

House Bill 2455

Sponsored by Representative ELMER (at the request of Don and Judy Leidy) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act allows an owner of a home on lands zoned for farm or forest use to operate a business in the home. (Flesch Readability Score: 73.1).

Allows home occupations on lands zoned for resource use to be operated by a property owner who is not a resident of the property.

A BILL FOR AN ACT

1 Relating to home occupations on lands zoned for resource uses; amending ORS 215.448.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1.** ORS 215.448 is amended to read:

4 215.448. (1) The governing body of a county or its designate may allow, subject to the approval
5 of the governing body or its designate, the establishment of a home occupation and the parking of
6 vehicles in any zone. However, in an exclusive farm use zone, forest zone or a mixed farm and forest
7 zone that allows residential uses, the following standards apply to the home occupation:
8

9 (a) It *[shall]* **must** be operated by a resident or *[employee of a resident]* **owner** of the property
10 on which the business is located **or by an employee of a resident or owner;**

11 (b) It shall employ on the site no more than five full-time or part-time persons;

12 (c) It shall be operated substantially in:

13 (A) The dwelling; or

14 (B) Other buildings normally associated with uses permitted in the zone in which the property
15 is located; and

16 (d) It shall not unreasonably interfere with other uses permitted in the zone in which the prop-
17 erty is located.

18 (2) The governing body of the county or its designate may establish additional reasonable con-
19 ditions of approval for the establishment of a home occupation under subsection (1) of this section.

20 (3) Nothing in this section authorizes the governing body or its designate to permit construction
21 of any structure that would not otherwise be allowed in the zone in which the home occupation is
22 to be established.

23 (4) The existence of home occupations *[shall]* **may** not be used as justification for a zone change.
24

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.