

12-1-2313 HOME OCCUPATIONS

1. Requirements. In Districts where allowed, an individual may be granted a business license after application for and issuance of a home occupation permit. A home occupation shall be clearly incidental and secondary to the residential use of the building and not change the character thereof.

Home occupations applications shall be reviewed by the Administrator and classified as an impact home occupation or no impact home occupation. To qualify as a no impact home occupation the applicant must demonstrate that there will no business activity carried on in the home except bookkeeping, scheduling, etc. Any application that does not demonstrate to the Planning Commission's satisfaction that they are no impact occupations shall be classified as impact occupations. A home occupation permit shall not be approved by the Planning Commission unless it can be shown that:

- a. It shall be conducted entirely indoors and within the home.
- b. It shall involve the use of no more than one room in the dwelling or the equivalent of 20 percent of the ground floor area, whichever is greater.
- c. It shall generate no vehicular or pedestrian traffic, or parking, in excess of that normally associated with a residential use.
- d. The use shall not create a nuisance by reasons of noise, dust, odor, vibration, fumes, smoke, electrical interference, or other causes.
- e. It shall not employ persons other than those who reside therein.
- f. There shall be no stock-in-trade, and any identification sign shall comply with appropriate regulations of the Juab County Sign Ordinance.

2. A public hearing shall not be required for a no-impact home occupation.

3. Home occupations will be limited to one per dwelling unit.

4. Public Hearing. Before any impact home occupation permit is issued by the Planning Commission a public hearing shall be held. Reasonable Notice of such hearing shall be given, all property owners within 500 feet of the area under consideration shall be notified by mail of the time and place of the hearing. After the required hearing and review of the home occupation application, the Planning Commission may approve or disapprove said permit. If approved, the Planning Commission shall authorize the Administrator to issue a home occupation permit.

5. An impact home occupation permit shall not be issued nor shall a public hearing be held prior to the applicant paying the appropriate fee in an amount determined by resolution of the Legislative Body.

6. Appeals of Decision. Any person shall have the right to appeal the decision of the Planning Commission to the Legislative Body. Such appeal shall be filed within 30 days from the date of the decision of the Planning Commission. Upon receipt of such appeal, the Legislative Body shall respond within 45 days. Failure by the Legislative Body to respond shall be deemed to be a denial of the appeal.

7. Time Limit. Unless the uses approved in a home occupation permit are implemented within a maximum period of one year of its issuance, the permit shall expire. The Planning Commission may grant a maximum extension of six months under exceptional circumstances. If an application for a home occupation is not approved, the applicant shall not reapply for 12 months.

8. Temporary Uses. A home occupation permit for uses which are of a temporary

nature may only be issued for the intended duration of the temporary use or for one year, whichever period of time is shorter. The Planning Commission may grant extensions of 6 months each under exceptional circumstances.