Ivins City Staff Report
Planning Commission Meeting 09/29/2026

Agenda Item: Discuss, review, and modify the draft amendment to Title 5, Chapter 3 regarding home occupation businesses

Submitted by: Cade Visser, Director of Finance

Recommended Planning Commission Action:
Discuss, review, and modify City code regarding rules and regulations for home occupation businesses

BACKGROUND:

Following the Planning Commission discussions from summer of 2025 regarding home occupation business regulations, staff reviewed the home occupation business codes of several Utah cities to evaluate the types of rules and regulations that are commonly used by other communities and determine which rules may be appropriate for Ivins City.

Staff has prepared an update to Title 5, Chapter 3 of the Ivins City code after it was repealed in 2017. The objective of the proposed chapter is to provide reasonable rules and regulations that would allow residents the opportunity to start and operate a business from their home while ensuring the scale of the business remains secondary to the residential use of the property.

The proposed regulations recognize a home occupation business can be a valuable opportunity for residents. However, when a business expands to a point where it generates substantial traffic, parking demand, noise, deliveries, outdoor storage, or other impacts typically associated with commercial activities, it may no longer be appropriate for a residential neighborhood.

The amendment to Chapter 3, Title 5, includes regulations related to safety, traffic, parking, noise, deliveries, and other operational impacts that may affect surrounding properties as a home occupation business grows. The proposed standards are intended to balance entrepreneurial opportunities with preserving the residential character of neighborhoods.

FINDINGS AND ANALYSIS:

After reviewing the home occupation business codes of several cities, staff prepared this draft ordinance not as a final recommendation, but as a starting point for Planning Commission discussion and modification it believes are most appropriate for Ivins City and recommend any desired changes to the draft.

Following Planning Commission review and input, a public hearing will be held to gather public comment and consider any further changes before a final recommendation is forwarded to the City Council for consideration.

SUPPORT MATERIALS:
Exhibit A – Amended Title 5, Chapter 3

Respectfully Submitted:

Cade Visser, Director of Finance

Content Review:

Chuck Gillette, City Manager

ORDINANCE NO. 2026-__

AN ORDINANCE OF IVINS CITY, UTAH, AMENDING CHAPTER 3 OF TITLE 5 OF THE IVINS CITY CODE REGARDING THE RULES AND REGULATIONS OF HOME OCCUPATION BUSINESSES

WHEREAS the city council for Ivins City (the "City Council") is authorized by law to exercise its legislative powers through ordinances as are necessary for carrying into effect the duties and powers of the City Council and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of Ivins City and its inhabitants, and for the protection of property in Ivins City (see Utah Code § 10-8-84; Ivins City Code §§ 2.01.301, et seq.)

WHEREAS before the City Council can pass an ordinance regulating land use the planning commission for Ivins City (the "Planning Commission") must consider the regulation and conduct a public meeting regarding the proposed land use regulation;

WHEREAS after conducting a public meeting regarding this ordinance on _____ the Planning Commission recommended that the City Council approve this ordinance;

WHEREAS the City Council has investigated and considered the rules and regulations of home occupation businesses

WHEREAS the City Council has considered the impact this ordinance may have on family health, stability and formation; and

WHEREAS the City Council finds the recommendation to provide reasonable rules and regulations to maintain the nature of a residential area while providing residents the opportunity to start and grow a home occupation business to the extent permitted by this chapter;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Ivins City as follows:

Section 1. Amendment to Chapter 3 of the Ivins City Code. Chapter 3 of the Ivins City Code is hereby amended in its entirety as follows:

See Exhibit A

Section 2. Severability. If any section, clause, or portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This Ordinance shall become effective immediately upon passage and publication.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS ____ DAY OF _____, 2026, BY THE FOLLOWING VOTE:

	AYE	NAY	ABSTAIN	ABSENT

Mike Scott	_____	_____	_____	_____
Sharon Barton	_____	_____	_____	_____
Sharon Gillespie	_____	_____	_____	_____
Dillon Hurt	_____	_____	_____	_____
Wayne Pennington	_____	_____	_____	_____

_____
Kevin Smith, Mayor

ATTEST:

_____
Kari D. Jimenez, City Recorder

Exhibit A

TITLE 5

BUSINESS LICENSES AND REGULATIONS

CHAPTER 3

HOME OCCUPATION BUSINESSES

5.03.101 PURPOSE AND INTENT

The purpose and intent of this chapter is to encourage the majority of business activities to be conducted in appropriate commercial zones. A person can conduct business activities within a residence on a limited basis if such activities comply with standards of this section. The City can revoke a home occupation business if the license requirements are not followed.

5.03.102 PROCEDURE

(1) Application for a home occupation license shall be made with the Ivins City Business License Specialist on forms provided by the City and appropriate fees as set by the City Consolidated Fee Schedule.

(2) After reviewing the application, if the Business License Specialist determines the proposed home occupation business may create significant potential fire, safety, traffic, or utility impacts beyond those typically associated with residential use, the application may be referred to the City's Technical Review Committee for review.

(3) The City may deny an application and shall be provide in writing the reasons for denial. The City will send out letters of denial within ten (10) business days of an applicant submitting a complete application.

(4) Applicants may appeal the City's decision by following procedures found in chapter 30 of title 16.

5.03.103 RULES AND REGULATIONS FOR ALL HOME OCCUPATION BUSINESSES

(1) The owner or operator of the home occupation business shall reside in the dwelling. No more than one (1) non-resident employee shall work on the premises at any one time.

(2) The home occupation business shall meet all requirements of the City, County, and State for operation of the business to include but not be limited to:

(a) Division of Occupational and Professional Licensing;

(b) County Health Department;

(c) Department of Human Services;

(d) Utah Department of Agricultural and Food;

(e) Utah State Tax Commission.

(3) A home occupation business shall not be allowed that requires receipt or delivery of merchandise, goods, or equipment by any vehicle other than a passenger motor vehicle or by parcel or letter carrier using vehicles typically employed in residential deliveries.

(4) Vehicle traffic, customers, deliveries, or other traffic associated with the business shall not occur between the hours of 7 p.m. and 7 a.m.

(5) The home occupation shall not create vibration, smoke, dust, odors, glare, electrical interference, drainage impacts, or similar nuisances perceptible beyond the property boundaries.

(6) The home occupation shall not involve the storage or use of hazardous, explosive, or highly flammable materials beyond amounts customarily associated with residential use.

(7) The home occupation business shall not cause a demand for municipal or utility services or community facilities more than those usually and customarily provided for residential use.

(8) The combined area of all home occupation business activities, including operation and storage shall occupy not more than 49% of the combined square footage of the dwelling unit including garage space.

(9) Home occupation businesses shall not generate more than an average of four (4) vehicle trips per hour during business operations, including but not limited to customer/client visits, employee traffic and deliveries.

(10) No more than two (2) customer or employee vehicles associated with a home occupation business may be parked on the street at any one time. No overnight business parking is allowed for customers or employees.

(11) No outdoor storage unscreened from street view of inventory, equipment, materials, supplies, or products associated with a home occupation business shall be permitted.

5.03.104 VIOLATIONS

(1) If a home occupation business is operating in violation of this chapter, the City shall provide written notice specifying the violation and a reasonable period to correct the violation.

(2) If the violation cannot reasonably be corrected while continuing operation within the residence, the City may require the business to relocate to an appropriately zoned commercial location within a reasonable time frame or discontinue operations.

PROHIBITIONS

(1) The following businesses are expressly prohibited:

Open to suggestions by the planning commission