



**December 2023 Planning Commission Meeting
Agenda Item No. 4**

**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~~

~~17.78.030~~146~~ Type I and Type II home occupations, Prohibited Home Occupations~~

~~17.78.040 Approval criteria and standards,~~

~~17.78.050 Limitations on home occupations,~~

~~17.78.060 Procedure to establish and maintain a home occupation.~~

~~17.78.070 Action regarding complaints and violation of standards,~~

~~17.78.080 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.

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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.
- Staff from the following departments worked together to draft the proposed updates:
 - Administration
 - Code Enforcement/Police
 - Public Works
 - Economic Development
 - Planning
- The updates have been thoroughly reviewed by the City Attorney's office.

The proposed text amendment is consistent with:

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

Findings are in the submitted staff report, which has also been submitted to DLCD.

RECOMMENDATION

The Gladstone Planning Staff recommend that the Planning Commission recommend approval of the proposed text amendment to the City Council for a public hearing at their meeting on January 9, 2024.