

ORDINANCE NO. 2007- 9

AN ORDINANCE AMENDING SECTION 2-2-B, DEFINITIONS; SECTION 3-35, PREMISES OCCUPATION; SECTION 3-36, HOME OCCUPATION; 3-37-D-2, ADVERTISING AND OTHER SIGNS; 5-2-B, RA-5 ZONE; AND 5-7-B, M&G-1 ZONE; OF THE UTAH COUNTY LAND USE ORDINANCE, ALL PERTAINING TO THE DELETION OF PREMISES OCCUPATION AND THE AMENDMENT OF HOME OCCUPATION

THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS AS FOLLOWS:

Part I:

Utah County Land Use Ordinance, Section 2-2-B-67, definition of Home Occupation, is hereby amended to read as follows:

67. A business activity conducted within a dwelling, exclusively by family members residing on a full-time basis (not less than ten months per year) in the same dwelling.

Part II:

Utah County Land Use Ordinance, Section 2-2-B-102, definition of Premises Occupation, is hereby deleted in its entirety.

Part III:

Utah County Land Use Ordinance, Section 3-35, Premises Occupation, is hereby deleted in its entirety.

Part IV:

Utah County Land Use Ordinance, Section 3-36, Home Occupation, is hereby amended to read as follows:

3-36: HOME OCCUPATION

The Zoning Administrator shall grant a permit for a home occupation which meets all of the following requirements:

- A. The Business use is clearly compatible with, and incidental and secondary to, the residential use of the property.
- B. No retail sales are permitted, except the sale of limited items which are incidental to the service provided.
- C. The area of business use of the dwelling shall not exceed the smaller of 500 square feet or 20% of the floor area of the dwelling (excluding any attached

- garages or carports) and the business (including storage) does not include any use of areas outside the dwelling.
- D. No commercial vehicles shall be used in the business and only one (1) motorized vehicle may be used in association with the home occupation and shall not exceed one (1) ton rated capacity and one (1) trailer which does not exceed twelve feet in length, with adequate off-street parking provided for such business vehicles and any visiting clientele.
 - E. The home occupation is conducted entirely by family members residing on a full-time basis (not less than ten months per year) in the same dwelling as the home occupation and does not include employees coming to the dwelling.
 - F. Storage in or use of a garage or carport is not permitted.
 - G. The dwelling retains its architecture and outside appearance as a residence.
 - H. Signs are permitted subject to the provisions of chapter three of this ordinance. Permitted trailers with advertising on them may not be stored in the open.
 - I. The business use does not create any odors, smoke, dust, heat, fumes, light, glare, sounds, noises, vibrations, radio interference or television interference which are not commonly created by residential use.
 - J. Home occupations with visiting clientele shall have business activity only between the hours of 7:00 a.m. and 7:00 p.m.
 - K. The home occupation does not include the storage or sale of flammable, explosive, or hazardous materials, junkyards, salvage yards, sexually oriented businesses, small engine repair, major household appliance repair, automotive repair or body work or painting, towing operations, vehicle sales or rentals, welding or iron work, or cabinet shops.

Part V:

Utah County Land Use Ordinance, Section 3-37-D-2, Advertising and Other Signs, is hereby amended to read as follows:

- 2. A sign advertising the activities of a home occupation located on the lot (see zoning section 3-36).

Part VI:

Utah County Land Use Ordinance Sections 5-2-B-18, Premises Occupation as a permitted use in the RA-5, Residential Agricultural Zone district; and Section 5-7-B-21, Premises Occupation as a permitted use in the M&G-1, Mining and Grazing Zone district, are hereby deleted in their entirety.

Part VII:

A copy of the Utah County Land Use Ordinance, as amended herein, is hereby ordered to be filed in the office of the Utah County Clerk/Auditor.

Part VIII:

If any of the sections, sentences, clause or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

Part IX:

This ordinance shall become effective fifteen (15) days after it is passed, and upon at least one (1) publication in a newspaper published in and having general circulation in Utah County.

PASSED and ordered published this 20th day of March, 2007

UTAH COUNTY COMMISSION


STEVE WHITE, CHAIR


GARY J. ANDERSON, COMMISSIONER


LARRY A. ELLERTSON, COMMISSIONER

VOTE

Aye

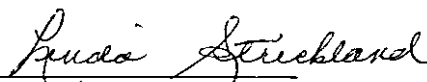
Aye

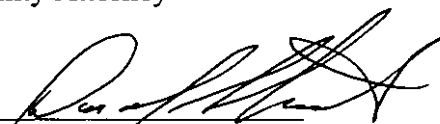
Nay



ATTEST:
BRYAN E. THOMPSON
County Auditor/Clerk

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
County Attorney

By: 
Deputy

By: 
Deputy

Date of Publication: once only, as soon as possible

PROOF OF PUBLICATION

from

The Daily Herald

STATE OF UTAH } SS.
Utah County }

NOTICE
ORDINANCE NO. 2007-9, ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON MARCH 20, 2007, AMENDING SECTION 2-2-B, DEFINITIONS, SECTION 3-35, PREMISES OCCUPATION, SECTION 3-36, HOME OCCUPATION, 3-37-D-2, ADVERTISING AND OTHER SIGNS, 5-2-B, RA-5 ZONE, AND 5-7-B, M&G-1 ZONE, OF THE UTAH COUNTY LAND USE ORDINANCE, ALL PERTAINING TO THE DELETION OF PREMISES OCCUPATION AND THE AMENDMENT OF HOME OCCUPATION.
A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITOR'S OFFICE. COMMISSIONER STEVE WHITE, COMMISSIONER GARY J. ANDERSON, VOTED IN FAVOR OF THE ORDINANCE. COMMISSIONER LARRY A. ELLERTSON VOTED AGAINST THE ORDINANCE.
Legal Notice 274788 Published in The Daily Herald March 26, 2007.

I, Paula Stallings, being first duly sworn depose and say that I am the Legal Billing Clerk of the Daily Herald, a newspaper of general circulation, published seven times each week at Provo, Utah, County of Utah; that the notice attached hereto, 274788 NOTICE ORDINANCE NO. 2, and which is a copy, was published in said newspaper, the first publication having been made on the 26th day of March, 2007, and the last on the 26th day of March, 2007; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and the same was published in the newspaper proper and not in the supplement.

Paula Stallings

Subscribed and sworn before me
this 27th day of March, 2007.

Karen Jordan

Notary Public

Residence:

My commission expires 4-03-2010

