

Planning Commission Staff Report

File #2Z26/ DCA-000581-2026

**Public Hearing and Recommendation to the City Council for
a Zoning Text Amendment to Taylorsville Municipal Code
Section 13.11.040, Related to the Use of Detached
Accessory Structures for Home Occupations.**



Department of Community Development

Date:	August 20, 2026
Meeting Date:	August 25, 2026
Agenda Item:	Public Hearing and Recommendation to the City Council for a Zoning Text Amendment to Taylorsville Municipal Code Section 13.11.040, Related the Use of Detached Accessory Structures for Home Occupations.
Subject Property Address:	City-wide
Applicant:	Frederick Nahrwold
Author:	Terryne Bergeson, Planner II
Parcel #:	n/a
Applicable Ordinances:	Including but not limited to Chapter 13.05 and Chapter 13.11
Agenda Item #:	4

Attachments:

Exhibit A: Applicant Written Request

Exhibit B: Proposed Zoning Text Amendment

Exhibit C: Parcels with Home Occupation Licenses (Map)

Summary

Frederick Nahrwold, Taylorsville property owner, is requesting a text amendment to Taylorsville Municipal Code Section 1311.040, related to the use of detached structures for home occupations. The proposed text amendment will remove barriers currently in place that prohibit a resident from using a detached accessory structure for their licensed home occupation. The definitions according to the Taylorsville Land Development Code (LDC) for “Home Occupation” and “Accessory Structure [or] Building” are included below.

HOME OCCUPATION: A business, occupation, profession, operation, managing or carrying on of a business for the purpose of economic gain, which activity that is clearly incidental, secondary, and subordinate to the residential use of the dwelling and property by a bona fide resident of the dwelling. A home occupation shall not be construed to mean an employee, working in their own home in the service of an employer whose principal place of business is licensed at another location within the City or elsewhere. A home occupation shall not be construed to mean an individual making deliveries of products which were ordered in advance. (LDC [§13.363.090](#))

ACCESSORY STRUCTURE, ACCESSORY BUILDING: A detached, incidental subordinate building customarily incidental to and located upon the same lot occupied by the main use or building. Detached garages, sheds, workshops, and barns are examples of accessory structures. (LDC [§13.36.020](#))

Background

In 2025, a building permit was issued to Mr. Nahrwold for the construction of a 530 SF structure on the property located at 5499 S. Harvey Heights Drive. The structure is a dome designed and functioning as a greenhouse. The owner would like to use the structure to grow plants that are available for sale online with onsite pickup. The sales model (online order with onsite pickup) aligns with the standards for operation in [§13.11.040 Home Occupations](#) (and Exhibit B). However, outside of vehicle parking, the ordinance strictly prohibits use of a detached structure for a home occupation. The owner submitted an application for a Development Code Amendment with a request for several changes to the home occupation section to accommodate a goal of teaching/ selling locally grown plants and produce. Given that a text amendment applies citywide, the request has been separated into two policy questions:

1. Should the city reevaluate aspects of the ordinance and allow the use of a detached structure for home occupations?
2. Under what circumstances and intensity should small scale agriculture and ancillary uses described in the applicant request be permitted in Taylorsville?

The first policy question of detached structures will be addressed in this report. A broader look at city-wide policies relating to the latter question of urban agriculture will be considered with a later text amendment.

Staff Analysis

A resident may choose to run their business from home for the schedule flexibility and control over elements like layout of the space, or to use a portion of their property as incubator space for a new business venture. Cities support local entrepreneurship through home occupation licenses. Taylorsville’s home occupation ordinance provides guidelines to allow the opportunity for residents

to engage in this type of business in a manner that maintains the residential character of their neighborhood. Limitations to architectural alterations, parking, customer visits, and types of permitted operations are established in this ordinance. Operational standards also limit business to being conducted only within the dwelling, per §13.11.040(3)(c): *Home occupations shall be conducted entirely within the dwelling. Garages and accessory buildings shall not be used for home occupations except for the parking of approved business vehicles or trailers.* After reviewing the applicant's request, other municipal ordinances, and literature from the American Planning Association, staff has drafted a proposed update intended to expand the options for local entrepreneurs while preserving the primarily residential use and character of neighborhoods.

Surrounding cities take a varied approach to allowing this use but several municipalities do allow residents to choose which structure they would like to operate from, with some standards:

City	Permitted	Reference, detail
Murray	No	17.24.040(E) Prohibited.
West Jordan	Yes	13-11-2(D) May take place in one: 1) primary residence; 2) garage (no loss of off street parking); 3) inside one accessory dwelling or structure- <i>max 500 SF</i>
West Valley City	No	7-7-115(1)(i) Prohibited (except vehicle storage)
Millcreek	Yes	18.76.040(E)(8) Business must take place within the dwelling and/or attached or detached garage- <i>max 25% floor area or 500 SF (whichever is less)</i>
Sandy	Yes	21-11-5(7)(b) Must designate the portion of the home, accessory structure, yard, or attached or detached garage. May not eliminate required parking. Max 200 square feet or 50% of the total floor space (whichever is the greater) of any accessory structure or garage without exception granted by the Planning Commission through the conditional use permit.
Midvale	Yes	17-6-4(C) No more than 50% of the detached structure "in complete conformity with current building, fire, electrical and plumbing codes".
Orem	Yes	22-14-15 Area for business may not occupy more than 1,000 SF or 40% of the total floor area of such dwelling unit (whichever is less). Enclosed garages and accessory buildings may be used in conjunction with the home occupation, the square footage of which shall count toward the maximum allowed for the home occupation.

In Taylorsville, no matter what the dwelling unit type, a resident seeking to run a business from home is required to apply for a home occupation. There are currently 561 licensed home occupations in Taylorsville. Exhibit C illustrates the parcels where licenses are issued (518 parcels total) and highlights that 172 of those properties also have an accessory structure. Based on the existing limitations in the governing ordinance (discussed later in this report) and proposed draft, staff does not anticipate negative impacts from allowing permitted home businesses to operate within a code compliant detached structure. (Based on a detached structure's decreased proximity to property lines and potential noise impacts, staff recommends home daycares remain limited to operation within a dwelling unit.)

The entire draft can be reviewed in Exhibit B. The most significant change is the addition of subsection four, reiterating area limits for home occupations within a dwelling and establishing those for the size of detached structures:

4. Dwellings and accessory structures.¹

a. Home occupations operated within the dwelling unit are limited to no more than 50 percent of the total floor area of a dwelling.

b. Operation of a home occupation may occur within a detached accessory structure provided that:

(1) The area of such structures does not exceed 1,000 SF or 50 percent of the main dwelling footprint, whichever is less.²

(2) Such structures must comply with the setback and height standards in §13.11.020.

(3) Accessory structures are subject to review for building, health, and fire code compliance.³

(4) Required parking for the residence shall be maintained.

(5) The business is not a residential daycare, instruction, preschool, or microschool as defined in this section.⁴

Figure 1: Proposed 13.11.040(C)(4)

The proposed standards are intended to ensure structures remain secondary and incidental to the primary dwelling. GIS analysis found that the average footprint of homes on Taylorsville properties with a home occupation license is 2,127 square feet. 1,000 SF is 47% of that footprint area, ensuring that accessory structures for home occupations will remain incidental and secondary to the primary dwelling.

In a [report](#) by the American Planning Association focusing on “Accessory Commercial Units” (ACU), authors acknowledge that ACUs were once more prevalent prior to zoning practices that strictly separated uses, and cities considering allowing them need to adopt tailored standards. The proposed draft attempts to balance business and property owner options while ensuring the character of a neighborhood remains primarily residential. The operational limits also remain, such as limiting customer visits to two per hour, maintaining all required off-street parking, and continuing to prohibit certain businesses listed in the current ordinance, §13.11.040 (H):

1. *Any use that requires or utilizes chemicals or hazardous materials in excess of volumes allowed by the International Fire Code in a residential setting.*
2. *Auto body or fender work.*
3. *Auto, truck, diesel, boat, trailer, or motorcycle repair or services at the residence.*
4. *Furniture or cabinet making.*
5. *Junkyards, storage or recycling yards.*
6. *Lawn mower, small engine or motor repair or services.*
7. *Major appliance repair (washers, dryers, refrigerators, etc.).*

8. *Manufacture or sale of explosives or similar products.*
9. *Medical clinics and laboratories.*
10. *Mortuaries or crematoriums.*
11. *Reiki type therapy.*
12. *Sexually oriented businesses.*
13. *Short term rental.*
14. *Vehicle sales or rental exceeding one on-site vehicle at any given time.*
15. *Vehicle towing or impound operations.*
16. *Welding or ironworks.*
17. *Any other use that would produce traffic, light, glare, noise, fumes, odor or vibration that will diminish the residential character of the neighborhood.*

Public Comment

A notice was mailed to all affected entities and posted on city and state websites on August 11, 2026. As of August 20, 2026, staff has not received public comments related to this item.

Findings

1. This application was initiated by Frederick Nahrwold, property owner of 5499 S. Harvey Heights Dr. in Taylorsville.
2. Mr. Nahrwold is requesting a text amendment to Taylorsville Municipal Code Section 13.11.040, related to the use of detached structures for home occupations.
3. The proposed text amendment, as articulated in Exhibit B, will allow certain home occupations to operate in a detached accessory structure that meets certain criteria.
4. The proposed text amendment maintains operational restrictions such as limits on the number of customers that can visit a home occupation, that required residential parking shall not be reduced, and uses listed as prohibited shall remain prohibited.
5. The proposed text amendment is intended to provide more flexibility for residents seeking to operate a business on their residential property.
6. The Planning Commission shall make a recommendation to the City Council on the proposed text amendment.
7. The City Council is the final decision-making authority for a text amendment to the Taylorsville Municipal Code.

Staff Recommendation

Staff recommend the Planning Commission forward a positive recommendation to the City Council to amend Taylorsville Municipal Code Section 13.11.040, related to the use of detached accessory structures for home occupations.

Potential Motions

I move that we send a positive recommendation to the City Council for File #2Z26- DCA-000581-2026 to amend Taylorsville Municipal Code Section 13.11.040, related to the use of detached accessory structures for home occupations, based on the information and findings in the staff report.

I move that we continue File #2Z26- DCA-000581-2026 request for a text amendment to Section 13.11.040, related to the use of detached accessory structures for home occupations, to a later date to provide time for staff to provide more information relating to *[list additional questions or information is needed]*.

Supplemental Material for Text Amendment Application

Applicant: Dixon Nahrwold

Property Address: 5499 S Harvey Heights Drive, Taylorsville, UT 84129

1. Summary of Request

I am applying for a text amendment to allow a small-scale urban agriculture home occupation. The business involves growing and selling plant starts, facilitating group purchases of bulk materials (compost, straw, soil amendments) for neighbors, and occasional consulting/mentorship.

The nature of small-scale agriculture doesn't fit neatly into the standard home occupation provisions, which seem written with office-based or indoor service businesses in mind. I'm requesting amendments to specific provisions to allow:

- Use of the already-permitted greenhouse and outdoor growing areas
 - Incidental use of the garage workshop (primarily my personal art studio) for maintenance of agricultural systems
 - Orderly outdoor presence of agricultural materials
 - Infrequent bulk deliveries
 - Limited on-site visits for plant pickup and occasional one-on-one mentorship
-

2. Project Description

What This Is

A small-scale urban agriculture operation serving the surrounding neighborhood:

- **Plant starts** grown in the on-site greenhouse and outdoor systems
- **Group purchasing** of bulk materials (compost, mulch, straw, soil amendments) for neighbors
- **Gardening consultation** for residents wanting to grow food at home
- **Occasional one-on-one mentorship** for friends and colleagues interested in similar projects

People I mentor may occasionally assist neighbors with garden setup as part of their learning—helping someone build a raised bed or get a home garden started. This is informal and part of the mentorship process, not a separate instructional business.

What This Is Not

- Not a retail nursery with walk-in customers
- Not a commercial farm with truck traffic
- Not a classroom or school with scheduled group instruction
- Not an operation with non-resident employees

The daily activity is indistinguishable from dedicated residential gardening. The commercial element is the formalization of what would otherwise be sharing surplus with neighbors. Any larger gatherings on the property are personal social events, not business activities.

3. Alignment with Ordinance Purpose

The Home Occupations ordinance (Section 13.11.040.A) states several purposes. This project directly advances them:

A.1: Compatibility with Residential Character

Small-scale agriculture is inherently quiet, clean, and compatible with residential neighborhoods. The greenhouse is already permitted. The outdoor growing areas enhance rather than detract from neighborhood character—this is gardening, not industry.

Additionally, one well-designed greenhouse serving the neighborhood means not every house needs its own small greenhouse structure. This consolidation actually preserves residential character better than the alternative.

A.2: Neighborhood-Focused Enterprise

The ordinance explicitly encourages home occupations that "draw clients/customers from their immediate neighborhood," citing childcare as the model. This project follows the same pattern: serve immediate neighbors, reduce the need for each household to build redundant infrastructure (not everyone needs a greenhouse), maintain residential scale.

A.4: Peace and Quiet

The activities involved are quiet by nature: gardening, occasional visitors picking up plants, and one-on-one mentorship conversations. There are no scheduled class times or group activities beyond what would occur with any resident who gardens seriously and has friends over.

4. Context: Other Home Occupation Types

For reference, the code already accommodates home occupations with outdoor activity and visitor traffic:

Use	Visitors	Outdoor Activity
Residential Child Day Care	Daily drop-off/pickup	Outdoor play areas
Home-Based Microschool	Daily students	Outdoor activity
High-Impact Residential Instruction	Multiple children	Varies

I mention these not to argue that my business should be treated identically, but to note that the code already recognizes home occupations aren't limited to indoor office work. The amendments I'm requesting fit within this broader pattern.

5. Specific Code Sections and Proposed Conditions

Section C.3.c: Use of Accessory Buildings

Code says: Home occupations shall be conducted entirely within the dwelling.

Issue: Agriculture requires outdoor space and structures.

Proposed condition: Permit use of (a) the already-approved greenhouse structure, and (b) outdoor growing areas consistent with residential gardening. The garage is being set up as my personal art and multimedia studio; any agricultural fabrication or maintenance work there would be incidental to the primary personal use.

Rationale: The greenhouse was already permitted by the city for personal use. Using it for a neighborhood-serving home occupation doesn't change its physical impact. The distinction between "personal gardening" and "home occupation gardening" is administrative, not physical.

Section C.3.d: Outdoor Storage

Code says: No storage of materials shall occur outside or be visible from outside.

Issue: Agriculture requires outdoor presence of soil, compost, plants, and equipment.

Proposed condition: Outdoor materials shall be:

- Organized and maintained in a manner consistent with a well-kept residential garden
- Not stored in front yard areas
- Subject to reasonable standards for appearance (no tarped piles, no equipment graveyards)

Note on current condition: The property is in a startup/construction phase:

EXHIBIT A

- The outdoor growing areas are not yet built. We have lumber on-site for constructing raised beds and other structures. Temporary/prototype systems will be present while we iterate on designs—testing function before investing in permanent, aesthetically pleasing installations. This will look somewhat rough during the development period.
- Cover crops have been planted to stabilize fill dirt brought in during construction. To be direct: these probably look like messy weeds to a casual observer. They are intentional plantings, but I understand the appearance is not ideal.
- The 30-year-old fence did not fully survive the greenhouse construction process and needs repair/replacement.

I am requesting a grace period to complete construction and bring the property into full conformance with appearance standards. The current state is transitional, not the intended permanent condition.

Rationale: The concern behind this section is preventing residential properties from looking like storage yards. Once complete, the property will look like a well-maintained garden. I'm asking for patience during the build-out phase.

Section C.3.e: Deliveries

Code says: Deliveries shall be by parcel or letter carrier only.

Issue: Bulk materials (soil, compost, mulch, straw) are delivered by truck.

Proposed condition: Permit infrequent bulk deliveries (estimated 2-4 per year maximum) of agricultural materials, scheduled during off-peak hours.

Rationale: The property has a long street frontage not adjacent to neighboring properties (only the freeway). Bulk deliveries cause no disruption to neighbors. These deliveries are identical to personal soil amendment deliveries I've received for years without incident.

Section C.3.h: Non-Resident Employees

Code says: Non-resident employees are prohibited.

Proposed condition: Accept the prohibition on non-resident employees. The operation will not have staff.

Like any property with specialized systems, I will occasionally use service contractors:

- Utah Water Gardens for pond maintenance
- Monarch Greenhouse (the builder) for warranty service and system checks
- Occasional contracted help for plant care during travel periods

This is the same relationship any homeowner has with landscapers, pool services, or maintenance contractors—not employees of a business operation.

Any on-site mentees or helpers learning the systems would be:

- Limited in number (1-2 at a time)
 - Present as visitors, not employees
 - Engaged in activity indistinguishable from friends helping with gardening
-

Section C.5: On-Site Visits

Code says: No more than two business-related visitors per hour.

Issue: Plant pickup may occasionally exceed this limit during peak spring season.

Proposed condition:

- No storefront or retail browsing—this is not a nursery
- Most sales coordinated in advance (online, phone, or conversation)
- Exception: immediate neighbors may drop by to grab plants informally
- Pickup times staggered to minimize simultaneous visitors
- Accept seasonal limits if needed (spring is busier than winter)
- Accept total daily visitor caps if needed

Note on visitor origin: The goal is to primarily serve immediate neighbors in this subdivision—eventually supporting gardens directly throughout the neighborhood. During the initial startup phase, some customers may come from farther away while local buy-in develops. Over time, the customer base should become increasingly local.

Rationale: Plant pickup visits are brief—a neighbor picking up tomato starts is in and out in a few minutes. This is not browsing retail traffic.

6. Property Characteristics

The property at 5499 S Harvey Heights Drive has characteristics relevant to this application:

- **Street frontage:** Long frontage with only one adjacent neighbor; the other side faces the freeway. This provides curb space that doesn't impact most neighbors.
- **Visibility:** Centrally visible within the subdivision but directly adjacent to only one home
- **Existing infrastructure:** Permitted greenhouse already approved by the city

7. Community Benefit

The business serves immediate neighbors more than the general public:

- Neighbors can get locally-grown plant starts without driving to a nursery
- Group purchases of bulk materials (compost, mulch, straw) are more economical when coordinated
- Residents interested in growing food have a local resource

This is formalized neighbor-helping-neighbor, not a commercial operation drawing customers from across the valley.

8. What This Looks Like In Practice

Current state (startup/construction phase):

- Greenhouse operational, growing systems being installed
- Outdoor areas under construction—lumber on site, temporary/prototype systems being tested
- Cover crops establishing (look like weeds, but intentional)
- Fence damaged, awaiting repair
- Property appearance is rough and transitional

Intended steady state:

- Property looks like a well-maintained garden, not a commercial operation
- Traffic is minimal and seasonal (busiest in spring for plant starts, quiet in winter)
- Neighbors have a local source for plant starts and gardening help
- No complaints from adjacent properties

I'm asking for approval of the intended operation with a grace period to complete the physical buildout.

Addendum: Technology Integration

For transparency: this project also serves as a testbed for integrating AI and sensor technology with small-scale agriculture. This includes:

- Software running on a home server (documentation systems, planning tools)

- Environmental sensors and a weather station for monitoring growing conditions
- Occasional low-altitude flights of small, non-payload drones over the property for aerial observation

The purpose is twofold: to improve agricultural management at this site, and to develop citizen science solutions that could be implemented elsewhere. Experience gained here informs consulting work I do for others interested in similar approaches.

I mention this because my website references it, and I want to be straightforward about what the property is being used for. The technology layer is largely invisible to neighbors—sensors are small, drone flights are infrequent and brief, and most of the work happens in software. But I want the city to have a complete picture.

9. Conclusion

I'm requesting a text amendment because small-scale agriculture doesn't fit provisions written for office-based home businesses, even though the actual impact is comparable to or lower than uses already permitted (childcare, microschools, residential instruction).

I welcome conditions and am happy to accept reasonable limits. I'm asking for a practical interpretation of the code that allows this low-impact use, with a grace period to complete the physical buildout.

Thank you for your consideration.

Contact:

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5499 S Harvey Heights Drive
Taylorsville, UT 84129
801-712-3243
fdnahrwold@gmail.com
thistlebridge.org

This document was developed collaboratively between Dixon Nahrwold and Claude (Anthropic). The collaboration process itself reflects the AI integration approach described in the addendum.

13.11.040: HOME OCCUPATIONS:

A. Purpose:

1. Provide an opportunity for home occupations as an accessory use when they are compatible with the neighborhoods in which they are located.
2. Provide an opportunity for a home occupation to engage in the business of childcare and other group child activities and encourage this type of home occupation to draw clients/customers from their immediate neighborhood.
3. Guide business activities which are not compatible with neighborhoods to appropriate nonresidential zoning districts.
4. Safeguard peace, quiet, and domestic tranquility within all residential neighborhoods. Protect residents from the adverse effects of business uses being conducted in residential areas from noise, nuisance, traffic, fire hazards, and other possible business uses that create significant impacts on a neighborhood.
5. Provide a means to enforce and regulate the businesses that are licensable through the authority of the business license regulations of the applicable ordinances, and if necessary, terminate home occupations if violations of the ordinances regulating home occupations occur.

B. Review Procedure.

1. The Director is the approval authority for a home occupation; however, if the Director determines the application is unusually complex, requires greater scrutiny or public involvement, or raises potentially unique or serious impacts on the City or the surrounding development and/ or neighborhood(s), the Director may refer the application to the Planning Commission for decision in accordance with the nonadministrative conditional use procedure established in Chapter 13.33.
2. If the Director refers the application to the Planning Commission. the Director shall notify the applicant in writing and include an explanation of why the application has been referred to the Planning Commission.
3. If the Director refers the application to the Planning Commission, a notice for a public hearing shall be provided in accordance with Section 13.35.090.

C. General Standards. All Home occupations shall operate in accordance with the following requirements:

1. Licensing and Number.

EXHIBIT B

- a. Home occupations shall only operate after receiving a home occupation business license from the City, in accordance with Title 5: Business Licenses and Regulations.
 - b. No more than two home occupations shall be allowed per dwelling unit.
 - c. No more than one home-based microschool, residential child day care, residential preschool, high-impact residential instruction, or home occupation including a business vehicle or trailer shall be allowed per lot or parcel.
 - d. Home occupations shall remain compliant with all applicable statutes, rules and regulations.
 - e. Home occupations shall not be licensed, approved, or conducted without the written consent of the property owner.
 - f. A home occupation license granted by the City shall not be assignable or transferable to another person or another location.
 - g. Home occupations are subject to review upon complaint. If a complaint is received by the City, the home occupation will be reviewed for compliance with applicable ordinances and conditions of approval.
2. Location and Proximity. Home-based microschools, residential child day cares, residential preschools, and high-impact residential instruction home occupations are subject to the following standards:
- a. Shall only be allowed in an attached or detached single-family dwelling that:
 - (1) Has a privately fenced rear yard area for the sole and exclusive use of the residents of the lot or parcel on which the home occupation is situated; and
 - (2) Fronts on a public or private street with a minimum pavement width of 25 feet that has curb, gutter, and sidewalk; and
 - (3) The minimum 25-foot pavement width and curb, gutter, and sidewalk extends from the home occupation lot or parcel to the nearest through street with those same improvements.
 - b. Shall not be permitted on a flag lot.
 - c. Shall not be permitted on a lot or parcel with an accessory dwelling unit (ADU).
 - d. Shall not be located within 300 feet of another actively licensed:

EXHIBIT B

- (1) Home-based microschool;
 - (2) Residential child day care;
 - (3) Residential preschool; or
 - (4) High-impact residential instruction.
- e. This distance shall be measured in a straight line from the nearest property line. This standard does not apply if the properties are bisected by a freeway or principal arterial street, as identified in the Taylorsville General Plan.
3. Operational.
- a. Home occupation activity shall be clearly incidental and secondary to the residential dwelling. ~~No more than 50 percent of the total floor area of any dwelling unit shall be used for the home occupation.~~
 - b. The outside appearance and architecture of the dwelling shall not be modified to accommodate or promote a home occupation.
 - c. Home occupations shall be conducted entirely within the dwelling or detached structure in which they are approved. ~~Garages and accessory buildings shall not be used for home occupations except for the parking of approved business vehicles or trailers.~~
 - d. No storage of merchandise, equipment, supplies, or materials shall occur outside of the home and shall not be visible from outside of the dwelling. Explosive or combustible materials shall not be stored or used in association with a home occupation.
 - e. Delivery of commodities used in connection with the home occupation shall be provided by parcel or letter carrier service only.
 - f. Activities associated with the home occupation shall not produce traffic, light, glare, noise, fumes, odor, or vibration that will diminish the residential character of the neighborhood.
 - g. Unless otherwise authorized by the decision-making authority, home occupations shall not be conducted after 08:00 P.M. or before 6:00 A.M.
 - h. Employees that do not reside on-site are prohibited, except for residential child day cares which may have one nonresident employee. Off-site employees may visit the residence in accordance with § 13.11.040(C)(4): On-Site Visits.

- i. Property address numbers a minimum of four inches in height that are a contrasting color from the primary dwelling shall be maintained on the dwelling unit.

4. Dwellings and accessory structures.¹

a. Home occupations operated within the dwelling unit are limited to no more than 50 percent of the total floor area of a dwelling.

b. Operation of a home occupation may occur within a detached accessory structure provided that:

(1) The area of such structures does not exceed 1,000 SF or 50 percent of the main dwelling footprint, whichever is less.²

(2) Such structures must comply with the setback and height standards in §13.11.020.

(3) Accessory structures are subject to review for building, health, and fire code compliance.³

(4) Required parking for the residence shall be maintained.

(5) The business is not a residential daycare, instruction, preschool, or microschool as defined in this section.⁴

4.5. Vehicles and Trailers.

- a. Only one vehicle may be used in association with a home occupation.

¹ Language from definition 13.36.030 LDC: ACCESSORY STRUCTURE, ACCESSORY BUILDING: A detached, incidental subordinate building customarily incidental to and located upon the same lot occupied by the main use or building. Detached garages, sheds, workshops, and barns are examples of accessory structures.

² Based on an analysis of the average size of dwellings on parcels with home occupations and half of that.

³ B.2 and 3 also provide a pathway for existing structures to be used: if a building encroaches in setbacks or is larger than allowed, a building permit to alter the building would first be required.

⁴ Limits these activities to main dwelling to reduce potential noise impacts of groups in and out of structures that may be closer to property lines.

EXHIBIT B

- b. Vehicles and trailers used in association with a home occupation must be parked in an approved off-street parking location and shall not encroach or overhang on any sidewalk or pedestrian way.
- c. The number of off-street parking spaces must be sufficient for both the residents of the home and the vehicle and/or trailer used in association with a home occupation.
- d. The size of a vehicle used in association with a home occupation shall not exceed a 10,000-pound gross vehicle weight rating and have no more than two axles.
- e. Tow trucks, tanker trucks, box vans, delivery vans, and similar vehicles are prohibited and shall not be parked on-site. Such vehicles may be located off-site in an approved storage location.
- f. Only one trailer with no more than two axles may be used in association with a home occupation.
- g. The maximum body length of an enclosed trailer is 20 feet. The maximum body length of an open trailer is 16 feet. For purposes of this standard, trailer length does not include the trailer tongue.
- h. Auto transport trailers designed to transport more than one vehicle or that exceed the body length requirements are prohibited and shall not be parked on-site. Such trailers may be located off-site in an approved storage location.

5.6. On-Site Visits. Clients, customers, and/or patrons may visit the home occupation in accordance with the following requirements:

- a. Direct retail sales from the residence is prohibited. Products purchased online may be picked up on-site.
- b. Unless otherwise provided in this LDC, the number of off-street parking spaces at the residence must be sufficient for the residents of the home and any clients, customers, patrons, or others visiting the home occupation.
- c. Except for home-based microschools, residential child day care, residential preschools, and residential instruction, home occupations shall have no more than two business-related visitors per hour.
- d. For home-based microschools, residential child day care, residential preschools, and residential instruction, drop-off and pick-up shall not occur in the public right-of-way.

- D. Residential Child Day Care. Residential child day care may be offered as a home occupation in accordance with the standards in this Section 13.11.040, and the following:
1. Residential child day care means a home occupation that provides care for between five and 12 qualified children at any given time, as defined in Utah Code § 26B-2-4. The designated number of children includes the caregiver's own children that meet the state's definition of "qualified children," at the time the home occupation is conducted.
 2. A secure outdoor play area is required for all residential child day care home occupations and shall comply with the following:
 - a. The play area shall be located in the rear and/or side yard of the dwelling.
 - b. The play area shall be secured by a well-maintained fence that is at least six feet in height with a self-latching gate.
 - c. The outdoor play area shall be maintained in good condition and be finished and landscaped to include ground covers, paving, or other surfaces that do not pose a risk to children.
 - d. The outdoor play area shall not be used by the residential child day care before 8:00 A.M. or after 8:00 P.M.
- E. Residential Preschools. Residential preschools may be offered as a home occupation in accordance with the standards in this Section 13.11.040, and the following:
1. A residential preschool is a home occupation providing care and instruction, whether or not for compensation, of 12 or fewer children including the caregiver's own children under the age of six and not in full day school, prior to entrance into kindergarten.
 2. A maximum of 12 children per session is allowed. A single session shall not exceed four consecutive hours per day and individuals shall not attend more than one session per day.
 3. Instructor licensing and curriculum requirements shall comply with the requirements of the State of Utah, as applicable.
- F. Residential Instruction. Residential instruction may be offered as a home occupation in accordance with the standards in this Section 13.11.040, and the following:
1. Residential instruction is a home occupation providing instruction (e. g., dance lessons, music lessons, martial arts lessons, or other instruction for children that is

artistic in nature), whether or not for compensation, of children under the age of 18 years old. Residential instruction does not include residential child day care or residential preschools as defined in this Title.

2. Low-Impact Residential Instruction. Low-impact residential instruction is the instruction of four or fewer children at any given time.
3. High-Impact Residential Instruction.
 - a. High-impact residential instruction is the instruction of five or more children at any given time.
 - b. A maximum of 12 children per session is allowed. A single session shall not exceed four consecutive hours per day and individuals shall not attend more than one session per day.

G. Home-Based Microschool:

1. A home-based microschool is not subject to additional occupancy requirements beyond occupancy requirements that apply to a primary dwelling, except that the home-based microschool shall have enough space for at least 35 net square feet per student.
2. If a floor that is below grade in a home-based microschool is used for home-based microschool purposes, the below grade floor of the home-based microschool shall have at least one emergency escape or rescue window that complies with the requirements for emergency escape and rescue windows as defined by the International Residential Code (IRC).
3. The minimum number of off-street vehicle parking spaces required for a home-based microschool is one space per non-resident employee, plus one additional space beyond those required to serve the primary dwelling.
4. Each room used for the home-based microschool shall have a carbon monoxide and smoke detector.
5. A secure outdoor play area is required for all home-based microschools and shall comply with the following:
 - a. The play area shall be located in the rear and/or side yard of the dwelling.
 - b. The play area shall be secured by a well-maintained fence that is at least six feet in height with a self-latching gate.

EXHIBIT B

- c. The outdoor play area shall be maintained in good condition and be finished and landscaped to include ground covers, paving, or other surfaces that do not pose a risk to children.
 - d. The outdoor play area shall not be used by the home-based microschool before 8:00 A.M. or after 8:00 P.M.
- H. Home Occupations Not Allowed: The following uses are not allowed as home occupations:
 - 1. Any use that requires or utilizes chemicals or hazardous materials in excess of volumes allowed by the International Fire Code in a residential setting.
 - 2. Auto body or fender work.
 - 3. Auto, truck, diesel, boat, trailer, or motorcycle repair or services at the residence.
 - 4. Furniture or cabinet making.
 - 5. Junkyards, storage or recycling yards.
 - 6. Lawn mower, small engine or motor repair or services.
 - 7. Major appliance repair (washers, dryers, refrigerators, etc.).
 - 8. Manufacture or sale of explosives or similar products.
 - 9. Medical clinics and laboratories.
 - 10. Mortuaries or crematoriums.
 - 11. Reiki type therapy.
 - 12. Sexually oriented businesses.
 - 13. Short term rental.
 - 14. Vehicle sales or rental exceeding one on-site vehicle at any given time.
 - 15. Vehicle towing or impound operations.
 - 16. Welding or ironworks.
 - 17. Any other use that would produce traffic, light, glare, noise, fumes, odor or vibration that will diminish the residential character of the neighborhood.
- I. Exceptions: Notwithstanding anything herein to the contrary, a home occupation is not required for the following activities:

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1. Garage and yard sales. Refer to section 13.11.130 of this chapter.
2. Temporary social gathering sales that do not exceed one day, such as Tupperware parties, book parties, candle parties, etc., not to exceed four (4) occurrences per year. (Ord. 15-06, 11-4-2015; amd. Ord. 23-02, 2-15-2023; Ord. 24-05, 8-21-2024)

EXHIBIT C

- Home Occupations Business with Detached Structures (172)

