

836 HOME OCCUPATIONS FOR CANINE SKILLS TRAINING

836.01 APPLICABILITY

Section 836 shall apply in the Timber zoning district.

836.02 DEFINITIONS

Unless specifically defined in Subsection 836.02, words or phrases used in Section 836 shall be interpreted to give them the same meaning as they have in common usage and to give Section 836 its most reasonable application.

- A. Canine Skills Training: Canine obedience, agility, tracking, lure coursing, herding, and similar canine training programs and activities.
- B. Employee: Any on-site person, whether they work full-time or part-time in the home occupation business, including, but not limited to, the operator, partners, assistants, and any other persons or family members participating in the operation of the business.
- C. Operator: The person who conducts the home occupation, has majority ownership interest in the business, lives full-time in a dwelling on the subject property, and is responsible for strategic decisions and day-to-day operations of the business.

836.03 CONDITIONAL STANDARDS

A home occupation for canine skills training shall comply with the following standards:

- A. The home occupation shall be sited on a lot of record that contains a lawfully established dwelling.
- B. The operator of the home occupation shall be a resident of the property on which the home occupation is located.
- C. The home occupation shall have no more than five full-time or part-time employees on the site at any time.
- D. The home occupation shall be operated substantially within the operator's dwelling or other buildings normally associated with uses permitted in the zone in which the subject property is located.
- E. The construction of any structure that would not otherwise be allowed in the zoning district in which the subject property is located shall be prohibited. This standard will not permit the construction of new buildings for which the sole intent is to house the proposed home occupation.

- F. The use shall not take an outward appearance nor manifest any characteristics of a business or operation of a service commercial nature, except for those characteristics normally associated with or allowed for a primary use in the subject zoning district, on non-training session days.
- G. The home occupation shall not unreasonably interfere with other uses permitted in the zone in which the property is located.
- H. Prior to operating the home occupation, the applicant shall record a written irrevocable statement in the deed records of the County binding upon the landowner, and the landowner's successors in interest, acknowledging the right of adjacent and nearby farm and forest operators to employ accepted farm and forest management practices and prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under Oregon Revised Statutes 30.936 or 30.937. Impacts from farming and forest practices may include, but are not limited to: noise, dust, spray, smoke, vibrations, and visual impacts.
- I. The evaluation of compliance with Subsection 1203.01(D) shall include consideration of impacts on dwellings even though dwellings are not primary uses in the Timber zoning district.
- J. Noise shall be regulated as follows:
 - 1. From 8:00 a.m. until 10:00 p.m., the average peak sound pressure level, when measured off the subject property, of noise create by the home occupation shall not exceed the greater of 60 dB(A) or the ambient noise level. During all other hours, the home occupation shall not create noise that is detectable to normal sensory perception off the subject property.
 - a. Noise generated by vehicles entering or exiting the subject property, but not by idling vehicles, shall be exempt from Subsection 836.03(J)(1).
 - b. Subsection 836.03(J)(1) shall not apply to noise detectable on public rights-of-way and railroad rights-of-way.
 - 2. A noise study may be required to demonstrate compliance with Subsection 806.03(I)(1). If a noise study is required, measurements shall be made with a sound level meter. The sound level meter shall be an instrument in good operating condition, meeting the requirements of a Type I or Type II meter, as specified in ANSI Standard 1.4-1971. The sound level meter shall contain at least an A-weighted scale, and both fast and slow meter response capability. Personnel making measurements shall have completed training in the use of the sound level meter, and measurement procedures consistent with that training shall be followed.

- K. The home occupation shall comply with Section 1015, except as modified by Subsection 836.03(K).
 - 1. The minimum parking requirement shall be one off-street space per canine handler, based upon the maximum number of handlers permitted for any single training session. An additional space shall be provided for each employee.
 - 2. One or more Americans with Disabilities Act (ADA) spaces may be required as deemed necessary by the Building Codes Division and, if required, the ADA space(s) shall be appropriately surfaced and signed to meet ADA accessibility requirements.
 - 3. The minimum parking space requirements for the home occupation shall be in addition to the parking required for other permitted uses on the subject property.
 - 4. On-street parking shall be prohibited.
- L. Signs: Signs shall be permitted pursuant to Section 1010.

[Added by Ord. ZDO-230, 9/26/11; Amended by Ord. ZDO-241, 1/1/13]