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BEFORE THE BOARD OF COMMISSIONERS

FOR LINCOLN COUNTY, OREGON

Lincoln County Legal Counsel

ORDINANCE #262

AN ORDINANCE AMENDING LINCOLN COUNTY CODE CHAPTER ONE SECTION 1.1601 et seq TO ESTABLISH NEW STANDARDS FOR HOME OCCUPATIONS, and DECLARING AN EMERGENCY

WHEREAS the Lincoln County Code, Chapter One, Section 1.1601 et seq establishes standards for authorization of home occupations as conditional uses; and

WHEREAS the board, by Resolution #87-1-4B, dated April 1, 1987, initiated an examination of those standards by the planning commission; and

WHEREAS the planning department prepared, and the planning commission reviewed at a public hearing on June 22, 1987, revisions to the home occupation standards and recommended amendments to the Lincoln County Code; and

WHEREAS the board, after notice, held a public hearing on October 21, 1987 to consider the proposed amendments to the county code;

Now, therefore, the Lincoln County Board of Commissioners hereby ORDAINS as follows:

SECTION I: That the Lincoln County Code, Section 1.1601 et seq be amended to read as follows:

Section 1.1630(6) is hereby amended to read as follows:

"6. Standards for home occupations:

All home occupations in all zones shall comply with the following standards:

(a.) The home occupation shall be secondary to the main use of the property for residential purposes.

(b.) No home occupation involving on-site retail sales shall be permitted.

(c.) No window display and no sample commodities displayed outside the building shall be permitted.

(d.) Home occupations shall not interfere with existing or permitted uses on surrounding or nearby lands.

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- 1 (e.) A home occupation shall not generate traffic or congestion
- 2 or demand for parking to an extent incompatible with
- 3 the primary purpose of the zone in which it is located or
- 4 with the purposes of zones of surrounding or nearby lands.
- 5 (f.) Nothing in this section shall authorize the construction
- 6 of any structure or building not otherwise permitted
- 7 in the zone in which a home occupation is to be established.
- 8 Accessory structures to be erected for the purpose
- 9 of housing a home occupation shall not exceed the home
- 10 occupation square footage limitation of the zone in
- 11 which it is located.
- 12 (g.) For purposes of identifying a home occupation, one
- 13 unlighted sign not to exceed two (2) square feet may
- 14 be permitted. Such sign shall not be located in a
- 15 required front or street side yard.
- 16 (h.) All home occupations approved after October 4, 1983
- 17 shall be reviewed annually for the purpose of ensuring
- 18 compliance with applicable conditions and standards.
- 19 (i.) The existence of a home occupation shall not constitute
- 20 nor contribute to the justification for a zone change.
- 21 Standards (k.) - (o.) in addition to standards (a.) - (i.) shall
- 22 apply to all home occupations in R-1A, R-1, R-2, R-3, R-4, and
- 23 RR-1-2 zones:
- 24 (k.) No persons other than residents of the dwelling located
- 25 on the subject property shall be engaged in the home
- 26 occupation, and in no event shall the number of persons
- engaged in the home occupation exceed 5.
- (l.) No outside storage of goods, commodities or waste
- materials associated with the home occupation shall
- be permitted.
- (m.) The home occupation shall be contained entirely within
- the subject property dwelling or a residential accessory
- structure. Area devoted to the home occupation shall
- not exceed a total floor area of 600 square feet.
- (n.) Home occupations permitted in residential zones
- shall be limited to the following types, subject to
- all applicable standards:
 - (A) Professional office or clinic.
 - (B) Personal service establishment such as barber,
 - beautician, tailor, cobbler, gunsmith, etc.

- 1 (C) Home appliance or electronic service or repair.
- 2 (D) Artist or craft studio.
- 3 (E) Small scale manufacture or assembly.
- 4 (F) Other uses similar in character, scale and performance
- 5 to the above.

6 (o.) The following uses are specifically prohibited from
7 being established as home occupations in residential
8 zones.

- 9 (A) Storage, service or repair of automobiles, trucks,
10 trailers, heavy equipment, boats or marine equipment.
- 11 (B) Machine, welding, sheet metal or similar metal
12 working shop.
- 13 (C) Cabinet or woodworking shop.
- 14 (D) Plumbing, building, electrical or paint contractors
15 storage or repair shop.
- 16 (E) Auto wrecking yard or other salvage yard.
- 17 (F) Tire repair, retreading or vulcanizing.
- 18 (G) Restaurant, bar or tavern.

Standards (p.) - (x.), in addition to standards (a.) - (i.)
shall apply to all home occupations in T-C, A-C and RR-5 zones:

- 19 (p.) The home occupation shall employ no more than five
20 (5) full or part-time employees, inclusive of the
21 primary owner or operator.
- 22 (q.) The home occupation shall be operated by a resident
23 of the property upon which it is located.
- 24 (r.) Total floor area devoted to the home occupation,
25 either of a dwelling, an accessory structure, or the
26 aggregate of both, shall not exceed 1,600 square feet.
- (s.) Outside area devoted to storage or other activities
associated with the home occupation shall not exceed
1,600 square feet, exclusive of required off-street
parking.
- (t.) All outside storage and parking areas shall be completely

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screened from adjoining properties and roadways by a sight obscuring fence or vegetative barrier.

(u.) One off-street parking space shall be provided for each employee other than household residents.

(v.) In the course of normal operation, the home occupation shall generate no noise, dust, odor or vibration detectable beyond the boundaries of the subject property.

(w.) Home occupations permitted in A-C, T-C, and RR-5 zones shall be limited to the following types, subject to all applicable standards:

(A) All uses permitted as home occupations in R-1, R-2, R-3, R-4 and RR 1-2 zones.

(B) Automobile, equipment, boat or marine equipment service or repair provided all such service and repair is conducted within an enclosed building.

(C) Machine, welding, sheet metal or similar metal working shop.

(D) Cabinet or woodworking shop.

(E) Uses similar in scale, character and performance to the above.

(x.) The following uses are specifically prohibited from being established as home occupations in T-C, A-C and RR-5 zones:

(A) Auto wrecking yards or other salvage yard.

(B) Truck terminal or depot.

(C) Restaurant, bar or tavern."

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SECTION II: Emergency Clause

That this ordinance, being necessary for the immediate preservation of the public peace, health, and safety, an emergency is declared to exist and this ordinance takes effect upon its adoption.

DATED this 21st day of October, 1987.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Alberta Bryant
Chairman

Frank Armstrong
Commissioner

Norma McMillin
Commissioner

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