

Home Occupations

§ 24-43 Review criteria, specific conditional uses.

[Amended by Ord. No. 90-21; Ord. No. 92-5; Ord. No. 92-6; Ord. No. 97-19]

A. Home Occupations. Home occupations are permitted in any residential and agricultural district subject to the following:

(1) In addition to family members residing in the dwelling unit, only one person may be employed by an on-site home occupation. An off-site home occupation may employ no more than three persons in addition to family members residing in the dwelling unit.

(2) There shall be no exterior display, no exterior storage of material, no sign or other exterior indication of the home occupation or variation from the residential character of the principal or accessory building.

(3) No home occupation shall emit odor, dust, gas, noise, vibration, smoke, heat, glare or other environmental influences associated with the home occupation.

(4) Activity shall be limited to the hours between 7 A.M. and 10 P.M., except for home occupation child care facilities.

(5) Mechanical equipment associated with the home occupation shall be stored or contained within the dwelling unit or an accessory building. Equipment, including but not limited to, dump trucks, backhoes, semi-trailers, graders, tractors, and other equipment associated with the home occupation, that cannot be stored or contained within the dwelling unit or accessory building shall not be permitted.

(6) No more than twenty-five percent of the total area under roof of the dwelling unit shall be used for any home occupation, except for home occupation childcare facilities.

(7) Any parking incidental to a home occupation shall be provided on the site and must be improved, provided the street right-of-way may be used for temporary parking by employees of an off-site home occupation.

(8) Automotive vehicle repair including the assembly or disassembly of vehicle parts, paint and body work and accessory component installation is not permitted as a home occupation.

(9) A City business license is required.

(10) Home occupations which are conducted in an accessory building or which generate business traffic, other than traffic generated by employees of an off-site home occupation, must submit an application and filing fee, as specified in the annual budget resolution, with the planning department and obtain a conditional use permit.

(a) The planning department shall review and tentatively approve the application if the application complies with section 24-43A(1) through (9).

(b) After reviewing the application, the planning department shall contact by letter, property owners within three hundred feet of the property proposed for the home occupation. The letter shall indicate that an application has been filed and tentatively approved for an on-site or off-site home occupation. Property owners within three hundred feet of the property proposed for the home occupation shall have fourteen calendar days from the date of the letter to file with the planning department a written objection to the home occupation. If a written objection is received, the application for the home occupation, conditional use permit shall be reviewed by the planning and zoning commission. An additional fee, as specified by the annual budget resolution, for the planning and zoning commission review shall be paid by the applicant. The conditional use permit shall be reviewed according to the procedures set forth in Article V of Chapter 24, of this Code.

(c) If an objection is not filed with planning department within the prescribed time period, the planning department shall approve the application and issue a conditional use permit for a one-year period. Prior to the expiration of the one-year period, the planning department shall conduct a site inspection of the permitted off-site home occupations. If, during this one-year period, the planning department determines that the applicant has not complied with section 24-43A(1) through (9) or receives a signed, written complaint about the home occupation from an affected property owner, the application shall be reviewed, and a conditional use permit shall be granted or denied by the planning and zoning commission pursuant to the procedures set forth in Article V of Chapter 24 of the City Code. If the applicant complies with section 24-43A(1) through (9) and the planning department does not receive any signed, written complaints during the one-year period, the planning department shall issue a conditional use permit for an unlimited duration for the home occupation described in the application.

(d) If there are any changes in the conditions or operation of the home occupation described in the application, as approved by either the planning department or the planning and zoning commission, the applicant shall submit a new application and obtain approval of said changes in accordance with the requirements of this section.

(e) If the applicant cannot meet the requirements of section 24-43A(1) through (9), the planning department shall deny the application. A denial by the planning department may be appealed to the planning and zoning commission pursuant to section 24-103E of the City Code. However, the planning and zoning commission has no authority to waive compliance with said requirements

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Complete Conditional Use Permit Application

The following attachments are required in addition to the online permit request [application](#):

For an application to be considered complete-

- 1) List of property owners within 300 feet of the requested address (this can be acquired from the [Unita County website](#))
- 2) Completed narrative (explanation of the request)
- 3) Completed [Conditional Use Permit Criteria Sheet](#)
- 4) Any additional requirements will be provided after review of the initial application and attachments
- 5) Once all requirements are completed, the permit fee must be paid



Conditional Use Criteria

(1)

Size and location of site;

(2)

Street and road capacities in the area;

(3)

Ingress and egress to adjoining public streets;

(4)

Location and amount of off-street parking;

(5)

Internal traffic circulation system;

(6)

Fencing, screening and landscaped separations;

(7)

Building bulk and location;

(8)

Usable open space;

(9)

Signs and lighting;



Conditional Use Criteria

(10)

Noise, vibration, air pollution and other environmental influences;

(11)

Number of employees;

(12)

Volume of business in terms of number of customers per day;

(13)

Hours of operation;

(14)

Location of the use with respect to similar uses in the immediate area;

(15)

Intensification of traffic congestion or hazard caused by the use which may be over and above normal traffic for the area, and a means to address this issue;

(16)

The design of existing or new buildings to be used to determine compatibility with surrounding land uses and its location;

(17)

Security;

(18)



Conditional Use Criteria

Infrastructure needs including water, sewer, solid waste and employee housing needs;

(19)

Accessory uses;

(20)

Licensing requirements.

