



# City of North Plains

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## **HOME OCCUPATION HANDOUT**

### **Introduction**

#### ***What is a Home Occupation?***

By definition, a Home Occupation is a “commercial activity that is conducted within a dwelling unit and/or accessory buildings by members of the family occupying the dwelling, with no servant, employee, or other person being engaged, provided the occupation is conducted in such a manner as not to give an outward appearance, nor manifest any characteristic of a business, in the ordinary meaning of the term, nor infringe upon the rights of neighboring residents. Such occupations shall be a secondary use of the premises.” By design, Home Occupations are small commercial ventures, appropriate in scale and impact, for operations within a residence. Examples include consulting, dressmaking, or arts-and-crafts work. City staff reviews all Home Occupation requests.

#### ***Handout Information***

This Handout is part of a folder containing information to guide an applicant through the City’s application process. While comprehensible, an applicant may wish to read the applicable Code Sections included in the folder as well as information provided by City staff. This Handout includes the following information:

- 1) Process Steps
- 2) Decision Criteria

Please use the following checklist to guide you through the process. **The steps in bold are those that the applicant must complete.** The City is responsible for the remaining Steps, although an applicant should track each Step.

- Step 1: Submit the Application**
- Step 2: Notice of Decision
- Step 3: Appeal of an Administrative Decision (if Applicable)**

### **Process Steps**

*NOTE: Each Step references the appropriate Section from the North Plains Municipal Code (MC). **Steps that are the applicant’s responsibility are in bold.***

#### **Step 1: Application Submittal for Home Occupation (MC 16.85)**

The application begins with the submittal of the application form and supporting material listed on the form. Completed applications must be submitted to the City and include the required fee. It is important to not that it is the applicant’s responsibility to submit the required material in support of the Home Occupation. However, the City staff is ready to assist wherever possible.

#### Step 2: Notice of Decision

The City Planner reviews the request and determines whether the application meets requirements for a Home Occupation. An application must comply – or be able to comply with provisions – with all the requirements for the City Planner to approve the request. The city mails written notice of the decision to the applicant.

#### **Step 3: Appeal of an Administrative Decision**

The City Planner's decision is the final local decision. If the applicant disagrees with the decision, the applicant may appeal the decision to the Land Use Board of Appeals (550 Capitol Street NE, Suite 235, Salem, Oregon 97301-2552; Phone: 503-373-1265). This must be done within 21-days from the date the City mails the notice. Forms for this purpose are available at the Land Use Board of Appeals.

**DECISION CRITERIA (MC 16.85)**

To approve a Home Occupation, the applicant should describe the business and show how it will be consistent with the requirements of chapter 16.85, Home Occupations.