

Suggested Code Changes  
September 24, 2024

**9-4-4: SOLAR ENERGY SYSTEM REQUIREMENTS:**

~~K. A solar energy system shall not be constructed until a building/zoning permit has been approved and issued. (Delete because 9-4-4:B&G.6 address ground-mounted.)~~

**10-2-1 DEFINITIONS:**

*Add*

**HOME-BASED MICROSCHOOL:** An individual or association of individuals that A) register as a business entity in accordance with state and local laws; and B) for compensation, provide kindergarten through grade 12 education services to 16 or fewer students from an individual’s residential dwelling, apartment, or residential property. Home-based microschool does not include a daycare.

**MICRO-EDUCATION ENTITY:** A person or association of persons that A) register as a business entity in accordance with state and local laws; and B) for compensation, provide kindergarten through grade 12 education services to 100 students or fewer. Micro-education entity does not include: a daycare; a home-based microschool; a private school; or a school within the public education system.

**10-12-1: USE REGULATIONS**

Table 1, Land Use Chart

<u>Land Use Description</u>	<u>A</u>	<u>R</u>	<u>C</u>	<u>PR</u>	<u>RPUD</u>	<u>CP</u>
<b>Institutional and Special Service Uses</b>						
40. School, public or private	C	C	C	C	C	
41. <u>Microschool</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
42. <u>Micro-Education</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
41.43. Cemetery				P		
(Lines <del>42</del> <u>44</u> -49, intentionally left blank)						

**C. Classification of New and Unlisted Uses**

- Should the commission determine that the new or unlisted use for all intents and purposes, is listed under another name or category, they shall so inform the zoning administrator ~~and/or building inspector~~ to proceed accordingly; or

### **10-12-3: FENCE AND WALL REGULATIONS WITHIN SETBACKS**

D. Fire hydrants and water meters shall not have access blocked by fences or walls for a ~~radius~~ radius of four (4) feet. Front access shall be totally open and unrestricted.

*Add*

### **10-13-27: HOME-BASED MICROSCHOOLS AND MICRO-EDUCATION ENTITIES**

Home-based microschools and micro-education entities as defined in Utah Code Annotated 53G-6-201, are permitted uses in all zones, subject to the requirements of Utah Code Annotated 10-9a-305 and 53G-6-211 and the following regulations.

Applications will be reviewed and approved by the city zoning administrator. **Planning Commission review application for compliance of site and city code??**

A. Business License: A business license must be obtained from the city as described in Title 3 of this code. A fire safety inspection is required with the initial business license approval and annually, prior to the business license renewal.

B. Applicable Zoning and Land Use Regulations:

1. A home-based microschool shall comply with the area, setback, and height regulations for each zoning district as listed in Section 10-12-2 Area Regulations.
2. A micro-education entity, as per Utah Code Annotated 10-9a-305(7), may operate in a facility that meets Group E Occupancy or a Class B Occupancy as defined by the International Building Code, and shall comply with the area, setback, and height regulations for each zoning district as listed in Section 10-12-2 Area Regulations.
3. These lists are not all-inclusive. Additional rules and regulations may apply. See Utah Code Annotated 10-9a-305.

C. Parking:

1. Off-street parking requirements for all zoning districts are described in Chapter 10-14.
2. In addition to the dwelling unit parking requirements listed in Section 10-14-1, a home-based microschool shall provide sufficient parking and needed facilities for employees and customers completely and entirely on the homeowner's land containing the primary dwelling or an adjacent parcel owned by the homeowner.
3. The applicant(s) for a home-based microschool or a micro-education entity shall

provide a parking plan.

- D. Traffic Plan: The applicant(s) for a home-based microschool or a micro-education entity shall provide a traffic plan depicting the desired routes for all modes of transportation.
- E. Hours of Operation: The hours of operation shall be between the hours of 7:00 AM and 10:00 PM. The applicant(s) for a home-based microschool or a micro-education entity shall include the normal hours of operation on the application for a business license.
- F. Regulations on the Location of a Project that are Necessary to Avoid Risks to Health or Safety:
  - 1. Chapter 10-11 Sensitive Areas defines nondevelopable sensitive areas and potentially developable sensitive areas; and lists the regulations and requirements for development in sensitive areas.
  - 2. A designated zone within the city allows for an adult-oriented business or a business which sells alcohol. A micro-education entity is prohibited from a location which would otherwise defeat the purpose for the zone unless the micro-education entity provides a waiver.