



2163 W Erda Way – Erda, UT  
(435)243-5577

# Amendment

## Land Use Code Table 15-5-3.2 Home Based Business Ordinance

**Public Body:** Erda City Planning Commission

**Meeting Date:** October 10, 2023

**Request: Recommendation of approval for** Amendment to Erda Land Use Code Table 15-5-3.2 table of uses to amend Home Based Business.

**Planner:** Rachele Custer

**Planning Commission Recommendation:** Not Yet Received

**Planning Staff Recommendation:** Approval

**Applicant Name:** Travis Matern

### PROJECT DESCRIPTION

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Travis Matern has submitted a business license application for RTM Trucking LLC to be located at 3050 N Bronzewood Circle in an RR-5 zoning district. This application is for home based business to be allowed as a conditional use in the RR-5 zoning district to accommodate their trucking company. They have constructed a large shop to place their equipment in. Home based business is currently not allowed in an RR-5 zoning district. The definition for home based business is attached along with the proposed redline to the table of uses.

### PLANNING STAFF ANALYSIS AND RECOMMENDATION

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Planning Staff recommends that the Erda City Planning Commission examine this request thoroughly in making their recommendation to the City Council.

**Table 15-5-3.2. Commercial and industrial uses.**

#	Use	Multiple use (MU-)	Agriculture (A-)	Rural Residential (RR-)		
		40	20	1	5	10
	<p>other local health departments for child day care facilities.</p> <p>8. Meals and treats shall be provided in accordance with the Tooele County Health Department Regulations and State of Utah's Residential Certificate Rules: Child Nutrition.</p> <p>9. The employees of the Department of Engineering, Tooele County Health Department, Tooele County Sheriff's Department and the Utah Department of Health shall be permitted to inspect the day care facility during its hours of operation.</p>					
h	Construction equipment and supply trailer, temporary	C1	C1	C1	C1	C1
i	Construction field office, temporary	C1	C1	C1	C1	C1
j	Cottage industry that may be permitted to employ up to 10 employees that reside outside of the dwelling providing adequate off-street parking can be made available on the property	C	C	C	C	C
k	Electromagnetic Interference Testing (As described by FCC Docket No. 20780, Amendment 79-555 Governing Restricted Radiation Devices) (Rev. Or. 81-4)	C	C	C	C	C
l	Home based businesses that may be permitted to employ up to 10 employees that reside outside of the dwelling providing adequate off-street parking can be made available on the property.	C	C	-	C	C
m	<b><u>Low-Impact Home-Based Business</u></b>	P	P	P	P	P
n	Home occupations	C1	C1	C1	C1	C1
n	<p>Preschool with the following conditions:</p> <p>1. All preschool activities shall take place inside the residence. The students shall remain in the home except when an outdoor activity is related to the child's education or arriving to school and leaving school.</p> <p>2.</p> <p>4. The inside area that is used as the preschool be made to conform to those standards of the current and any future updates of the building code for such a use.</p>	C1	C1	C1	C1	C1

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Erda Land Use Code



"Residential facility for persons with a disability."

(125) "Height, sign" means the vertical distance measured from the highest point of the sign, excluding decorative embellishment, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

(126) "Home based business" means a commercial or light industrial use of a scale greater than home occupation but which is still secondary to the residential use. It may be conducted entirely within a dwelling, an accessory structure or on the premises. A home based business does not include agricultural activities.

(127) "Home occupation" means any use conducted entirely within a dwelling 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, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character.