

**BOARD OF COUNTY COMMISSIONERS OF UINTAH COUNTY, UTAH**

**ORDINANCE NO. 04-27-2015, O2  
STORAGE OF COMMERCIAL VEHICLES IN NONCOMMERCIAL/NONINDUSTRIAL ZONES**

**AN ORDINANCE AMENDING TITLE 17 “ZONING” SECTION 17.116.220 “HOME BUSINESSES/HOME OCCUPATIONS” IN THE UINTAH COUNTY CODE;**

**Section 1. Purpose of Ordinance.** The purpose of this ordinance is to amend Title 17 “Zoning” Section 17.116.220 “Home businesses/home occupations”.

**Section 2. Authority for Ordinance.** Section 17-27a-102 and 501 of the Utah Code Annotated (1953, as amended) which expressly mandates that the legislative body of each Utah County may enact land use ordinances.

**Section 3. Modification.** The Uintah County Code, Title 17, Section 17.116.220 “Home businesses/home occupations” is hereby amended as follows, to wit:

**17.116.220 - Home Businesses/Home Occupations**

A. "Home business/home occupations" are defined in Chapter 17.08 of this title. The purpose of the home business chapter is to allow the use of a portion of a home by one of its residents for business purposes, while establishing standards to ensure that the business use of the home will not adversely impact the residential character of the neighborhood in which the home business is located.

B. "Home business" shall not include the following business activities taking place at the home:

1. Motor vehicle, trailer or boat repair;
2. Any use involving the storage or sale of flammable, explosive or hazardous materials;
3. Junkyards;
4. Mortuaries or crematoriums;
5. Sexually oriented businesses;
6. Auto body and/or fender work;
7. Towing operations;
8. Vehicle sales or rentals;
9. Welding, iron works, foundries;
10. Major appliance repair (washers, dryers, refrigerators, etc.).

C. Uses that are listed as permitted or conditional uses in residential zones are subject to a conditional or permitted use approval process. Such uses include, but are not limited to, short-term rentals, home daycare, home preschools, residential health care, residential facilities for the elderly or disabled persons, bed and breakfast inn or homestay, boarding houses, etc.

D. The following activities are exempted from regulation under this chapter:

1. Garage or yard sales; provided the sale is held for not more than three consecutive days, and no more than two times per year at the same location, and no consignment goods are offered for sale;
2. Temporary social gathering sales that do not exceed one day, such as candle parties, book parties, etc. not to exceed four occurrences per year at the same location.

E. The following standards shall apply to home businesses:

1. The primary use of the dwelling must be residential;
2. The person operating the business must reside in the dwelling on a full-time basis (at least nine months per year);
3. ~~For lots which front on a right-of-way less than eighty (80) feet wide, o~~Only the business operator and his or her immediate family members who reside in the home and one additional nonresident employee shall be employed or do any work at the home, whether compensated or not, in conjunction with the business. ~~For lots which front on a right-of-way of eighty (80) feet or greater, one additional nonresident employee is allowed;~~
4. Customers shall be allowed at the residence only if scheduled on an appointment basis, and are only allowed between the hours of seven a.m. and ten p.m. Group lessons or sessions shall not exceed ten people at a time;
5. No exterior remodeling shall take place that would change the residential appearance of the home;
6. Interior structural alterations made to the home are allowed only if they are consistent with its primary use as a dwelling;
7. All business activities must take place within the dwelling or in an outbuilding on the property. The business shall not occupy more than twenty-five (25) percent or more than five hundred (500) square feet (whichever is less) of the floor area of the home;
8. The storage or display of supplies, inventory, equipment or materials in any portion of the front yard is prohibited. Any storage must be approved by the land use authority and must be surrounded by a minimum six-foot high privacy fence;
9. Only those tools, equipment, or electric apparatus that are commonly used as accessories to or in conjunction with residential uses are allowed to be used as part of the home business;
10. Home businesses must be conducted in such a manner as not to emit or create excessive odors, smoke, dust, heat, fumes, light, glare, sounds, noises, vibrations or interference with radio and/or television reception;
11. In addition to the parking spaces required for the residents of the dwelling, parking for customers and for an employee, if allowed under subsection (D) of this section, must be provided in the driveway or garage. No on street parking will be allowed;
12. Only a three-square foot, non-illuminated nameplate sign is allowed. The nameplate sign must be attached to a wall or window of the dwelling;

- 13. Except as provided in Section [17.116.090] of this chapter, no vehicle larger than a passenger car or van or one-ton pickup truck is allowed to be brought to, parked on, or stored on the property in conjunction with a home business;
- 14. If the applicant for a home business is not the property owner, the applicant must obtain written authorization of the property owner or manager to apply;
- 15. The property address (house number) must be clearly posted on the home using letters at least four inches in height in a contrasting color to the building;
- 16. The condition of the dwelling and landscaped areas shall be well maintained.

**Section 4. Effective Date.** This ordinance shall take effect, fifteen (15) days after enactment, and after depositing a copy in the Clerk-Auditor’s Office and publication in a newspaper having general circulation in the County, as required by Utah Code Annotated section 17-53-208.

**ENACTED** on this, the Twenty-Seventh (27<sup>th</sup>) day of April, 2015.

**IN WITNESS THEREOF:**

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MICHAEL MCKEE, Chair

William Stringer	_____ Aye	_____ Nay	_____ Abstain	_____ Absent
Michael McKee	_____ Aye	_____ Nay	_____ Abstain	_____ Absent
Mark Raymond	_____ Aye	_____ Nay	_____ Abstain	_____ Absent

**ATTEST:**

**REVIEWED:**

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MICHAEL W. WILKINS  
Clerk-Auditor

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JONATHAN STEARMER  
Deputy County Attorney