

HOME OCCUPATIONS

TDC 34.010. Purpose and Definitions.

- (1) The purpose of this Home Occupation Code is:
 - (a) To allow residents an opportunity to use their residences to engage in small-scale business activities;
 - (b) To allow for small-scale business activities in a residence as a means to reduce commutes and traffic;
 - (c) To establish standards by which home occupations operate; and
 - (d) To ensure that home occupations are conducted subordinate to the residential use of the property, in a manner neither detrimental nor disruptive, in terms of appearance or operation, to neighboring properties and residents.
- (2) It is not the intent of TDC 34.031-34.055 to prohibit telecommuting.
- (3) For purposes of this TDC section the following terms have the following meanings:
 - (a) Employee. All persons, excluding the owner-operator, working on the premises in the home occupation.
 - (b) Equipment. Physical assets of the home occupation, excluding motor vehicles.
 - (c) Motor Vehicle. A self-propelled mechanical device moving or movable over the highways, roads and streets of the City, excepting devices that move exclusively on stationary rails.
 - (d) Owner-operator. A person undertaking a home occupation; the proprietor of a home occupation.

TDC 34.020. Allowed Home Occupations.

- (1) A person must not operate a home occupation or allow a home occupation to occur on property in violation of TDC 34.010 through 34.030.
- (2) The following occupations are permitted as home occupations, so long as the home occupation complies with the standards in TDC 34.030:
 - (a) Professional occupations including, but not limited to: accounting, architecture, computer consulting, counseling, clergy, drafting, editing, engineering, financial advising, graphic design, immediate disposition company, landscape design, law, psychology, publishing, realty and writing;
 - (b) Personal services including, but not limited to: haircutting, manicures and licensed massage therapy;
 - (c) Instructional services including, but not limited to: arts, crafts, language, music and scholastic teaching;
 - (d) Home craft businesses including, but not limited to: arts, catering, dressmaking, jewelry making, millinery, music, photography, pottery, sculpture, tailoring and weaving;
 - (e) Trades, repair and service people who work off-site but maintain an office at home
 - (f) Repair services including, but not limited to: hand-held instruments, watch and clock repair; and
 - (g) Other home occupations, as determined by a code interpretation pursuant to TDC 31.070.

TDC 34.030. Home Occupation Standards.

The following standards apply to home occupations in the City of Tualatin:

- (1) A dwelling unit that houses a home occupation may have only one sign and the sign must comply with TDC 38.110(11).
 - (2) A person operating a home occupation must obtain a business license from the City of Tualatin. This person must also maintain all other permits required by other agencies for the home occupation.
 - (3) Home occupations may include the retailing of goods not produced by the home occupation but directly related to the home occupation if:
 - (a) The retailing is secondary and ancillary to the home occupation; or
 - (b) The retailing occurs in a presentation and sale of goods or services to a social gathering of invited guests no more than six times in a calendar year at the home occupation location.
 - (4) All materials and equipment must be stored inside built structures on the premises. Interior storage of materials and equipment must be secondary to the residential use of the dwelling. Storage must not be used as a material or equipment staging area. Equipment may be stored on the home occupation vehicle.
 - (5) Noise, smoke and odors may not exceed those created by normal residential use.
 - (6) The home occupation must be owned and operated by a resident at the home occupation site. The home occupation may employ one other on-site employee who is not a resident of the dwelling unit. Off-site employees are permitted.
 - (7) The home occupation must not be used as a headquarters or meeting location for the assembly of employees or subcontractors for any reason, including staging or dispatch of employees or subcontractors to other locations, except as specified under TDC 34.030(14). Off-site employees and subcontractors may not keep their motor vehicles at the home occupation during a work day.
 - (8) The dwelling unit must not be altered in a manner that will change its primary residential appearance or use. A home occupation does not change the dwelling unit classification as a dwelling unit in the Oregon Uniform Building Code.
 - (9) Only one motor vehicle not exceeding 15,000 pounds GVW is permitted for use in the home occupation at the home occupation location. No other motor vehicle storage is permitted for the home occupation. No commercial motor vehicle as defined in ORS 801.208 may be allowed as part of a home occupation.
 - (10) On-street parking may not prevent access to mailboxes, driveways, fire hydrants, garbage or recycling receptacle pick-up.
 - (11) The home occupation may generate no more than ten one-way client and subcontractor vehicular trips per day. For home occupations relating to instructional services, no more than 20 one-way client and subcontractor vehicular trips may be permitted per day. Trips attributable to the residential use are not attributed to the home occupation in determining compliance with this section.
 - (12) No employee, client, subcontractor or delivery trips to the home occupation may be made between 10:00 pm and 7:30 am.
 - (13) A person may not work on three or more motor vehicles per week at a residence. If a person is, the City will presume that the person is operating an unauthorized home occupation.
 - (14) A board or staff meeting of the home occupation may be held quarterly at the site of the home occupation.
- (Ord. No. 1463-21 , § 6, 12-13-21)