

TITLE 15 - Land Use Regulations

Huntsville Town Ordinance – Title 15.18 Home Occupations

15.18 HOME OCCUPATIONS

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15.18.1 Purpose

It is the purpose of this Title to allow persons residing in dwellings in residential and agricultural areas to use their mental or physical expertise and talent to a limited extent in providing a service, developing a product for sale to the public, operating certain kinds of small businesses or maintaining a professional or business office work space in the dwelling while at the same time maintaining the peace, quiet, and domestic tranquility within all residential or agricultural areas of Huntsville Town and guaranteeing to all residents freedom from excessive noise, traffic, nuisances, fire hazard, and other possible adverse effects of limited business activities being conducted in such areas.

15.18.2 Use

Home Occupations with visiting clientele are allowed as a Permitted Use in the R-1 and A-3 Zones. The regulations on visiting clientele are covered in this and the Huntsville Town Vehicle Parking and Loading Title. The occupation shall be secondary to the primary use of the dwelling, which is a residence. The occupation shall be conducted so that neighbors, under normal conditions, are not aware of its existence. It shall not be a nuisance, cause undue disturbance or involve the use of hazardous materials. The occupation shall conform to all fire, safety and health codes, including:

- A. Shall not include outdoor storage, outdoor display of merchandise, nor parking/storage of any vehicle in excess of twelve thousand (12,000) pounds gross vehicle weight.
- B. Any signage shall be in compliance with the Huntsville Town Signs Title.
- C. Is limited to the on-site employment of immediate family members who occupy the dwelling. (This criterion is not intended to limit the number of employees who are engaged in business for the home occupation but work off-premises.)
- D. Shall not alter the residential character or appearance of the dwelling or neighborhood.
- E. Shall not occupy more than twenty-five percent (25%) of the main floor of the dwelling nor more than fifty percent (50%) of the floor area of any garage or outbuilding in which the use is conducted.
- F. Shall not generate business-related vehicular traffic in excess of three (3) vehicles per hour.
- G. Shall not cause a demand for municipal services in excess of that associated with normal

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residential use.

- H. Shall be enclosed within a structure in complete conformity with the building codes as adopted by Huntsville Town.

15.18.3 Allowed Activities

The following activities are examples of allowable Home Occupations:

- A. Group instruction or motivational meetings as a forum for sales presentations held not more than once every month.
- B. Musical Instruction.
- C. Phone-order or mail-order services.
- D. Barber or beautician services with not more than two (2) stations on the premises.
- E. Child day care of not more than eight (8) children, including care giver's children under six (6) years of age.
- F. Computer information services.
- G. Garage Sales of personal used items from a single dwelling held no more than once every three (3) months.

15.18.4 Disallowed Activities

The following activities shall not constitute Home Occupations:

- A. Any activity which noticeably produces electrical interference, smoke, dust, odors, or heat.
- B. Any activity which produces increased foot and vehicular traffic, parking, sounds or noises, lighting, vibration, or anything that is uncommon to the established character of the surrounding area to such a degree so as to constitute a nuisance to the residents of the immediate area.
- C. Any activity which violates existing or criminal codes of Weber County, the State of Utah or the United States Government.
- D. Retail sales of goods produced off-premise including short-term boutiques, etc. or group garage sales of personal used items held more than once every six (6) months.
- E. Is not a mortuary, animal hospital, kennel, clinic, hospital, RV service, junkyard, auto repair service, public stable or adult oriented business.

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15.18.5 Internal Accessory Dwelling Units¹

1. Eligibility. In accordance with Utah Code 10-9a-530.1a, an Internal Accessory Dwelling Unit (IADU) is eligible for a permit if such IADU is:
 - a. Located in the primary dwelling;
 - b. Placed within the footprint of the primary dwelling as described in state law at the time the IADU created;
 - c. Not used for vacation rental or short-term rental; and,
 - d. Used only for residential long-term rental of thirty (30) consecutive days or longer.
2. Local Requirements in accordance with Utah Code 10-9a-530-4, the Town:
 - a. Does not require the installation of a separate utility meter for an IADU.
 - b. Each IADU shall be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling.
 - c. The owner of the primary dwelling creating and IADU shall:
 - i. Include on additional parking on-site parking space, regardless of whether the primary dwelling is existing or new construction; and
 - ii. Replace all parking spaces contained within a garage or carport converted to an IADU.
 - d. An internal accessory dwelling unit shall comply with all applicable building, health and fire codes.
3. Limitations. The following limitations apply to the creation or occupancy of any IADU:
 - a. Only one (1) IADU per primary dwelling is permitted consistent with this section.
 - b. No IADU shall be created or occupied within a mobile home as defined under Utah Code 57-16-3.
 - c. No IADU shall be created or occupied without the owner of the primary dwelling obtaining all permits and licenses for the IADU from the Town and any other affected entity.
 - d. No IADU will be approved where the primary dwelling is served by a failing septic tank.
 - e. No IADU shall be created or occupied where the primary dwelling lot is six thousand (6,000) square feet or less in size.
 - f. No IADU shall be created or occupied unless the primary dwelling is also used as the owner's primary dwelling.
 - g. An IADU is a permitted use only in areas zoned for primary residential use.
4. Licensing. The owner of any IADU shall obtain a business license in accordance with Title 5.
5. Penalties. Contained in State Code 10-9a-530 are hereby adopted.

¹ Adopted Ordinance 2021-9-30 Ordinance #2021-8-26: Internal Accessory Dwelling Unit Regulations