

**ORDINANCE NO. 2020-05**

AN ORDINANCE AMENDING THE HOME OCCUPATION STANDARDS FOUND IN THE ZONING ORDINANCE.

BE IT ORDAINED by the City Council of Heber City, Utah, Section 18.108.020 Home Occupations of the Heber City Code is modified to read as follows:

**18.108.020 Home Occupations**

- A. **Purpose:** The purpose of this section is to permit the establishment of home occupations in all zoning districts in a manner that is compatible with the district in which they are located, with minimal negative impacts to surrounding residential areas. Home occupations are intended to promote local and sustainable economic growth and development.
- B. The zoning administrator or its designee may grant a permit for a home occupation subject to the following conditions:
1. The home occupation shall be carried on offsite or entirely within a building onsite;
  2. The business licensee must reside at the site that contains the business. Short-term rental occupants (those found in nightly rentals, hotels, motels, bed & breakfast, Air BnB, etc.), do not qualify for a license for a home occupation;
  3. Signs used in conjunction with a home occupation shall not be illuminated and shall not exceed one sign that is no more than 2 square feet in area;
  4. The home occupation shall not involve the use of any yard space or carport space for storage or other business related activities, unless specifically stored within a trailer or a building;
  5. No commercial vehicles shall be used onsite in connection with the home occupation except passenger motor vehicles. This subsection does not prevent deliveries to the home by parcel or letter carrier mail service vehicles typically employed for residential deliveries. No deliveries by semi-tractor/trailer trucks are permitted in connection with a home occupation. Deliveries shall not be made to or from the site between the hours of 10:00 pm and 7:00 A.M.;
  6. Each site is permitted to park on the premises one commercial vehicle that has a rated capacity not to exceed one ton and one trailer not exceeding a length of 27 feet, excluding the tongue, provided:
    - a. Materials and equipment shall not be stored outside of the vehicle/ trailer;
    - b. The vehicle/trailer shall not be parked upon the street right of way or between the street and home; and
    - c. The vehicle/trailer must be well maintained;
  7. The home occupation shall be clearly incidental to the primary use of the dwelling for dwelling purposes and shall not change the character of the building from that of a dwelling or alter the residential character of the surrounding neighborhood;
  8. The home occupation activity shall be conducted entirely within the home or an enclosed accessory building or garage. The total permissible square footage to be used for the home occupation shall not exceed twenty-five percent of the total ground floor square footage of the house, or one room, whichever is greater. Where an accessory building or garage is used, no more than twenty-five percent of the total ground floor square footage of the house or six hundred square feet in area, whichever is less, shall be devoted to the home occupation;

9. The home occupation shall be registered with the proper licensing agencies or departments;
10. In the opinion of the zoning administrator, the physical appearance, traffic and other activities incidental to the home occupation shall not be contrary to the objectives and characteristics of the zone in which the home occupation is located;
11. The home occupation shall not generate vehicular traffic or parking around the dwelling unit or other external evidence of the home occupation not normally associated with a residential use;
12. In connection with the operation of the home occupation, it shall not be permitted:
  - a. to have exterior displays or a display of goods visible from the outside,
  - b. to produce offensive noise (not to exceed fifty-five (55) decibels), vibration, fumes, smoke, gas, light, dust or other particulate matter, odor, heat, humidity, glare, magnetic or electrical interference or other objectionable impacts extending beyond the property line of the lot where the occupation is located,
  - c. to involve more than three people (total of employees and clients) being at the home at any one time due to the home occupation, except those members of the family living in the home. An unlimited number of employees may be employed offsite; or
  - d. to occupy on-street parking beyond the extent of the property's street frontage;
13. Home occupations involving visitations from pedestrian or vehicular traffic shall only be conducted between the hours of eight o'clock (8:00) A.M. and seven o'clock (7:00) P.M.
14. The following businesses, regardless of their conformance with the standards for Home Occupations, are prohibited:
  - a. Auto repairs;
  - b. Welding shops or machine shops;
  - c. Large appliance/electronics or equipment repair or service (washers, dryers, refrigerators and other appliances or equipment that are too large to be carried in 1 individual's arms);
  - d. Industrial assembly;
  - e. Truck hauling;
  - f. Kennels; and
  - g. Stables.

BE IT ORDAINED by the City Council of Heber City, Utah, Sub-Section 18.103.090 L. of Heber City Code, Signs in the Residential and Residential-Commercial Zones, is modified to read as follows:

L. Signs in the Residential and Residential-Commercial Zones. Conditional uses may risk being more intensive uses allowed in residential zones. Therefore, the sign allowances are more restrictive than in commercial areas.

1. Signs used in conjunction with a home occupation shall not be illuminated and shall not exceed 2 square feet in area.
2. Signs for all other non-residential uses permitted in Residential and Residential-Commercial Zones. These signs are a conditional use to be approved by the Planning Commission at the time of approval of such use through the commercial concept

approval process, conditional use process, or other such applicable process. Each such use is limited to one monument sign of 16 square feet in area and 5 feet in height, or one wall sign, awning sign, or suspended/projecting sign having a maximum area of 2 percent of the front flat wall area of the first floor or story of the building, not to exceed 10 square feet, whichever is less. Such signs may not have changeable copy capability. Multi-tenant buildings with monument signs must identify the center primarily.

This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED and ORDERED TO BE PUBLISHED BY THE HEBER CITY COUNCIL this 18<sup>th</sup> day of August 2020.

	AYE	NAY	ABSENT	ABSTAIN
Heidi Franco	<u>X</u>	_____	_____	_____
Wayne Hardman	<u>X</u>	_____	_____	_____
Rachel Kahler	<u>X</u>	_____	_____	_____
Michael Johnston	<u>X</u>	_____	_____	_____
Ryan Stack	<u>X</u>	_____	_____	_____

APPROVED:

Kelleen L. Potter  
Mayor Kelleen L. Potter



ATTEST:

Irina W. Locke  
RECORDER

Date: 8/18/2020