



PL No. _____

Date _____

Application

Conditional Use - Home Occupation

A. Applicant's Name _____

Home Address _____

City _____ State _____ Zip _____

Telephone # _____ Mobile # _____ Fax # _____

B. Project Information

1. Name of proposed business _____

2. Description of proposed business _____

3. Sidwell/Tax ID # _____ Total acreage of site _____

4. Current zoning of proposed site _____

Zoning of adjacent parcels: North _____ South _____ East _____ West _____

C. Please Answer the Following Questions Related to Your Proposed Business

1. Are there other Home Occupations on site? Yes / No

2. How many employees will work at your home? _____

3. Will there be any noise, vibrations or toxins in connection with this business? Yes / No

If yes, please describe _____

4. Where will most of the business be conducted? _____

5. Will there be a need for on-site storage? Yes / No Type of storage? _____

Where will it be located? _____

6. How many visitors per day do you expect to have in connection with this business? _____

Is the number of visitors all at once or at different times during the day? (If at different times during the day, please explain) _____

7. How many cars will come and go per day in relation to your business? _____

Where will they park? _____

8. How many deliveries per week do you expect to have in connection with this business? _____

9. Will your business include producing food products, ammunition, explosives, caustic materials or storing animals (This relates only to products actually *made* on site)? Yes / No

If yes, please explain: _____

10. Will you have any vehicles that pertain to your business on site? Yes / No

If yes, where will they be stored? _____

Applicant's Signature

Date

You will receive a letter following the Planning Commission meeting providing status of your application

PL No. _____

Date _____

APPLICATION CHECKLIST
CONDITIONAL USE HOME OCCUPATION PERMIT
TO BE COMPLETED PRIOR TO ACCEPTANCE OF APPLICATION

Project Name: _____

Project Address: _____

Date: _____

Pre-Application Conference

Date ____/____/____ Staff Initial _____

Complete Application Items

- Application Form Completed and Signed by Applicant
- Ownership Affidavit Signed and Notarized
- Mailing Label Set - Address Labels of Legal Property Owners within three hundred (300) feet of your property, obtained from the SL County Recorder's Office.

***The Salt Lake County Recorder's Office is located at:
2001 South State Street, Room N1600
Salt Lake City, Utah (801) 468-3391***

Required Maps and Drawings

Submitted to the Planning Dept. ____/____/____

(1) One copy of the following:

- Site Plan - Drawing indicating: building dimensions, lot dimensions, area(s) to be utilized for the home occupation, access to interior areas for public use (doors, windows), restrooms for public use, driveway and parking areas, open ditches and canals, existing fencing or location of proposed fencing.
- Additional Drawings (As Required)

Application Fees

Conditional Use Home Occupation		\$175.00
Newspaper Advertising (If Required for Public Hearing)		\$75.00
Mail Processing Fee @ \$.50 per address	\$.50 x _____	
Total		

NOTES:

Please refer to the attached Ordinance, Home Occupations, for the complete terms of a home occupation.

Riverton City Use Only

DRC _____

PC _____

CC _____

OWNERSHIP AFFIDAVIT

PROPERTY OWNER

I/we, _____, _____ being duly sworn, depose and say that I/we am/are the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my/our knowledge. I/we also acknowledge that I/we have received written instructions regarding the application for which I/we am/are applying and understand that the attached application will be required to comply with any and all applicable standards and ordinances of Riverton City.

(Property Owner)

(Property Owner)

Dated this ___ day of _____, 20___, personally appeared before me _____, _____, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Notary)
Residing in _____ County, Utah

AGENT AUTHORIZATION (If application will be in the name of someone other than the Owner(s))

I/we, _____, _____, the owner(s) of the real property described in the attached application, do authorize as my/our agent(s)

(Agent)

to represent me/us regarding the attached application and to appear on my/our behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application, and will comply with any and all applicable standards and ordinances of Riverton City.

(Property Owner)

(Property Owner)

Dated this ___ day of _____, 20___, personally appeared before me _____, _____, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Notary)
Residing in _____ County, Utah

Chapter 18.190 HOME OCCUPATIONS

Sections:

- [18.190.010](#) Purpose.
- [18.190.020](#) Business license.
- [18.190.030](#) Simple home occupation.
- [18.190.040](#) Permitted home occupation.
- [18.190.050](#) Conditional use home occupation.
- [18.190.060](#) Fixed standards.
- [18.190.070](#) Qualifications.
- [18.190.080](#) Conditional use permit required.
- [18.190.090](#) Prohibited home occupations.
- [18.190.100](#) Exceptions.
- [18.190.110](#) Revocation.
- [18.190.120](#) Reapplication following revocation or denial.

18.190.010 Purpose.

(1) Provide an opportunity for home occupations as an accessory use, when they are compatible with the neighborhoods in which they are located. A home occupation shall not be construed to mean an employee, working in his/her home in the service of an employer whose principal place of business is licensed at another location.

(2) Guide business activities that are not compatible with neighborhoods, to appropriate commercial zones.

(3) 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 hazard and other possible business uses that are in excess of that customarily associated with the neighborhood. Home occupations include but are not limited to the following:

- (a) Artists, authors, architectural services;
- (b) Accountants;
- (c) Barber shops and beauty shops;
- (d) Bookkeeping;
- (e) Consulting services;
- (f) Construction office;

- (g) Dance studio, aerobic exercise, music lessons, tutoring and general educational instruction;
- (h) Day care or preschool;
- (i) Data processing computer programming;
- (j) Direct sales distribution;
- (k) Home crafts;
- (l) Garden produce;
- (m) Janitorial service;
- (n) Insurance sales or broker interior design;
- (o) Landscape contractor office;
- (p) Mail order not including retail sales from site;
- (q) Offices;
- (r) Real estate sales or broker;
- (s) Sales representative; and
- (t) Sewing or embossing of clothing or fabrics.

Other occupations not listed in this section but of similar kind or character may be conducted as home occupations, subject to the provisions of this chapter. Prior to receipt of a conditional use permit, other occupations not listed in this section must be reviewed by the zoning administrator for a determination as to whether the proposed occupation is of a similar kind or character to home occupations listed in this section. A finding by the zoning administrator that an occupation is not of a similar kind or character as those listed herein may be appealed to the planning commission. A finding by the planning commission that an occupation is not of a similar kind or character as those listed herein may be appealed to the board of adjustment, as provided in Chapter 2.80 RCC. A sexually oriented business, or an administrative service in support of a sexually oriented business, may not operate as a home occupation in any zone of the city.

(4) 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.

(5) Provide a means to enforce and regulate the businesses that are licensable through the authority

of this chapter and, if necessary, terminate home occupations if a violation of the ordinances regulating home occupations occurs.

(6) Create a streamlined process for home occupations that meet strict criteria for blending into a neighborhood and facilitate other home occupations that may be allowed under specific conditions. [Ord. 07-12 § 1. Code 1997 § 12-207-005.]

18.190.020 Business license.

(1) All home occupations shall have a business license, unless specifically provided an exemption in this chapter. Only the owner of a business may apply for a home occupation business license and the applicant must be a bona fide resident of the home.

(2) Home occupation permits expire six months after granted if no business license is obtained.

(3) Home occupation permits expire three months after the business license lapses.

(4) Home occupation permits are issued for individuals at a specific address. The permit is not transferable to another person or party, nor to another address.

(5) Types of Home Occupations. Home occupation businesses are licensable as one of the following:

(a) Simple home occupation.

(b) Permitted home occupation.

(c) Conditional use home occupation. [Ord. 07-12 § 1. Code 1997 § 12-207-010.]

18.190.030 Simple home occupation.

(1) Planning staff can approve a simple home occupation permit when the applicant complies with the following:

(a) Applicant is a bona fide resident of the home.

(b) Business shall be entirely conducted within the home.

(c) The home occupation shall not involve any retail sales at the home.

(d) The home occupation will not require any signage, including signage on vehicles parked at the home.

(e) The home occupation does not involve customers or employees visiting the home.

(f) The home occupation does not require storage of inventory at the home.

(g) There will be no evidence from the exterior of the home that a business is being conducted.

(h) No specialty vehicles associated with this business such as dump trucks, tractors, skid steers, tractor trailers, boom trucks, tank trucks, backhoes, pump trucks or other similar vehicles will be parked or stored at the home.

(2) Staff may require drawings, photographs, schematics, floor plans or other materials necessary to demonstrate compliance with the criteria in subsection (1) of this section.

(3) The applicant will sign a statement verifying they have read and understand the criteria under which the simple home occupation is given and agree to operate their business within those criteria.

(4) Applicants may appeal the planning director's decision about a simple home occupation to the planning commission. The commission will decide whether the applicant qualifies for a simple permit or must apply for a staff-reviewed home occupation or a conditional use permit following the standards and procedure set forth in this chapter. A public hearing is not required for the appeal.

[Amended during 2011 recodification; Ord. 07-12 § 1. Code 1997 § 12-207-015.]

18.190.040 Permitted home occupation.

(1) Staff can approve home occupations that meet all of the requirements of RCC [18.190.060](#), Fixed standards, and all of the requirements of RCC [18.190.070](#), Qualifications.

(2) The applicant will fill out an application and submit plans, drawings, pictures, and other materials necessary to verify compliance with the standards and qualifications. Notice of the pending application will be sent to neighbors within 300 feet of the applicant's property. The applicant will bear the costs of noticing, and review fees, or any additional studies that may be required.

(3) Staff shall refer permitted home occupations to the planning commission as conditional use home occupations when:

(a) Evidence suggests that the application may not meet all of the qualifications;

(b) There is significant public clamor regarding the application;

(c) At the request of a planning commissioner; or

(d) At the discretion of the planning manager.

(e) In such cases the applicant will be responsible for the additional noticing fees.

(4) Applicants may appeal the planning director's decision about a permitted home occupation to the planning commission. The appeal would be a decision item where the commission will decide whether the applicant qualifies for a permitted home occupation or must apply for a conditional use permit

following the standards and procedure set forth in RCC [18.190.050](#) and [18.190.080](#). A public hearing is not required for the appeal. [Ord. 07-12 § 1. Code 1997 § 12-207-020.]

18.190.050 Conditional use home occupation.

(1) The planning commission will hold a public hearing for home occupation applications that meet all of the fixed standards but are unable to meet all of the qualifications or have been referred by the planning manager.

(2) The planning commission may deny, approve, or approve with any of the conditions included in RCC [18.190.080](#), Conditional use permit required. The planning commission may also alter or waive any of the qualifications described in RCC [18.190.070](#). The planning commission may not alter or waive any of the fixed standards of RCC [18.190.060](#).

(3) Applications for conditional use home occupation permits will be noticed for a public hearing before the planning commission. Notices will be sent to property owners within 300 feet of the applicant property at least 15 days prior to the hearing and a notice will be published in a local newspaper.

(4) The applicant will be responsible to provide address labels and fees associated with the noticing and public hearing.

(5) The planning commission acts as the land use authority for conditional use home occupations. The city council shall act as the appeal authority to act in a quasi-judicial manner and serve as the final arbiter of issues involving the interpretation or application of the home occupation land use ordinances.

(6) Appeals of the planning commission decision must be made within 30 days of the decision. [Amended during 2011 recodification; Ord. 07-12 § 1. Code 1997 § 12-207-025.]

18.190.060 Fixed standards.

Permitted home occupations and conditional use home occupations must comply with these fixed standards at all times. The applicant shall submit drawings, sketches, documentation and/or photos as required by staff to demonstrate compliance with these standards.

(1) Bona Fide Resident. The home occupation business shall be owned by and carried on only by a bona fide resident of the home.

(2) Satellite Office Not Allowed. Business activities shall not be conducted at the home of an employee of a company, by nonresident company employees. However, a home occupation shall not be construed to mean an employee, working in his/her home in the service of an employer whose principal place of business is licensed at another location.

(3) Accessory Use on the Property. The home occupation shall be clearly secondary and incidental to

the primary use of the dwelling unit for residential purposes.

(4) On-Site Employees. One full-time or full-time equivalent nonresident may be employed, volunteer, or work on the premises wherein the home occupation business is located. And only one nonresident employee may work at the home at one time regardless of the number of home occupations.

(5) Off-Site Employees. Any home occupation may utilize employees to work off site. The off-site employee, volunteer, hiree or any other person engaged with the home occupation shall not come to the home for purposes related to the home occupation license.

(6) Off-Street Parking. All business-related vehicles, which park at the location of the home occupation, including those of the applicant and employee, must be provided and use off-street parking. Off-street parking must also be provided for customers, clients or business-related visitor vehicles.

(7) Vehicle Advertisement. Vehicles or equipment may not be used for the primary purpose of advertising the home occupation at the site of the home occupation.

(8) Designating Areas of Property to Be Used. The home occupation applicant must designate the portion of the home, accessory structure, yard, attached or detached garage dedicated as the principal location for business activities.

(9) External Appearance. The home occupation must maintain or improve the external residential appearance of the principal structure, attached or detached garage or accessory structures. Any structural alterations to accommodate the home occupation shall maintain the architectural aesthetics and compatibility of the neighborhood.

(10) Outdoor/Yard Space. The home occupation shall not involve the use of any unscreened or unenclosed yard space for storage or display of supplies, inventory or equipment when such use is in conjunction with the sales, service or production of goods. Any screened area or structure used for the home occupation must be located in either the side or rear yard areas.

(11) Conformity with Safety Codes. There shall be complete conformity with fire, building, plumbing, electrical and all other city, county, state and federal codes.

(12) Health and Safety. No process can be used which is hazardous to public health, safety, morals or welfare.

(13) No Excessive Utility Uses. The home occupation shall not cause a demand for municipal, community or utility services that are substantially in excess of those usually and customarily provided for residential uses.

(14) Neighborhood Disruptions Not Permitted. The home occupation shall not unreasonably or

uncharacteristically interfere or disrupt the peace, quiet and domestic tranquility of the neighborhood. The home occupation shall not create or be associated with or produce odor, smoke, dust, heat, fumes, light, glare, noises or vibrations, excessive traffic or other nuisances, including interferences with radio and television reception or any other adverse effects within the neighborhood.

(15) Renter/Owner Responsibility. If the applicant for a home occupation license rents or leases the property wherein the home occupation is intended to be conducted, the applicant must provide a letter of acknowledgment and consent from the property owner at the time the application is submitted to the license office.

(16) Interior Alterations/Remodeling. Interior alterations of the principal dwelling, for the purpose of accommodating the home occupation, are prohibited if such alteration eliminates the kitchen, and/or all of the dining areas, bathrooms, living areas or all of the bedrooms. [Ord. 07-12 § 1. Code 1997 § 12-207-030.]

18.190.070 Qualifications.

In addition to the fixed standards set forth in RCC [18.190.060](#), all staff-reviewed home occupations must also comply with the requirements outlined in this section. If a business finds that they are unable to fully comply with all of the requirements as set forth in this section, the applicant may pursue possible approval as a conditional use home occupation.

(1) Hours. No visitors in conjunction with the home occupation (clients, patrons, employees, volunteers, students, pupils, etc.) shall be permitted between the hours of 7:00 p.m. and 7:00 a.m.

(2) Traffic. Vehicular traffic from business-related visitors and customers shall not exceed that which normally and reasonably occurs for a home in the neighborhood. The home occupation shall be limited to two business-related visitors or customers per hour, to a maximum of eight business-related visitors or customers per day. Business-related deliveries or pickups shall not exceed two per day.

(3) Delivery Vehicles. The receipt or delivery of merchandise, goods, or supplies for use in a home occupation shall be limited to vehicles with a gross vehicle weight rating (GVWR) of 23,000 pounds or less.

(4) Conducted in a Home. When business activities are being conducted on the property that is to be licensed, the home occupation shall be conducted within the principal home.

(5) Maximum Floor Space. No more than 25 percent of the total main floor area and upper floor areas of the dwelling unit shall be used for home occupation. As an alternative to use of main and upper floor areas of the dwelling unit, up to 50 percent of the basement of a home unit may be utilized for home occupation.

(6) Signs. The home occupation may utilize one unanimated, nonilluminated flat sign. The sign must be placed either in a window or on the exterior wall of the home wherein the home occupation is being conducted, and may not have an area greater than four square feet.

(7) Display of Products. The home occupation may include the sale of tangible goods. Direct sales from display apparatus are permitted only if the goods or products are not visible from the exterior of any approved structure being used for the home occupation.

(8) Permitted home occupations involving child day care and other child group activities shall also comply with the following:

(a) The home occupation shall not exceed eight children, associated with child day care or other child group activities (e.g., dance schools, preschool, music classes, etc.) at any one time. A maximum of eight students/children are permitted per day. This number shall include the licensee's own children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.

(b) No other permitted child day care or child group activities are within 300 feet of the proposed home occupation.

(c) All child day care shall be allowed to provide safe, outdoor play time in designated areas.

(d) Outdoor play areas shall be fenced in accordance with Riverton City fencing standards and shall have a self-locking gate. [Amended during 2011 recodification; Ord. 07-12 § 1. Code 1997 § 12-207-035.]

18.190.080 Conditional use permit required.

The following uses are appropriate as licensable home occupations only if they are determined to be compatible with residential neighborhoods after full conditional use review by the planning commission, all of the fixed standards, all the qualifications that have not been granted an exception through the conditional use process and additional regulations set forth hereafter:

(1) More Than Two Home Occupation Licenses. Any home where the applicant(s) are seeking more than two permitted or conditional home occupation licenses.

(2) Workshops. Workshops, including carpentry, small scale sheet metal work, furniture making, upholstery and other similar activities.

(3) Business Not Conducted within a Home. Any home occupation which proposes or conducts activities within an outbuilding, accessory building, attached or detached garage. The following guidelines shall be used to determine the maximum impacts permitted:

- (a) The applicant for a home occupation license shall designate the areas of the home, attached/detached garage or accessory structure that will be used for the home occupation and, if approved, the home occupation may be conducted only in the designated area.
- (b) A maximum 50 percent of the total floor space of any accessory structure or attached or detached garage may be used for the home occupation. The planning commission may grant an exception for parcels of at least one-half acre.
- (c) Any accessory structure used for a home occupation will be reviewed for architectural aesthetics and compatibility of the home and the immediate neighborhood.
- (d) The home occupation may utilize one unanimated, nonilluminated flat sign to be attached to the accessory structure where the home occupation is being conducted, in lieu of the sign attached to the home or in a window. The sign may not have an area greater than four square feet.
- (4) Home Occupations and Outdoor Activities. Any home occupations proposing to conduct business utilizing any yard space, or in a swimming pool.
- (5) Dangerous Home Occupations. Any home occupation using explosives, incendiary products and devices, or flammable or hazardous chemicals.
- (6) Home Occupations Generating Excessive Traffic. Any home occupation which will generate in excess of two customers or visitors per hour or six per day. A maximum of 12 business-associated visitors per day may be allowed under a conditional use permit, except as provided for with child day care and other group child activities.
- (7) Large, Business-Related Vehicles. Any home occupation which utilizes vehicles longer than 24 feet in length.
- (8) Food or Beverage Preparation. Any home occupation involving or proposing to involve food or drink preparation, storage or catering.
- (9) Child day care and other group child activities (e.g., dance schools, preschools, music classes, other care or instruction for children) that are expected to generate or exceed eight children/students any day. The following guidelines shall be used by the planning commission to determine the maximum number of students/children permitted:
- (a) A traffic plan has been reviewed and approved by the planning department, which includes acceptable traffic flow, drop-off and turnaround areas.
- (b) A maximum of 12 students/children per session and a maximum of 24 students/children per day shall be permitted.

- (c) A maximum of three sessions per day may be permitted.
- (d) All sessions combined shall not generate more than 24 vehicular trips per day.
- (e) The total number of students/children shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
- (f) No child day care or group child activities, conditional use home occupation may be established within 300 feet as measured from property line to property line of another child day care or group child activities, conditional use home occupation. [Ord. 15-07 § 1 (Exh. A); Ord. 07-12 § 1. Code 1997 § 12-207-040.]

18.190.090 Prohibited home occupations.

The following uses are not compatible with residential uses, and in order to protect the health, safety and welfare of residents from noise, nuisance, traffic, fire hazard and other possible business uses that are in excess of that customarily associated with the neighborhood, the following uses are prohibited:

- (1) Mortuaries, crematoriums, columbariums, or mausoleums.
- (2) Animal hospitals and veterinary services.
- (3) Clinics, dental offices, medical offices, chiropractic offices, or hospitals.
- (4) Junkyards, auto wrecking yards or salvage yards.
- (5) Stables, kennels, pet stores or any other commercial animal breeding or similar activities.
- (6) Storage, service, repair, sales or rental of ambulance, tow truck, recreational vehicle, watercraft, automobiles, ATV, or other motorized vehicles.
- (7) Food or drink preparations, storage or catering, which is not permitted by the appropriate state or county department or agency.
- (8) Fitness or health spa facility.
- (9) Lawn mower or small engine sales, service or repair.
- (10) Auto body repair, motor vehicle repair.
- (11) Manufacturing and/or mechanical product assembly, other than small scale arts, crafts, and hobby work. Use of hazardous chemicals, pesticides and flammable/combustible materials, and any

other process or business where current, adopted building and fire codes would require an operational permit.

(12) Number of vehicular stops/or visits exceeds 24 per day.

(13) Sexually oriented business.

(14) Treatment centers or counseling for persons who are violent or being treated for alcoholism or drug abuse.

(15) Bed and breakfast, motel or any similar use involving boarding or room rental. [Ord. 15-07 § 1 (Exh. A); Ord. 07-12 § 1. Code 1997 § 12-207-045.]

18.190.100 Exceptions.

(1) Home occupations do not include:

(a) Occasional babysitting at the dwelling, which would not be classified as a day care or preschool operation.

(b) Garage or yard sales are not considered home occupations but may be held no more than four calendar days per year.

(c) Sales of night crawlers gathered from the subject property.

(d) Lemonade stands and similar occasional activities related to the subject premises are not considered home occupations.

(e) One-time in-home parties designed to take orders, such as Tupperware parties, Pampered Chef, or Mary Kay.

(2) Temporary signage may be used to advertise yard sales, night crawlers, lemonade and similar occasional sales activities, provided it does not create a nuisance or a traffic hazard, is not placed on private property without permission of the property owner or in the public right-of-way, and provided it is removed by 7:00 p.m. each day and upon conclusion of the activity. [Amended during 2011 recodification; Ord. 07-12 § 1. Code 1997 § 12-207-050.]

18.190.110 Revocation.

A conditional use permit may be revoked by the planning commission upon a finding of failure to comply with the terms and conditions of the original permit or for any violation of this chapter occurring on the site for which the permit was approved. Prior to taking action concerning revocation of a conditional use permit, a hearing shall be held by the planning commission. Notice of the hearing and the grounds for consideration of revocation shall be mailed to the permittee at least 10 days prior to the hearing. [Ord. 15-07 § 1 (Exh. A).]

18.190.120 Reapplication following revocation or denial.

Following the revocation or denial of a conditional use permit, a new application for the same business type and location will not be accepted for a period of one year from the date of revocation or denial. Upon reapplication, the applicant for the same business type and location which was revoked in a prior year shall be required to pay application fees as established by the city council. [Ord. 15-07 § 1 (Exh. A).]