



Marion County
OREGON

Operating a Business Out of Your Urban Home



Regulations for home occupations in Marion County, inside an urban growth boundary (UGB)

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What is a “home occupation”?

Marion County Urban Zone Code Chapter 16.49.138-139 states that within urban growth boundaries a home occupation “...means any business or professional activity engaged in the production of income by a resident of a dwelling or dwelling unit.” There are two types of home occupations inside a UGB - limited home occupations with no employees or conditional use home occupations, which allow one employee.

What are the regulations for operating a Home Occupation-Limited in the UGB?

According to the Marion County Urban Zone Code Chapter 16.26.200:

A home occupation limited shall meet the following use and development standards:

- (a) The premises upon which the home occupation is conducted shall be the residence of the persons conducting the home occupation. No employees living off the premises are allowed.
- (b) The home occupation shall be continuously conducted in such a manner as not to create any public or private nuisance, including, but not limited to, offensive noise, odors, vibration, fumes, smoke, fire hazard, or electronic, electrical, or electromagnetic interference. In a residential zone noise associated with the home occupation of more than 55dba at the lot line is prohibited.
- (c) No sign shall be displayed on the premises except such signs as are allowed in Chapter 31 for the zone in which the home occupation is located.
- (d) The home occupation shall be conducted entirely within the dwelling or any

attached garage or in an unattached accessory building.

- (e) The total floor area of buildings on the premises, including accessory buildings, devoted to a home occupation shall not exceed 500 square feet in a residential zone and 1500 square feet in other zones.
- (f) No structural alterations shall be made to the dwelling that would be inconsistent with future use of the building exclusively as a dwelling.
- (g) No alteration to or use of the premises shall be made such as to reduce the number of required on-site parking spaces.
- (h) All visits by suppliers or customers shall occur between the hours of 8:00 a.m. and 8:00 p.m.
- (i) There shall be no outside storage or display of materials, equipment, or merchandise used in, or produced in connection with, the home occupation, except as provided in (j).
- (j) Repair of vehicles or a construction business shall be allowed as a home occupation only in the UT or UTF zones. Vehicles shall be screened by a sight-obscuring fence or be parked in a building. All repair shall be conducted within a building. There shall not be more than three vehicles associated with the home occupation parked on the premises at one time.
- (k) Deliveries to or from the dwelling shall not involve a vehicle rated at more than 1 ton.

(l) Where a home occupation involves deliveries one off-street loading space shall be provided. If visits by customers occur two additional off-street parking spaces shall be provided if the street along the lot frontage does not provide paved area for at least two parallel parking spaces. During normal loading/unloading or customer parking periods the off-street loading and parking spaces shall be reserved exclusively for that use.

(m) The dwelling or other buildings shall not be used for assembly or dispatch of employees to other locations.

(n) Retail and wholesale sales that do not involve customers coming to the property, such as internet, telephone or mail order offsite sales, and incidental sales related to the home occupation services being provided are allowed. No other sales are permitted as, or in conjunction with, a home occupation.

(o) In order to establish a new home occupation an agreement shall be signed by the property owner and any lessee of the dwelling, that:

- (1) Acknowledges the requirements of this Section;
- (2) Agrees that the home occupation will be discontinued or brought into conformance with city requirements if the property is annexed; and
- (3) Agrees that if the lot is in a UT or UTF zone, the owner, lessee, and their heirs or assigns will not remonstrate if annexation is proposed by the city.

What are the regulations for operating a Home Occupation-Conditional with Employees (in the UGB)? According to the Marion County Urban Zone Code Chapter 16.32.400:

“A home occupation that employs no more than one person (“person” includes volunteer, non-resident employee, partner, or other person) in the conduct of the home occupation meeting the following criteria:

- (a) The premises upon which the home occupation is conducted shall be the residence of the person conducting the home occupation.
- (b) The home occupation shall be continuously conducted in such a manner as not to create any nuisance, public or private, known law or equity, including but not limited to: noise, odors, vibration, fumes, smoke, fire hazard, or electronic, electrical, or electromagnetic interference.
- (c) No sign shall be displayed on the premises except those as permitted in Chapter 16.31.060 (A).
- (d) No structural alterations shall be made to the dwelling that would be inconsistent with future use of the building as a dwelling.
- (e) No alteration to or use of the premises shall be made that would reduce the number of on-site parking spaces required for dwellings as outlined in Chapter 16.30.150.
- (f) Parking of customers or clients’ vehicles shall create no hazard or unusual congestion. If the home occupation requires any parking for an employee or customer, a site plan meeting the

requirements for off-street parking in Chapter 16.16.300 shall be submitted and approved by the Planning Manager.

(g) Delivery and pick-up of materials or commodities in conjunction with the home occupation to and from the premises shall be made by private vehicles or by commercial vehicles not exceeding two axles in size.

(h) There shall be no outside storage or display of materials, equipment, or merchandise used in or produced in connection with the home occupation.

(i) Retail and wholesale sales that do not involve customers coming to the property, such as internet, telephone or mail order offsite sales, and incidental sales related to the home occupation services being provided are allowed. No other sales are permitted as, or in conjunction with, a home occupation.

(j) The dwelling or other buildings shall not be used for assembly or dispatch of employees to other locations.

Do I need a business license? Marion County does not issue business licenses. However, other agencies may have requirements such as water, health department (food handling), building codes, etc. The State of Oregon also has a business regulation section that provides information on starting a home business: (503) 986-2200.

For more information, visit our web site at <http://publicworks.co.marion.or.us/planning>