

# Home Occupation Permits

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## What Is a Home Occupation?

An occupation, or profession, carried on within a dwelling, and/or a residential accessory structure, by a resident of the dwelling, or employees depending on type of home occupation according to Section 18.116.280 of the County Zoning Ordinance. A home occupation is secondary to the residential use of the dwelling and property.

The Deschutes County Zoning Ordinance regulates three (3) types of home occupations. This brochure describes each type and the standards applicable to each. These regulations apply to the unincorporated areas of Deschutes County outside of the urban growth boundaries of the cities of Bend, Redmond, and Sisters.

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## What Are Some Examples of Typical Home Occupations?

Accountant, Artist, Attorney at law, Hair Stylist, Home cosmetic sales, Piano teacher, Photographer, Seamstress, Screen Writer, Therapist, Tutor, Website design.

Please be aware that certain home-based commercial uses are not regulated as home occupations, but are allowed outright, regulated as conditional uses, or regulated under state law. Examples include: farm use, commercial activities in conjunction with farm use, residential homes and residential facilities, bed and breakfast inns, and family child care providers.

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## What kinds of home occupations are allowed without a permit?

Home occupations that operate from within a dwelling, have characteristics that are indistinguishable from the residential use of a dwelling, and meet the following standards are considered uses accessory to the residential use of a dwelling and are not regulated under the Zoning Ordinance. Such home occupations are permitted in any zone as long as they:

- a. Are carried on within a dwelling only by residents of the dwelling;
- b. Do not serve clients or customers on-site;
- c. Do not occupy more than 25 percent of the floor area of the dwelling;
- d. Do not have operating characteristics that produce odor, dust, glare, flashing lights or noise that are detectable off-site, and;
- e. Do not include the on-premise advertisement, display or sale of stock in trade.

**Type 1** home occupations are allowed as uses permitted outright in many, but not all, zones\*. A Type 1 home occupation does not require a permit, but is regulated by the Zoning Ordinance. A Type 1 home occupation:

- a. Is carried on within a dwelling and/or a residential accessory structure only by members of the family who reside in the dwelling;

- b. Does not generate more than five (5) trips per day to the site, including parcel delivery services;
- c. May include employees or contractors that work off-site;
- d. Does not produce odor, dust, glare, flashing lights or noise;
- e. Does not involve the on-premise display or sale of stock in trade, and;
- f. Does not involve the use of a sign to advertise the location of the home occupation.

\* Type 1 home occupations are not permitted outright in Farm (EFU) or Forest (F1 or F2) Zones.

### When is a Permit Required? (Type 2 and Type 3)

Section 18.116.280 of the County Zoning Ordinance defines what are called Type 2 and Type 3 home occupations. In each case a conditional use permit is required to establish a Type 2 or Type 3 home occupation. A conditional use is one that is reviewed on a case-by-case basis. The County’s approval of such a permit is based on relevant review criteria and the facts associated with the proposed use and the subject property. The table on the opposite page displays and summarizes the differences between what is allowed under each type of home occupation. Please refer to Section 18.116.280 of the County Zoning Ordinance for the specific criteria.

Summary of Type 2 and Type 3 Home Occupation Standards	Type 2	Type 3
Within a dwelling by family members who reside in the dwelling	X	X
No more than 10 vehicle trips per day	X	
No more than 20 vehicle trips per day		X
No more than 2 employees that report to the property for work	X	X
No more than five (5) employees that report to the property for work <b>IF</b> the property is 10 or more acres in size <b>AND</b> zoned EFU, Forest, MUA10, or RR10		X
Does not produce odor, dust, glare, flashing lights, or noise	X	X
May have one (1) ground-mounted sign no more than three (3) square feet in area and non-illuminated	X	X
Conducted from a property that is at least one-half (1/2) acre in size	X	
Occupies no more than 25 percent of the combined floor area of the dwelling (including attached garage) and one accessory building	X	

(max 1,500 square feet).		
Occupies no more than 35 percent of the combined floor area of the dwelling (including attached garage) and one accessory building		X
Can include on-site sales of products incidental and subordinate to home occupation	X	X
Provides adequate access and parking for employees and customers	X	X
Operates from 8:00 am to 5:00 pm, Monday through Friday	X	
Operates days and hours approved with a permit		X
Does not involve any external changes to dwelling to give it the appearance of a business	X	X
Complies with all requirements of the County Building Safety and Environmental Health Divisions	X	X
May be subject to an annual inspection	X	
Subject to an annual inspection		X
No outside storage of equipment or materials is allowed	X	
Outside storage of equipment or materials may be allowed on properties 10 or more acres in size if screened		X

### What's required for an Application for a Conditional Use Permit?

1. A complete application form, with the property owner's original signature;
2. A copy of the deed showing the current owners;
3. A complete supplemental application for a Type 2 or Type 3 home occupation;
4. A plot plan (see Conditional Use Permit brochure for an example);
5. A detailed explanation of the use and how the applicable standards of the Zoning Ordinance are satisfied; and
6. A detailed floor plan of the dwelling and any accessory building with the home occupation area identified.
7. The correct filing fee (Please see current fee schedule)