

**Exhibit B: Code Change [Redlines] – Home Occupation Code**

1 **CHAPTER 13. - HOME OCCUPATION; SHORT TERM VENDORS; TEMPORARY**  
2 **OUTDOOR SALES; FARMER'S MARKETS**  
3

4 FOOTNOTE(S):

5 --- (1) ---

6 **Editor's note**—This chapter originally pertained solely to home occupations and was derived from Ord. of  
7 1956, chapter 34. It was replaced in its entirety by Ord. No. 2011-17, passed 10-11-2011.

8 **Sec. 108-13-1. - Purpose and intent.**

9 (a) The purpose and intent of this chapter is to allow persons residing in dwellings in zones in which  
10 home occupations are permitted ~~in residential, forest, and agricultural zones,~~ to provide a service,  
11 operate certain kinds of small businesses, or maintain a professional, or business office while not  
12 changing the character of the neighborhood.

13 (b) This chapter also addresses short term vendors, temporary outdoor sales, and farmers markets.

14 (Ord. No. 2011-17, § 1(34-1), 10-11-2011)

15 **Sec. 108-13-2. - Home occupations.**

16 (a) Use regulations. Unless otherwise prohibited herein, Ha home occupations ~~are is~~ allowed in  
17 specified zones as specified in respective zones in accordance with the regulations and restrictions of  
18 this ordinance. provided it maintains compliance with the requirements and standards listed in this  
19 chapter.

20 (b) The following uses are ~~not allowed prohibited~~ as home occupations ~~i.e.;~~

- 21 (1) tanning salons;
- 22 (2) and body piercing, body art, or tattoo parlors;
- 23 (3) clinic or hospital;
- 24 (4) animal and veterinary clinic;
- 25 (5) restaurant;
- 26 (6) auto, truck, or recreational vehicle repair or sales;
- 27 (7) ambulance service; or
- 28 (8) Sexually oriented business.

- 29 ~~(1) The following uses are examples of allowable home occupations:~~
- 30 ~~(2) Barber with not more than 2 stations on the premises.~~
- 31 ~~(3) Business office to include book keeping and phone calls.~~
- 32 ~~(4) Child day care of not more than eight children, including care giver's children under six years of~~  
33 ~~age.~~
- 34 ~~(5) Computer information services.~~
- 35 ~~(6) Group instruction or motivational meetings as a forum for sales presentations held not more~~  
36 ~~than once every month.~~

**Comment [c1]:** Marked for future change:  
Reference land use table here.

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**Comment [c2]:** Remove the list of examples and  
rely on impact standards.

37 ~~(7) Massage therapy salons.~~

38 ~~(8) Musical instruction.~~

39 ~~(9) Nail salons.~~

40 ~~(10) Phone order or mail order services.~~

41 ~~(b)(c)~~ Requirements Required conditions. A home occupation ~~must~~ shall ~~meet~~ comply with all of the

42 following ~~conditions and~~ requirements:

43 (1) An application for a land use permit with a site plan depicting the site boundaries and relevant

44 buildings or facilities onsite is shall be required in order to verify zoning requirements, ~~and~~

45 ~~setbacks.~~

46 ~~(4)(2)~~ The property owner's written authorization shall be submitted as part of the application for

47 the home occupation.

48 (3) The home occupation shall obtain an annual business license.

49 ~~(e)(d)~~ Standards. A home occupation shall comply with the following standards:

50 (1) A home occupation shall be conducted by the resident(s) who reside on the premises. Up to two

51 additional persons may be employed by the home occupation provided the residence is on a lot

52 with a minimum of one acre in area.

53 ~~(1) A home occupation may be carried on in a dwelling unit by the resident(s) who actually reside~~

54 ~~on the premises; except that two non-resident employees may be allowed having complied with~~

55 ~~the following standards:~~

56 ~~a. The minimum lot size shall be one acre.~~

57 ~~b. Parking standards will comply with chapter 24 the parking ordinance for residential~~

58 ~~dwellings and in addition shall require one parking space for each non-resident employee~~

59 ~~and one for each visiting clientele.~~

60 (2) The home occupation shall retain the general character and appearance of a residential

61 dwelling and not change the general character of the neighborhood except for approved

62 signage and vehicle parking.

63 (3) Except as specified herein, the home occupation shall only be carried on inside a dwelling unit.

64 The home occupation shall not use any space in an attached or unattached garage, accessory

65 building, yard, or any space on the premises outside of the dwelling. This does not apply for the

66 following:

67 a. A child day care or preschool, or an adult day care may use outdoor facilities for outdoor

68 recreation or leisure.

69 b. Instructional activities may be conducted outdoors or in an accessory building provided that

70 the instruction is limited to lessons and lesson-related equipment, materials, or objects in

71 such a manner that maintains compliance with 108-13-2(d)(2). Instructional activities

72 conducted outdoors or in an accessory building shall not involve any of the following:

73 1. manufacturing, industrial processes, or the use of heavy equipment or machinery;

74 2. commercial scale assembly or creation of goods or materials;

75 3. commercial scale construction or contractor activities; or

76 4. outdoor storage.

77 ~~(i)~~

78 (4) The extent of a Hhome occupations shall be ~~allowed provided that the home occupation is~~

79 ~~limited in extent,~~ incidental and secondary to the use of the ~~dwelling unit~~ property for residential

Comment [c3]: Verify reference

80 purposes, ~~and~~. The part of the residence occupied by the home occupation shall not be more  
81 than 500 square feet or 25 percent, whichever is less, of the total floor area of the home.

Comment [c4]: Requested by OVPC

82 (5) The home occupation shall~~does~~ not substantially increase the demand for public services in  
83 excess of those usually and customarily provided for residential uses. It shall not substantially  
84 increase foot and vehicular traffic, parking, noises, lighting, vibration, smoke, dust or airborne  
85 particulate matter, refuse, or anything else that is uncommon to the established character of the  
86 neighborhood to such a degree as to constitute ~~an annoyance~~ a nuisance to the residents of the  
87 immediate area.

88 (6) The home occupation shall not create noise in excess of 60 decibels over ambient noise levels,  
89 as measured from the property line.

Comment [c5]: Requested by OVPC

90 ~~(2)~~(7) Outdoor lighting used for the home occupation shall be downward directional and one  
91 hundred percent shielded from view from adjacent properties. Reflected light resulting from  
92 lighting used for the home occupation shall not be in excess of two foot-candles of illumination  
93 over ambient light levels, when measured at the property line.

Comment [c6]: Borrowed from 108-16-6

94 ~~(3) The home occupation shall not occupy more than 400 square feet or 25 percent, whichever is~~  
95 ~~less, of the ground floor area of the home. This does not apply for child day care.~~

96 a. ~~The home occupation shall not use any space in an attached or unattached garage,~~  
97 ~~accessory building, yard or any space on the premises outside of the dwelling. Child day~~  
98 ~~care may have an outdoor yard space.~~

99 ~~(4) The home occupation must obtain an annual business license.~~

100 ~~(5)~~(8) The home occupation shall not be open to the public at times earlier than 8:00 a.m. or  
101 later than 9:00 p.m. The hours of operation for child day care shall not begin any earlier than  
102 6:00 a.m., or operate later than 10:00 p.m. seven days a week.

103 ~~(6)~~(9) Home occupations with visiting clientele will be subject to the following standards:

104 a. ~~Parking standards will comply with chapter 24 the parking ordinance for residential~~  
105 ~~dwelling and in addition shall require one parking space for each visiting clientele.~~

106 b.a. No more than one home occupation with visiting clientele shall be permitted ~~within any~~  
107 ~~single dwelling, on any property.~~

108 c.b. No home occupation with visiting clientele shall be allowed in multi-family dwelling units  
109 consisting of four units or more.

110 (10) Home occupations shall provide adequate off-street parking ~~for residential dwellings,~~ as  
111 specified in ~~Title 108, Chapter 8 24 of the Weber County Zoning Ordinance of this Land Use~~  
112 Code, and in compliance with the following:-

113 a. One parking space shall be required for each driver-age patron or clientele, or one space  
114 per two nondriver-age patrons or clientele.

115 b. One parking space shall be required for each non-resident person employed by the home  
116 occupation.

117 d.c. Delivery or pickup in a 14,001 pound or greater truck (Class 4 GVWR or greater, pursuant  
118 to 49 CFR 565.15), except for package delivery service at times and in intervals typical for  
119 a normal residential use, shall be limited to one delivery or pickup per week between the  
120 hours of 8:00 am and 5:00 pm, Monday through Friday. A loading and unloading area,  
121 adequately sized to accommodate the type of truck and the size of the delivery or pickup,  
122 shall be provided on the site. No loading or unloading shall be permitted in the right-of-way.

123 (11) There shall be no storage or parking on the premises or on the adjacent streets in the vicinity of  
124 the premises of tractor trailers, semi-trucks, or other heavy equipment used ~~for in~~ an off-premise  
125 business for which the dwelling is being used as a home occupation office except that not more  
126 than one ~~14,000 pound or less truck (Class 3 GVWR or less, pursuant to 49 CFR 565.15) truck~~

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127 | ~~of one-ton capacity or less~~ may be parked on premise during off work hours at night. A work  
128 | trailer up to 22 feet in length may be parked at night as part of the home occupation business.  
129 | All trucks and trailers used as part of the home occupation business shall be licensed and  
130 | registered, and parked in accordance with [Title 108, Chapter 8 of this Land Use Code](#)~~chapter~~  
131 | ~~24 of the Weber County Zoning Ordinance.~~

132 | [\(12\) Barber or beautician services shall be limited to two stations per residence.](#)

133 | ~~(7)–~~

134 | [\(13\) Child day care or preschool, adult day care, or instructional activities, shall be limited to eight](#)  
135 | [pupils or participants at any one time. Any instructional activity, except child day care or](#)  
136 | [preschool, or adult day care, that is conducted outdoors or in an accessory building shall require](#)  
137 | [a minimum lot size of three acres. Instructional activities shall not include recitals, competitions,](#)  
138 | [tournaments, shows or performances that may draw spectators.](#)

139 | ~~(8) The home occupation approval may be revoked by the planning commission if the home~~  
140 | ~~occupation does not remain in compliance with this chapter.~~

141 | ~~(9) The property owner's written authorization shall be submitted as part of the application for home~~  
142 | ~~occupation.~~

143 | ~~(49)~~[\(14\) The home occupation shall maintain compliance with all applicable local, state, and](#)  
144 | [federal regulations. Home occupations that require bodily contact with patrons or equipment](#)  
145 | [that create a potential for contamination between residents and clients are not allowed, e.g.,](#)  
146 | [tanning salons and tattoo parlors.](#)

147 | [\(e\) Home occupation sign](#)Signs. One flat sign or name plate not exceeding two square feet attached to  
148 | the house or mail box may be permitted. A land use permit is required [for the sign](#). Any modification  
149 | made to the permitted sign requires a new land use permit. No freestanding or banner signs shall be  
150 | permitted.

151 | [\(f\) Inspections. Inspection during reasonable hours by county officials may occur as necessary to](#)  
152 | [assure compliance with these regulations.](#)

153 | ~~(e)~~[\(g\) Revocation. A home occupation approval may be revoked pursuant to Section \[102-4-3\]\(#\).](#)

154 | (Ord. No. 2011-17, § 1(34-2), 10-11-2011)

155 | ...

**Comment [c7]:** Requested by the WWPC

**Comment [c8]:** OVPC Combined instructional activities with this section.

Also eliminated 'group instruction.'

**Comment [c9]:** Moved to prohibited uses.

**Comment [c10]:** Verify that the revocation process proposed in the conditional use ordinance changes gets adopted before this, otherwise, include them with this ordinance.