

Ordinance 7-2024

AN ORDINANCE TO ADOPT CHANGES TO THE CITY CODE OF RIVER HEIGHTS, UTAH

WHEREAS, River Heights City needed to revise their subdivision review process due to changes in State code, and

WHEREAS, the River Heights Planning Commission held a duly noticed public hearing on Tuesday, October 22, 2024.

THEREFORE, the River Heights City Council adopted the following changes to the River Heights City Code:

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 addresses 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>
Institutional and Special Service Uses						
40. School, public or private	C	C	C	C	C	
41. <u>Home-based Microschool</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
42. <u>Micro-Education Entity</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
41.43. Cemetery				P		
(Lines 42 <u>44</u> -49, intentionally left blank)						

C. Classification of New and Unlisted Uses

1. 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 microschoools 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.

A home-based microschool or micro-education entity application will be reviewed by the planning commission for compliance with state and city codes. When the planning commission determines state and city regulations have been met, they will recommend the city zoning administrator approve the application.

- 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 8:00 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 Home-based Microschool or a Micro-education Entity 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. This chapter also 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.

Add

10-15-12: LANDSCAPING AROUND FIRE HYDRANTS AND WATER METERS

Fire hydrants and water meters, whether in a public right-of-way or on private property, shall not have access blocked by landscaping for a radius of four (4) feet. Access shall be totally open and unrestricted.

(Bump current 10-15-12, 10-15-13, and 10-15-14 down to 10-15-13, 10-15-14, and 10-15-15.)

Adopted by the River Heights City Council this 19th day of November 2024.

Jason Thompson, Mayor

Attest:

Sheila Lind, Recorder