

The following pages show the proposed changes. Additions in Bold and deletions in Strikethrough

Home Occupations and Cottage Industries

Chapter II Definitions:

~~COTTAGE INDUSTRIES: Cottage industries are home occupations that are operated by a resident of the subject property, occupying a detached accessory building. Cottage industries should not employ more than five (5) full or part time persons. Cottage industries must not interfere with existing uses on nearby land or with other uses permitted in the zone in which the property is located. Cottage industries shall not involve the retail sale of a product on the premises. On premise sign advertising cottage industries shall not exceed six (6) square feet of copy area. [OR 04 12 013PL 2/09/05]~~

~~HOME OCCUPATION: Home occupations constitutes businesses that are operated entirely within a dwelling by a member of the family residing in the dwelling. Home occupations shall not employ more than five (5) full or part time persons. Examples of home occupations include but are not limited to: beauty shops, engravers, professional offices, etc.~~

~~Home occupations must not interfere with existing uses on nearby land or with other uses permitted in the zone in which the property is located. Home occupations shall not involve the retail sale of a product on the premises. Home occupations shall not occupy more than 30% of the useable floor area of the dwelling, nor shall home occupations use any detached accessory building. On premise signs advertising home occupations shall not exceed six (6) square feet of copy area. [OR 04 12 013PL 2/09/05]~~

COTTAGE INDUSTRY & HOME OCCUPATION: Cottage industries and home occupations constitutes “in-home” businesses that are operated as ancillary “quasi-commercial” use in a resident’s personal dwelling. Cottage industries and home occupations must be operated by a resident of the subject property. Cottage industries and home occupations must not interfere with existing uses on nearby lands or with other uses permitted in the zone in which the property is located.

Current Ordinance

#	Use	Zones														Subject To
		UR-1	UR-2	UR-M	RR-2	RR-5	CD	RC	C-1	IN-D	AO	RE-C	SS	MES		
68	Cottage Industry/home occupation (in an existing structure)	N	HB CU	N	AC U	AC U	AC U	AC U	AC U	AC U	AC U	N	N	N	N	(24)

Proposed Changes to Section 4.3.200

#	Use	Zones														Subject To
		UR-1	UR-2	UR-M	RR-2	RR-5	CD	RC	C-1	IN-D	AO	RE-C	SS	MES		
68	Cottage Industry/home occupation (in an existing structure)															
	a. Type 1 - Home Occupation	ZC L	ZCL	ZCL	ZC L	ZC L	ZC L	ZC L	ZC L	ZC L	ZC L	AC U	AC U	AC U	AC U	(24)
	b. Type 2 - Home Occupation	CD	CD	CD	N	N	CD	N	CD	CD	CD	N	N	N	N	(24)
	c. Type 3 - Home Occupation	N	N	N	CD	CD	N	CD	CD	CD	CD	N	N	N	N	(24)
	d. Type 4 - Cottage Industry	N	N	N	AC U	AC U	N	AC U	N	N	N	N	N	N	N	(24)

~~(24) Cottage Industry/Home Occupation - This use shall not employ more than five (5) full or part-time persons, interfere with existing uses on nearby land or with other uses permitted in the zone in which the property is located, or involve the retail sale of a product on the premises. An on-premise sign for purpose of advertising the cottage industry shall not exceed six (6) square feet of copy area.~~

A cottage industry or home occupation shall comply with the following:

(a) Meet both the general operating standards and the criteria listed below for proposed type of cottage industries / home occupations per the applicable zoning district.

General Operational Standards:

- a. **Home business must be owned and/or operated by resident of home occupation. This use approval shall vest exclusively with the owner of the land at the time of approval.**
- b. **Primary use of the dwelling must remain residential, and the dwelling must be legally authorized.**
- c. **Home business must be conducted wholly within lawfully built, enclosed structures, and not give an outward appearance of business.**
- d. **Home business must not result in any alteration or additions to structure that will change the primary use or primary use's building code classification.**
- e. **Required two residential parking spaces must be separately maintained.**
- f. **A plot plan and parking/traffic plan shall be submitted, to address the following:**
 - (i) **The property boundaries;**
 - (ii) **Access to the property;**
 - (iii) **Location of all structures on the subject property;**
 - (iv) **Required parking spaces; and,**
 - (v) **A parking/traffic plan is required. All parking/traffic plans shall be reviewed by the Roadmaster to determine traffic safety.**
- g. **The home business must not produce radio or TV interference, glare, dust, vibration, smoke, or odor beyond allowable levels as determined by local, State or Federal standards or that can be detected beyond the property lines.**
- h. **No retail sales would be permitted to take place on premises**
- i. **If crossing a private road you shall provide a document to show that access supports this type of use.**
- j. **Other than limited storage and loading/unloading of approved quasi-commercial vehicles, no outdoor storage or uses shall be allowed are allowed in urban residential areas. Alternative: Outdoor storage or uses in rural residential areas requires additional screening, subject to approval of Planning Director.**
- k. **Subcontractors, and/or independent contractors, performing services onsite as part of the approved home occupation or cottage industry shall be counted as full-time or part-time employees.**
- l. **Any home occupation/cottage industry shall not unreasonably interfere with other uses permitted in the zone where the property is located.**

m. Shall provide proof that sewer and water services are approved for use.

68. (a) Type I – Home Occupation

- **Description:** A Type I home occupation is one where the residents use their home as a place of work and no nonresident employees nor clients/customers come to the site. Type I home occupation also may provide an opportunity for the residents to use their home as a business address but not as a place of work, for professions where the work is performed online or done at other locations. Other than loading/unloading and storage of vehicles, the home occupation must be concluded entirely within the dwelling.
- **Application:** Zoning Compliance Letter
- **Zone:** All zones with dwellings outright permitted. Non-conforming ACU for pre-existing dwellings in zones where dwellings are not allowed outright and not previous reviewed.
 1. **On-site employees:** Only the residents of the dwelling unit shall participate in the home occupation.
 2. **Off-site employees:** Not allowed
 3. **Maximum Size:** 30% of enclosed dwelling size, or 500 square feet, whichever is less.
 4. **On-site Business Vehicles:** Maximum of one additional vehicle stored outside. Must not utilized two required residential parking spaces. Must be approved by County Roadmaster.
 5. **Signs:** Not allowed.
 6. **Hours of Operations:** Not applicable. No nonresident employees nor clients/customers may come to site.
 7. **Maximum Business Trips per Day:** 5 trips
 8. **Maximum Clients/Customers Onsite:** 2 persons.
 9. **Annual Permit Review:** Initial Zoning Compliance Letter or Administrative Conditional Use; allow Zoning Compliance Letter renewal. Not transferrable.

68. (b) Type II – Home Occupation

- **Description:** A Type II home occupation is intended to have minimal impact to the existing urban neighborhood and must meet the general standards of subsection of this section and the following standards:
- **Application:** Compliance Determination or Administrative Conditional Use.
- **Zone:** Urban Residential-2, Controlled Development, Commercial-1, Industrial
 1. **On-site employees:** Only the residents of the home and one nonresident employee may participate in the home business.
 2. **Off-site employees:** Permitted.
 3. **Maximum Size:** 30% of enclosed dwelling size, or 500 square feet, whichever is less. No usage of any accessory structure is allowed.
 4. **On-site Business Vehicles:** Maximum of two additional vehicle stored outside. Must not utilized two required residential parking spaces. Client parking spaces required for best appropriate and closest use identified in Section 7.5.175 as per discretion by Planning Director. Traffic/parking must be approved by County Roadmaster.
 5. **Signs:** Not allowed: An on-premise sign for purpose of advertising the home occupation shall not exceed two (2) square feet of copy area.
 6. **Hours of Operations:** Non-resident employee, clients or customers are only permitted at the home business from 8:00 a.m. to 7:00 p.m. Monday through Friday and 10:00 a.m. to 4:00 p.m. Saturday and Sunday.
 7. **Maximum Business Trips per Day:** 5 trips
 8. **Maximum Clients/Customers Onsite:** 2 persons.
 9. **Annual Permit Review:** Initial Compliance Determination; allow Zoning Compliance Letter renewal. Not transferrable.

68. (c) Type III – Home Occupation

- **Description:** A Type III home occupation is intended to have minimal impact to the existing rural neighborhood. These uses have fewer employees and are smaller in size than a cottage industry, and must meet the general standards of subsection of this section and the following standards:
- **Application:** Compliance Determination or Administrative Conditional Use

- **Zone: Rural Residential-2, Rural Residential-5, Rural Center**
 1. **On-site employees: Not to exceed 5 full-time or part-time employees.**
 2. **Off-site employees: Permitted.**
 3. **Maximum Size: 30% of enclosed dwelling size, or 500 square feet, whichever is less. Limited to a maximum total of 750 square feet of all enclosed accessory structure(s). Accessory structure(s) shall be a previously approved structure.**
 4. **On-site Business Vehicles: Maximum of two additional vehicle stored outside. Must not utilized two required residential parking spaces. Client parking spaces required for best appropriate and closest use identified in Section 7.5.175 as per discretion by Planning Director. Traffic/parking must be approved by County Roadmaster.**
 5. **Signs: An on-premise sign for purpose of advertising the home occupation shall not exceed six (6) square feet of copy area. [OR 04 12 013PL 2/09/05]**
 6. **Hours of Operations: Non-resident employee, clients or customers are only permitted at the home business from 8:00 a.m. to 7:00 p.m. Monday through Friday and 10:00 a.m. to 4:00 p.m. Saturday and Sunday.**
 7. **Maximum Business Trips per Day: 10 trips**
 8. **Maximum Clients/Customers Onsite: 2 persons.**
 9. **Annual Permit Review: Initial Compliance Determination; allow Zoning Compliance Letter renewal. Not transferrable**

68. (d) Type IV - Cottage Industry

- **Description: A Type IV cottage industry is intended to have minimal impact to the existing rural neighborhood. These uses have the more employees and are greater in size than a Type III home occupations, and must meet the general standards of subsection of this section and the following standards:**
- **Application: Administrative Conditional Use**
 1. **Zone: Rural Residential-2, Rural Residential-5, Rural Center**
 2. **On-site employees: This use shall not employ more than five (5) full or part-time persons. The primary employee of the business must be a resident of the dwelling on site.**
 3. **Off-site employees: Permitted.**

4. **Maximum Size: Limited to a maximum total of 2500 square feet of all enclosed accessory structure(s). Accessory structure(s) shall be a previously approved structure.**
5. **On-site Business Vehicles: Maximum of five additional vehicles may be stored outside. Must not utilize two required residential parking spaces. Client parking spaces required for best appropriate and closest use identified in Section 7.5.175 as per discretion by Planning Director. Traffic/parking must be approved by County Roadmaster.**
6. **Signs: An on-premise sign for purpose of advertising the home occupation shall not exceed six (6) square feet of copy area. [OR 04 12 013PL 2/09/05]**
7. **Hours of Operations: Clients or customers are only permitted at the home business from 8:00 a.m. to 7:00 p.m. Monday through Friday and 10:00 a.m. to 4:00 p.m. Saturday and Sunday.**

A variance may be applied thru a Hearings Body Conditional Use application.

8. **Maximum Business Trips per Day: 20 trips**
9. **Maximum Clients/Customers Onsite: Per ACU approval.**
10. **Annual Permit Review: Initial ACU. Zoning Compliance Letter renewal. Not transferrable**

~~(b a)~~ **The** use shall comply with the compatibility standard found in Section 4.3.220.

~~(c b)~~ Coos County Planning Staff shall review a permit allowing a **Type II or Type III** home occupation or **Type IV** cottage industry shall be valid until December 31 of the year following the year that the application was initially approved. ~~every twelve (12) months following the date the zoning compliance letter was issued and may continue the use if it continues to comply with the definition of cottage industry and/or home occupation.~~ Prior to the expiration of the December 31 approval date, the property owner or applicant who received the approval shall provide the Director with written request for renewal of approval for the home occupation and written information. ~~This is accomplished by a request from the applicant prior to the expiration of the prior zoning compliance letter.~~ If the use has not changed and remains in compliance a **one-year** zoning compliance letter ~~from~~ will be issued; ~~and,~~

~~(c)~~ ~~This use approval shall vest exclusively with the owner of the land at the time of approval. The cottage industry shall not be conveyed or otherwise transferred to a subsequent landowner without a new conditional use permit. A plot plan and parking/traffic plan shall be submitted, to address the following:~~

- ~~(i)~~ The property boundaries;

- (ii) Access to the property;
- (iii) Location of all structures on the subject property;
- (iv) Required parking spaces; and,
- (v) ~~A parking/traffic plan is required. All parking/traffic plans shall be reviewed by the Roadmaster to determine traffic safety.~~

ARTICLE 5.9 ZONING COMPLIANCE LETTER

SECTION 5.9.100 Zoning Compliance Required:

7. If a compliance letter is needed for Type I Home Occupations

A zoning compliance letter for Type I home occupation is valid until the property is transferred to another ownership, the home occupation is abandoned for greater than one (1) year, or the use exceeds the approved authorization of the home occupation.