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Memorandum

To: Mayor Miller and City Council

From: Tony Ekins, City Planner

Date: November 14, 2025

Subject: Ordinance 25-09 – An ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.63 Home-Based Microschool And Micro-Education Entity; amend 17.04.070 Definitions to define and include “Home-Based Microschool” and “Micro-Education Entity”; and amend Use Regulations in sections 17.22.030, 17.28.010, 17.30.010, 17.32.010, 17.36.010, 17.38.010, 17.44.020, 17.45.020, 17.48.020, 17.49.020, and 17.050.020 to include Home-Based Microschool And Micro-Education Entity as a permitted use in all zoning districts.

Summary:

The proposed application is initiated by Hyrum City to create a Home-Based Microschool And Micro-Education Entity ordinance as allowed by Utah Code to address business license, parking, traffic, hours of operation and applicable zoning and land use regulations that do not conflict with Utah Code 10-20-304.

Planning Commission Recommendation:

On November 13, 2025, the Planning Commission held the required public hearing and made a motion (4-0) recommending approval to the City Council with the following recommendations:

1. Clarify “Home-Based Microschool” definition to include education services to 16 or fewer students; and
2. In the parking section, clarify parking requirements shall comply with Hyrum City off-street parking requirements; and
3. In the traffic section, clarify the traffic plan shall address impacts on the site and surrounding community without obstructing traffic.

City Council Meeting Details:

- Meeting Date: November 20, 2025
- Council Role: Legislative with Roll Call Vote

Attachments:

1. Prepared Ordinance (5 pages)

ORDINANCE 25-09

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 17 of the Hyrum City Municipal Code is known as the Zoning Ordinance of Hyrum City and sets forth regulations governing land use within the municipal limits; and

WHEREAS, Section 17.04.040 allows Title 17 of the Hyrum City Municipal Code, the Zoning Ordinance, to be amended by the City Council following fourteen days' notice and a public hearing; and

WHEREAS, the City Council has determined there is a need to amend Title 17 to further clarify those regulations governing zoning and other regulations controlling land use and development within Hyrum City.

NOW THEREFORE, upon recommendation of the Planning Commission and following a public hearing as required by Section 17.04.040, the Hyrum City Council hereby adopts, passes, and publishes the following:

An ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.63 Home-Based Microschool And Micro-Education Entity; amend 17.04.070 Definitions to define and include "Home-Based Microschool" and "Micro-Education Entity"; and amend Use Regulations in sections 17.22.030, 17.28.010, 17.30.010, 17.32.010, 17.36.010, 17.38.010, 17.44.020, 17.45.020, 17.48.020, 17.49.020, and 17.50.20 to include Home-Based Microschool And Micro-Education Entity as a permitted use in all zoning districts.

1. Chapter 17.63 Home-Based Microschool And Micro-Education Entity shall be added to read as follows:

17.63 Home-Based Microschool And Micro-Education Entity.

A. Purpose and Intent. The purpose and intent of this section is to establish requirements, in addition to the requirements of Utah Code 10-20-304, for home-based microschools and micro-education entities regarding:

1. Business License.
2. Parking.
3. Traffic.
4. Hours of Operation.
5. Applicable Zoning and Land Use Regulations.

B. Business License.

1. No home-based microschool or micro-education entity shall be occupied without first obtaining a business license. The provisions set forth in the code shall be controlling as to all matters relating to the requirements for and issuance and renewal of a business license.
2. A home-based microschool or micro-education entity shall meet all applicable building, fire and life safety codes, and shall obtain a fire safety inspection.
3. A local health department permit will be required if a home-based microschool or micro-education entity prepares and serves food.

C. Parking.

1. The home-based microschool or micro-education entity shall provide a parking plan that is in compliance with Hyrum City code off-street parking requirements with the zone in which it exists.
2. In addition to the parking requirements listed in Hyrum City code, the dwelling unit or residential property used for a home-based microschool shall provide additional sufficient parking space and needed parking facilities for employees and customers completely and entirely on the homeowners land containing the primary dwelling or adjacent property parcel owned by the homeowner.

D. Traffic.

1. A home-based microschool or micro-education entity shall provide a traffic plan depicting the desired routes for all modes of transportation.
2. The traffic plan shall address picking up or dropping off locations in a manner that the vehicle will be legally parked and will not interfere with the flow of traffic on or off the site.
3. The traffic plan shall address impacts of attendance and activities on the surrounding community without obstructing traffic in a manner not consistent with the zone in which it exists.

E. Hours of Operation.

1. The hours of operation for all activities of a home-based microschool or micro-education entity shall be between seven (7:00) a.m. and ten (10:00) p.m.

F. Applicable Zoning and Land Use Regulations.

1. The home-based microschool is not subject to additional occupancy requirements beyond occupancy requirements that apply to a primary dwelling.

2. The home-based microschool or micro-education entity is subject to city ordinances and regulations that do not conflict with Utah Code 10-20-304.
3. The micro-education entity is subject to standards within each zone pertaining to setback, height, bulk and massing regulations, off-site parking, driveway access locations, and traffic circulations.
4. The home-based microschool or micro-education entity is subject to regulations on the location that are necessary to avoid risks to health or safety.

2. 17.04.070 Definitions shall be amended to include Home-Based Microschool And Micro-Education Entity and read as follows:

Home-Based Microschool - "Home-Based Microschool" means an individual or association of individuals that: registers as a business entity in accordance with state and local laws; and for compensation, provides kindergarten through grade 12 education services to 16 or fewer students from an individual's residential dwelling, accessory dwelling unit, or residential property. Home-based microschool does not include a daycare.

Micro-Education Entity - "Micro-Education Entity" means an individual or association of individuals that: registers as a business entity in accordance with state and local laws; and for compensation, provides kindergarten through grade 12 education services to 100 students or fewer. A micro-education entity does not include: a daycare; a home-based microschool; a private school; or a school within the public education system.

3. 17.22.030 Use Regulations shall be read as follows:

- A. Permitted uses:
 9. Home-Based Microschool And Micro-Education Entity.

4. 17.28.010 Use Regulations shall be read as follows:

- A. Permitted uses:
 11. Home-Based Microschool And Micro-Education Entity.

5. 17.30.010 Use Regulations shall be read as follows:
 - A. Permitted uses:
12. Home-Based Microschool And Micro-Education Entity.
6. 17.32.010 Use Regulations shall be read as follows:
 - A. Permitted uses:
9. Home-Based Microschool And Micro-Education Entity.
7. 17.36.010 Use Regulations shall be read as follows:
 - A. Permitted uses:
9. Home-Based Microschool And Micro-Education Entity.
8. 17.38.010 Use Regulations shall be read as follows:
 - A. Permitted uses:
9. Home-Based Microschool And Micro-Education Entity.
9. 17.44.020 Use Regulations shall be read as follows:
 - A. Permitted uses:
18. Home-Based Microschool And Micro-Education Entity.
10. 17.45.020 Use Regulations shall be read as follows:
 - A. Permitted uses:
18. Home-Based Microschool And Micro-Education Entity.
11. 17.48.020 Use Regulations shall be read as follows:
 - A. Permitted uses:
13. Home-Based Microschool And Micro-Education Entity.
12. 17.49.020 Use Regulations shall be read as follows:
 - A. Permitted uses:
14. Home-Based Microschool And Micro-Education Entity.
13. 17.50.020 Use Regulations shall be read as follows:
 - A. Permitted uses:
5. Home-Based Microschool And Micro-Education Entity.

EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 20th day of November, 2025.

HYRUM CITY

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder