

City of John Day  
450 East Main Street  
John Day, OR 97845

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JUL 31 2020  
CITY OF JOHN DAY

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## Home Occupation Permit Application

### BACKGROUND INFORMATION

- (A) Applicant/Owner: Ashley Stevieb Phone: 406.431.2802  
(B) Address: 410 NW Bridge St.  
(C) Property Address: 410 NW Bridge St.  
(D) Township; Range; Section; Tax Lot: 13S 31E 23 #1800  
(E) Zone: Residential Limited (F) Parcel Size: 0.18 acres  
(G) Existing Use/Structures: Single family dwelling. Shed.  
(H) Application Proposal: Use of my backyard and home for yoga classes, workshops, + community.

### REVIEW CRITERIA

#### 5-2.2.100 Residential Districts – Special Use Standards

Section 5-2.2.100 provides standards for specific land uses and building types, as identified in Table 5-2.2.020 that control the scale and compatibility of those uses within Residential Districts. The standards in Section 5-2.2.100 supplement (are in addition to and do not replace) the standards in Sections 5-2.2.010 through 5-2.2.090. This Section applies to the following uses and building types:

- A. Accessory Dwelling
- B. Attached Single Family (Townhouses or Rowhouses) and Attached Duplexes
- C. Bed and Breakfast Inns
- D. Group Living (Residential Care Homes and Residential Care Facilities)
- E. Home Occupations
- F. Manufactured Homes
- G. Manufactured/Mobile Home Parks
- H. Multiple Family Housing
- I. Short-Term Vacation Rentals
- J. Zero-Lot Line Housing (not common wall)
- K. Temporary Medical Hardship Dwellings

**E. Home Occupations.** The purpose of this Section is to encourage those who are engaged in small commercial ventures that could not necessarily be sustained if it were necessary to lease commercial quarters, or which by the nature of the venture, are appropriate in scale and impact to be operated within a residence. Home occupations are encouraged for their contribution in reducing the number of vehicle trips often generated by conventional businesses. Two types of home occupations are contemplated by this Code: 1) Home Occupations meeting the standards in subsections 1-8, below, are allowed by right, provided the owner has a current business license and all other uses and structures on the subject property are in conformance with the applicable zoning; and 2) Home Occupations exceeding any of the threshold standards in subsections 1-8 may receive approval through the Type III Home Occupation Permit procedure under Section 5-4.9.020.

### **Type I Standards for Home Occupations**

#### 1. Appearance of Residence:

- a. The home occupation shall be restricted to lawfully-built enclosed structures and be conducted in such a manner as not to give an outward appearance of a business.
- b. The home occupation shall not result in any structural alterations or additions to a structure that will change its primary use or building code occupancy classification.
- c. The home occupation shall not violate any conditions of development approval (*i.e.*, prior development permit approval).
- d. No products and or equipment produced or used by the home occupation may be displayed to be visible from outside any structure.

#### 2. Storage:

- a. Outside storage, visible from the public right-of-way or adjacent properties, that exceeds what is customary for a single family residence in the vicinity, is prohibited.
- b. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible or flammable) beyond those normally incidental to residential use is prohibited.
- c. Storage of inventory or products and all other equipment, fixtures, and activities associated with the home occupation shall be allowed in any structure.

#### 3. Employees:

- a. Other than family members residing within the dwelling located on the home occupation site, there shall be no other/not more than one (1) full time equivalent employee at the home occupation site at any given time. As used in this chapter, the term "home occupation site" means the legal lot on which the home occupation is conducted.
- b. Additional individuals may be employed by or associated with the home occupation, so long as they do not report to work or pick up/deliver at the home occupation site.
- c. The home occupation site shall not be used as a headquarters for the assembly of employees for instruction or other purposes, including dispatch of employees to other locations.

4. Advertising and Signs: Signs shall comply with all applicable sign regulations. In no case shall a sign in the Residential District exceed four (4) square feet of surface area on all sides.

#### 5. Vehicles, Parking and Traffic:

- a. Off-street parking shall be provided for all commercially licensed vehicles associated with the home occupation. Such parking shall conform to the standards of Chapter 5-3.3.

b. There shall be no more than three (3) commercial vehicle deliveries to or from the home occupation site daily. There shall be no commercial vehicle deliveries during the hours of 9:00 p.m. to 7:00 a.m.

c. There shall be no more than one (1) client's or customer's vehicle at any one time and no more than eight (8) per day at the home occupation site.

6. Business Hours. There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation from 7:00 a.m. to 9:00 p.m. only, Monday through Friday, subject to subsections 1 and 5, above.

7. Prohibited Home Occupation Uses:

a. Any activity that produces radio, TV, or other electronic interference; noise, glare, vibration, smoke, or odor beyond allowable levels as determined by local, state or federal standards, or that can be detected beyond the property line; is prohibited.

b. Any activity involving on-site retail sales, including garage sales exceeding the thresholds of a temporary use, is prohibited; except that the sale of items that are incidental to a permitted home occupation is allowed. For example, the sale of lesson books or sheet music from music teachers, art or craft supplies from arts or crafts instructors, computer software from computer consultants, and similar incidental items for sale by home business is allowed subject to 1-6, above.

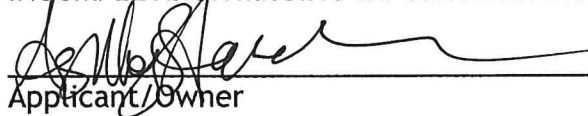
c. The following uses and uses with objectionable impacts similar to those listed (i.e., due to motor vehicle traffic, noise, glare, odor, dust, smoke or vibration, or other nuisance), are prohibited:

- (1) Ambulance service;
- (2) Animal hospital, veterinary services, kennels or animal boarding;
- (3) Auto and other vehicle repair, including auto painting; and
- (4) Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles, airplanes or large equipment on-site.

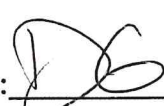
8. Inspection: The Planning Official or designee may visit and inspect the site of a home occupation during normal business hours, and with reasonable notice, to ensure compliance with all applicable regulations.

**SIGNATURES**

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT A LETTER OF CONSENT AUTHORIZING ANOTHER INDIVIDUAL TO MAKE APPLICATION. INCOMPLETE OR MISSING INFORMATION MAY DELAY THE REVIEW PROCESS.

 7-30-20  
Applicant/Owner Date

\_\_\_\_\_  
Applicant/Owner Date

<b>RECEIVED FOR OFFICE USE ONLY</b>			
<b>JUL 31 2020</b>			
Submittal Date: _____	Fee: <u>\$ 100</u>	Received by: <u></u>	
Application Type: <u>HDD</u>	Completeness: _____	120 Day: _____	
Staff Report: _____	Commission Hearing: <u>Sep. 1<sup>st</sup></u>	Council Hearing: <u>NA</u>	