Include:

- Simplification: One type of Home Occupation Permit instead of two
- Clarification: Make it easier for home-based businesses to understand and comply with the rules and for staff to administer the standards
- Restrictions: Who can participate in the home-based business
- Exemptions: Clearly list what uses do not need a Home Occupation Permit

Proposed Language:

- Includes Planning Commission revisions to the language proposed by staff
- Based on a public hearing over two meetings (December '23 and February '24)
- Delayed due to weather cancelation of January meeting

City Attorney Review:

- Provided to the City Council last week
- Clarified the language and process for Home Occupation Permits
- Provided to the Planning Commission
- No substantive changes

The proposed text amendment is consistent with:

- Oregon Statewide Planning Goals
- Gladstone Municipal Code
- Metro's Functional Plan
- The Transportation Planning Rule

The findings were submitted to DLCD in preparation of the public hearing process.

RECOMMENDATION

Gladstone Staff and the Planning Commission recommend approval of Ordinance 1528 and updates to GMC Chapter 17.78-Home Occupations

Sample Motion:

I move to approve Ordinance 1528 adopting a text amendment to GMC Chapter 17.78- Home Occupations, file TXT-23-03.