

1 **21A.36.130: CHILD DAYCARE:**

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3 Child daycare shall be permitted pursuant to the following provisions:

4 A. Nonregistered Home Daycare: Nonregistered home daycare, limited to no more than four
5 (4) children, excluding the provider's own children, is permitted in the home of the care provider
6 as set forth in [chapter 21A.33](#), "Land Use Tables", of this title and within legal conforming
7 single-family, duplex, and multi-family dwellings within commercial and nonresidential districts
8 excluding M-1 and M-2 Districts. A business revenue license or home occupation business
9 license shall not be required.

10 B. Registered Home Daycare Or Registered Home Preschool (small): A registered home
11 daycare or registered home preschool (small) as defined in [chapter 21A.62](#) of this title, may be
12 allowed as an accessory use as set forth in [chapter 21A.33](#), "Land Use Tables", of this title and
13 within legal conforming single-family, duplex, and multi-family dwellings within commercial
14 and nonresidential districts excluding M-1 and M-2 Districts. The permittee shall also obtain
15 appropriate licensing where applicable from the State pursuant to the Utah Code.

16 1. Permit; Application: A home occupation business license application for a registered
17 home daycare or registered home preschool must be submitted to the Salt Lake City Division of
18 Business Licensing. As a part of the application, the applicant must submit the following
19 documentation:

20 a. The number of children and employees; both total for the day and the expected
21 maximum number to be on the premises at any given time;

22 b. The hours and days of operation; and

23 c. Proof of appropriate licensing from the State, where applicable, or basis upon which
24 exemption therefrom is claimed.

25 2. Standards: All residential home daycare or preschools shall comply with the following
26 specific standards:

27 a. The applicant resides on the property in which the business will be conducted;

28 b. At no time shall the applicant provide home daycare or home preschool services for a
29 group of children exceeding the maximum specified for such facility;

30 c. The outdoor play area for the home daycare or home preschool shall be located in the
31 rear or side yards of the property for the protection and safety of the children and for the
32 protection of the neighborhood;

33 d. The use of the property for the services of providing childcare shall be clearly
34 incidental and secondary to the use of the dwelling for residential purposes and shall not change
35 the character of the property or the neighborhood;

36 e. There shall be no advertising of such occupation, business or service, no window or
37 other signs or displays;

38 f. Only one (1) person, at any one time, who resides outside of the residence, may be an
39 employee;

40 g. Outdoor play areas shall be protected from traffic or other hazards by fencing or other
41 barriers at least four feet (4') in height; and

42 h. It is unlawful for any person to engage in a "registered home daycare or registered
43 home preschool" as defined in section [21A.62.040](#) of this title without first obtaining a license
44 pursuant to the provisions of title 5. Prior to issuance of said license, the criteria set forth in this
45 title must be satisfied and all applicable fees shall be paid. All home occupation business licenses
46 shall be valid for one year, and may be renewed annually, provided there have been no reported
47 violations.

48 C. Registered Home Daycare Or Registered Home Preschool (large): A registered home
49 daycare or registered home preschool (large) as defined in chapter 21A.62 of this title, shall be
50 permitted as specified in chapter 21A.33, "Land Use Tables", of this title and subject to
51 compliance with the applicable provisions of this title. The permittee shall also obtain
52 appropriate licensing where applicable from the State pursuant to the Utah Code.

53 1. Standards: Standards for approval shall include, in addition to standards of chapter
54 21A.54 of this title, the following:

- 55 a. All standards required for a registered home daycare or registered preschool (small),
56 listed in subsection B2;
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58 b. Provide at least (1) off-street parking space as a designated drop-off and pick-up area;
59 and
60
61 c. In residential developments consisting of more than one dwelling unit, play areas
62 located in an area that is not privately owned by the licensee requires approval from the
63 homeowners' association, condominium association, and/or any other entity that
64 manages the development. In the event that there is not a management entity, all
65 property owners within the development must approve of the play area.
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67 D. Child Daycare Center:

68 1. Conditional Use Standards For Child Daycare Centers: A child daycare center shall be
69 permitted as specified in chapter 21A.33, "Land Use Tables", of this title and subject to
70 compliance with the applicable provisions of this title.

71 a. Site Requirements:

72 (1) Fencing: An opaque fence six feet (6') in height must be installed around all
73 designated play areas. Dense shrubbery may compensate for fencing requirements provided that
74 the lot is secured according to State regulations. If the lot is adjacent to open space, a less opaque
75 fencing material may be used but chain link fencing shall not be used;

76 (2) Circulation: If located on an arterial street or State Highway, an off-street drop-off
77 and pick-up area is required;

78 (3) Play Areas: No structured area for active play or recreational (playground)
79 equipment may be located in the front or corner side yards.

80 (4) Setbacks: The required setbacks of the underlying zoning district shall be observed
81 except where a Child Daycare Center abuts a lot in a single-family or two-family residential
82 district, a minimum of ten feet (10') side yards and twenty-five feet (25') rear yard shall be
83 provided.

84 (5) Exceptions: The Planning Commission may grant an exception to these Site
85 Requirements if it can be shown that the impact of the Child Daycare Center on traffic
86 circulation or on adjacent properties will not be increased if the exception is granted.

87 b. Application: The application for a child daycare center shall include, in addition to
88 application submission requirements of [chapter 21A.54](#) of this title, the following information:

89 (1) The number of children, employees, staff or volunteers; both total for the day and
90 the expected maximum number to be on the premises at any given time;

91 (2) The hours and days of operation;

92 (3) The proposed signage; and

93 (4) The number, location and dimensions of any drop-off or pick-up areas for either
94 private transportation or public transportation.