

**TOOELE COUNTY
ORDINANCE 2023-09**

**AN ORDINANCE AMENDING SECTION 2-2 AND TABLE 16-4-3.2 OF
THE TOOELE COUNTY LAND USE ORDINANCE REGARDING HOME
OCCUPATIONS**

WHEREAS, Cassandra Arnell requested amendments to the Tooele County Land Use Ordinance regarding home based businesses and home occupations; and

WHEREAS, public notice of the proposed amendments was provided as required by UCA Section 17-27a-205; and

WHEREAS, the Planning Commission conducted a public hearing and discussed the requested land use amendment; and

WHEREAS, the Planning Commission voted to recommend amendments to Section 2-2 and Table 16-4-3.2;

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF TOOELE COUNTY ORDAINS AS FOLLOWS:

SECTION I – SUBSECTION AMENDED. Subsection 2-2(140) of Section 2-2, *Definitions*, of Chapter 2, *Definitions*, of the Tooele County Land Use Ordinance is hereby amended to read as follows:

(140) “Home occupation” means any use conducted entirely within a dwelling or accessory structure and may at times utilize a portion of the premises. It is carried on by persons residing in the dwelling unit and no more than one employee hired outside of the dwelling unless otherwise stated, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character. There shall be no outside storage allowed.

SECTION II – TABLE AMENDED. Table 16-4-3.2, *Commercial and industrial uses*, of Chapter 16, *Residential and Multiple Residential Districts*, of the Tooele County Land Use Ordinance is hereby amended to include the following:

Table 16-4-3.2. Commercial and industrial uses.								
#	Use	Residential (R-1-__)				Multiple Residential (R-M-__)		
		21	12	10	8	7	15	30
j	<p>Home occupations with one or more of the following conditions:</p> <ol style="list-style-type: none"> 1. Operates only occasionally and by an individual who is under 18 years old. 2. No customers coming to the home. 3. No more than two employees hired that reside outside of the dwelling. 4. May have customers come to the home provided adequate off-street parking is provided. 5. Classes or education may be provided in structures or outside on the premises provided they do not cause a nuisance to surrounding neighbors. 	P	P	P	P	P	P	P

SECTION III – REPEALER. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION IV – EFFECTIVE DATE. This ordinance shall become effective fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (15) days after passage.

IN WITNESS WHEREOF the Tooele County Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 7th day of March, 2023.


Tooele County
Ord. 2023-09

ATTEST:



TRACY D. SHAW, County Clerk

TOOELE COUNTY COUNCIL:



JARED S. HAMNER, Chair



Council Member Hamner voted aye
Council Member Hoffmann voted aye
Council Member Stromberg voted aye
Council Member Thomas voted aye
Council Member Wardle voted absent

APPROVED AS TO FORM:

 03/20/2023

COLIN R. WINCHESTER
Deputy Tooele County Attorney

TOOELE COUNTY LAND USE ORDINANCE

**CHAPTER 2
DEFINITIONS**

2 - 2. Definitions.

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(140) "Home occupation" means any use conducted entirely within a dwelling or accessory structure and may at times utilize a portion of the premises. It is and carried on by persons residing in the dwelling unit and no more than one employee hired outside of the dwelling ~~who will work within the dwelling unless otherwise stated,~~ which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character. There shall be no outside storage allowed.

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**CHAPTER 16
RESIDENTIAL AND MULTIPLE RESIDENTIAL DISTRICTS**

Table 16-4-3.2. Commercial and industrial uses.								
#	Use	Residential (R-1-__)				Multiple Residential (R-M-__)		
		21	12	10	8	7	15	30
j	Home occupations	C1	C1	C1	C1	C1	C1	C1
	Home occupations with one or more of the following conditions: 1. Operates only occasionally and by an individual who is under 18 years old. 2. No customers coming to the home. 3. No more than two employees hired that reside outside of the dwelling. 4. May have customers come to the home provided adequate off-street parking is provided. 5. Classes or education may be provided in structures or outside on the premises provided they do not cause a nuisance to surrounding neighbors.	P	P	P	P	P	P	P