

TAYLORSVILLE, UTAH
ORDINANCE NO. 26-09

**AN ORDINANCE OF THE CITY OF TAYLORSVILLE ADOPTING A ZONING TEXT
AMENDMENT TO TAYLORSVILLE MUNICIPAL CODE SECTION 13.11.040
RELATED TO THE USE OF DETACHED ACCESSORY STRUCTURES FOR HOME
OCCUPATIONS.**

WHEREAS, the Taylorsville City Council (“Council”) is the governing body of the City of Taylorsville and is authorized to enact and amend land use ordinances pursuant to the Municipal Land Use, Development, and Management Act, Utah Code Annotated § 10-9a-101 et seq., and Title 13 of the Taylorsville Municipal Code; and

WHEREAS, Section 13.11.040 of the Taylorsville Municipal Code establishes the standards for operating certain home businesses (home occupations) out of residences in Taylorsville, Utah; and

WHEREAS, Section 13.11.040 of the Taylorsville Municipal Code currently prohibits any operations for a home occupation in any location other than within a dwelling unit; and

WHEREAS, a resident of Taylorsville submitted a request to amend certain standards related to this restriction; and

WHEREAS, notice of a public hearing before the Taylorsville Planning Commission was provided in accordance with Utah Code Annotated § 10-9a-205 and Chapter 13.35 of the Taylorsville Municipal Code; and

WHEREAS, the Taylorsville Planning Commission held a properly noticed public hearing on the proposed zoning text amendment on August 25, 2026 (File 2Z26), and after receiving public comment and considering the staff report, voted 7-0 to forward a positive recommendation of the amendment to the City Council; and

WHEREAS, the City Council is the land use authority for amendments to the Taylorsville Municipal Code and may adopt, modify, or reject a proposed text amendment notwithstanding the recommendation of the Planning Commission; and

WHEREAS, the City Council supports local businesses and has considered the appropriate balance between allowing residents to engage in home-based businesses on their property and protecting the residential character of surrounding neighborhoods; and

WHEREAS, the Council has reviewed the Planning Commission’s recommendation, the council summary, Exhibit A (Proposed Amendment), and all other relevant information, and finds that the proposed amendment, as set forth in Exhibit A, is in the best interest of the health, safety, and welfare of the residents of Taylorsville; and

WHEREAS, the Council desires to approve the zoning text amendment as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

NOW, THEREFORE, BE IT ORDAINED

by the Taylorsville City Council as follows:

Section 1. *Approval of Zoning Text Amendment.* The zoning text amendment to Title 13 of the Taylorsville Municipal Code, specifically amending Taylorsville Municipal Code Section 13.11.040, as set forth in Exhibit A attached hereto, is hereby approved. The City Recorder is directed to forward the approved text to the City's code publisher for codification.

Section 2. *Scope of Amendment.* Except as expressly amended by Exhibit A, all remaining provisions of Section 13.11.040 and Chapter 13.11, shall remain in full force and effect.

Section 3. *Severability.* If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 4. *Effective Date.* This Ordinance shall take effect immediately upon passage, approval by the Mayor, and publication or posting as required by law.

ADOPTED by the Taylorsville City Council this ____ day of _____, 2026.

PASSED AND APPROVED by the City Council of Taylorsville, Utah, this ____ day of _____, 2026.

TAYLORSVILLE CITY COUNCIL

Bob Knudsen, Council Chair

SEAL

VOTING:

Anna Barbieri	_____ Yea	_____ Nay
Ernest Burgess	_____ Yea	_____ Nay
Curt Cochran	_____ Yea	_____ Nay
Meredith Harker	_____ Yea	_____ Nay
Bob Knudsen	_____ Yea	_____ Nay

PRESENTED to the Mayor of the City of Taylorsville for approval this ____ day

_____, 2026.

APPROVED this ____ day of _____, 2026.

ATTEST:

Mayor Kristie S. Overson

Jamie Brooks, City Recorder

DEPOSITED in the office of the City Recorder this __ day of _____, 2026.

RECORDED this ____ day of _____, 2026.

EXHIBIT A

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.

- 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~~parcel.
- 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:
 - (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)(46): 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.

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

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

(1) The area footprint of the detached structure does not exceed 1,000 SF or 50 percent of the primary dwelling footprint, whichever is less.

(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.

(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.

4.5. Vehicles and Trailers.

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