

FARMINGTON CITY, UTAH

ORDINANCE NO. 2025 - 26

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF CHAPTER 11-35, HOME OCCUPATION, ALLOWING FOR ADDITIONAL LOW IMPACT HOME BUSINESSES TO BE CONSIDERED AS PERMITTED USES. (ZT-9-25)

WHEREAS, the Planning Commission held a public hearing in which the text changes proposed to the Zoning Ordinance were thoroughly reviewed and recommended that this ordinance be approved by the City Council; and

WHEREAS, the Farmington City Council has also held a public meeting pursuant to notice and deems it to be in the best interest of the health, safety, and general welfare of the citizens of Farmington to make the changes proposed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH:

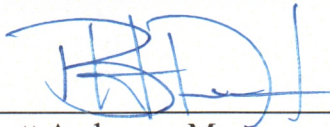
Section 1. Amendment. Multiple sections of Chapter 11-35 of the Farmington City Zoning Ordinance which have specifically been identified are hereby amended as indicated in Exhibit A attached hereto.

Section 2. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 3. Effective Date. This ordinance shall take effect immediately upon publication or posting or 30 days after passage by the City Council, whichever comes first.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this 3rd day of June, 2025.

FARMINGTON CITY


Brett Anderson, Mayor

ATTEST:

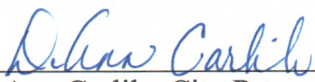

DeAnn Carlile, City Recorder



Exhibit A

11-35-010: PURPOSE:

A. It is the purpose of this chapter to establish guidelines, conditions and requirements for limited nonagricultural business activities in residential and agricultural zones. For the purpose of this chapter, "home occupation" is defined as an occupation or profession in which the associated activity or use is clearly incidental and secondary to the residential use of a dwelling unit, there is no alteration to the exterior of the dwelling unit to accommodate the occupation or profession, and such occupation or profession does not adversely affect the residential character of the surrounding neighborhood. A home occupation should be conducted in such a way that neighbors or passersby would not, under normal circumstances, be aware of its existence.

B. It is recognized that home occupations may be desirable to reduce "start up" costs for small businesses and to provide gainful employment within the community. However, if a home occupation grows to the point, or is conducted in such a manner, that the conditions of this chapter are not met, the home occupation shall cease and any continuing business shall be moved to an appropriate location in a commercial zone. (Ord. 1993-44, 12-8-1993)

11-35-020: LICENSE REQUIRED:

A. It shall be unlawful for any person or entity to engage in a home occupation in any agricultural or residential zone without first obtaining a home occupation business license to do so from the City Recorder. The procedure to be followed and applicable fees for a home occupation business license are set forth in the business licensing regulations, title 6 of this Code.

B. Businesses that do not have combined offsite impacts of the home based business and the primary residential use that exceed the impact of the residential use alone shall pay a licensing fee to cover the cost of issuing the license, as set forth in the City's consolidated fee schedule. (Ord. 2017-27, 10-3-2017)

11-35-030: CONDITIONS:

Each home occupation shall comply with all of the following conditions:

A. Residency: A home occupation must be owned and managed and all business conducted by a bona fide resident of the parcel where the license is sought. A home occupation may not be operated on a property other than the owner's residence.

B. Employees: Only family members related by blood, marriage or adoption who are bona fide residents of the dwelling unit shall be employed on said premises, except that one additional person may be employed at any one time as a secretary, computer operator, apprentice or helper where there are no more than five (5) family members actively engaged in the home occupation.

C. Exterior Modifications: No exterior architectural or structural modifications shall be made to any dwelling unit to accommodate a commercial use in the dwelling.

D. Interference With Electrical Or Mechanical Equipment: Electrical or mechanical equipment which creates visible or audible interference in radio or television receivers, or causes fluctuations in line voltage outside the dwelling units, or uses which create noise, smell, sound, light or vibration not normally associated with residential use, shall be prohibited.

E. Display Of Products: There shall be no display or sale of goods, wares or merchandise upon said premises other than those produced upon the premises. Where the home occupation involves the sale of products, such products shall generally be delivered directly to the customer.

F. Advertising Sign: One sign advertising the business may be permitted, but shall be limited to one square foot in area and shall be attached to the front face of the building or may be displayed in a window.

G. Vehicular Traffic: The home occupation shall not generate substantially greater vehicular traffic than commonly associated with residential activities in the neighborhood in which it is located.

H. Hazardous Conditions: The home occupation shall not create a hazard by using flammable materials, explosives or other dangerous or hazardous materials, or by keeping, raising or storing animals which are capable of inflicting harm or discomfort or endangering the health and safety of any person.

I. Demand For Services: The home occupation shall not create a demand for Municipal services or community facilities in excess of those usually and customarily provided for residential uses.

J. Area Usage: Not more than twenty five percent (25%) of the floor area of a dwelling may be devoted to a home occupation and/or storage of materials, equipment or stock in trade associated with the occupation, except as provided in section [11-35-040](#) of this chapter.

K. ~~Conduct Within Dwelling~~ External Incidental Use: The Any exterior use of the property in connection with the home occupation ~~shall be conducted entirely within the dwelling and~~ shall be clearly incidental, secondary and compatible to the residential use of the dwelling. ~~The home occupation shall not occupy or use any accessory building, yard space or activity outside the main building, or an attached garage to the extent that vehicle parking is displaced, unless approved by the Planning Commission as provided in section 11-35-040 of this chapter.~~

L. Foster Home, Daycare, Preschool: A foster home, child daycare center or preschool shall not have more than sixteen (16) children at one time subject to section [11-35-045](#) of this chapter.

M. Teachers: Music, dancing teachers or tutors shall be limited to not more than sixteen (16) pupils at one time subject to section [11-35-050](#) of this chapter.

N. Vehicle Size; Parking: The size of vehicles used in conjunction with a home occupation shall not exceed one ton rated capacity. Off street parking, in compliance with the provisions of this title, shall be provided for all business and private vehicles associated with a residential property.

O. Code Conformance: There shall be complete conformity with all City and State codes, including business license regulations. Depending on the type of business, periodic inspections may be made as required by these codes or as deemed necessary or desirable by the City.

P. Prohibited Uses: The following uses, among others, shall not be allowed as home occupations:

1. Barbershops and beauty salons, except for a barber or beautician who has no assistants;
2. Kennels or animal hospitals;
3. Commercial stables;
4. Restaurants;
5. Repair shops or service establishments, except for the repair of electrical appliances, typewriters, televisions, cameras or other similar small items.

11-35-040: CONDITIONAL USES:

A. Permitted Conditional Uses: The following home occupations may be allowed only upon approval of a conditional use application by the Planning Commission and issuance of a conditional use permit:

1. Uses where the applicant proposes to use more than twenty five percent (25%) of the dwelling in connection with the business.

2. Any use ~~where which requires~~ outside storage, ~~use of an accessory building or exclusive use of an attached garage is anticipated or requested in conjunction with the home occupation~~ which is anticipated to take over garage space rendering less than the number of required parking stalls available for parking on site.

- a. Exception: Equipment which is normally found at a residential property such as a utility or travel trailer but which is associated with the business may be located outside so long as it is located in a manner normally associated with residential use. If outside, trailers or vehicles associated with the home occupation must be parked on a "properly designated parking space" as identified in FMC 11-32.

B. Review Standards: In evaluating a home occupation conditional use, the Planning Commission shall apply the review standards contained in chapter 8 of this title and, if applicable, site development standards contained in chapter 7 of this title.