

MEMO



To: Planning Commission

From: Camille Moffat, Planner I

Date: June 8, 2022

Re: Sunny Day Preschool Major Home Occupation Conditional Use Permit

Leslie Yates submitted an application to have a daycare in her home located at 163 E 880 S. The applicant proposes to have 1 class with 12 children. Any child-oriented home occupation that has more than 8 children is required to get a major home occupation permit and must follow Santaquin City Code (SCC) 10.40.060. Major home occupations are subject to Conditional Use Permit approval from the Planning Commission and requires a public hearing.

This review is for the Planning Commission to determine whether or not all requirements found in SCC 10.40.060 are being followed and a Conditional Use Permit can be granted. A business license will still need to be acquired and all required departments will need to review and approve the business license before it can be issued.

Recommended Motion: “Motion to approve a conditional use permit for the proposed *Sunny Day Preschool* with the following conditions:

- All code requirements in Santaquin City Code 10.40.060 be met.
- A business license be obtained before operation of the pre-school.”

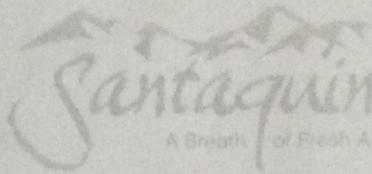
Attachments:

1. Vicinity Map
2. Applicant’s Application
3. Santaquin City Code 10.40.060

Attachment 1: Vicinity Map



Attachment 2: Applicant's Application Conditional Use Permit Application



Conditional Use Permit Application

45 West 100 South, Santaquin, Utah
(801) 754-1011
www.santaquin.org

Notice: All submitted proposals shall be reviewed in accordance with the Santaquin City Code. Submission of a Conditional Use Permit Application in no way guarantees placement of the application on any agenda of any City reviewing body. It is *strongly* advised that all plans be submitted well in advance of all agenda deadlines.

Meetings: Planning Commission meetings are held the 2nd and 4th Tuesdays of each month. The meeting is held in the City building, located at 275 W Main in Santaquin. All meeting dates are subject to City-observed holidays, scheduling necessities and each reviewing body's approved yearly meeting schedule.

Project Information (if applicable)

Project Name: _____ Utah County Parcel Number: _____

Project Address, City, State, Zip: _____ Zone: _____

Applicant Information

Applicant/ Company: _____ Application Date: _____ Date of Meeting Request: _____

Leslie Yates 5/25/22 6/14/22

Address, City, State, Zip: _____
163 E 880 S, Santaquin, UT 84655

Telephone: _____ Alternate Phone: _____ Fax: _____ Email: _____
(435) 465-8941 leslie.yates26@gmail.com

Property Owner Information (if different)

Property Owner Name/ Representative: _____

Property Owner/ Representative Address, City, State, Zip: _____

Telephone: _____ Alternate Phone: _____ Fax: _____ Email: _____

Nature of Conditional Use Permit Request

- ☒ "Major" Class Home Occupation
☐ Premises Occupation
☐ Child Day Care Facility
☐ Multiple-Unit Dwelling
☐ Commercial-Industrial Conditional Uses
☐ Other

Explanation of Request: I would like to start a preschool in my home. For now, I hope to have 7 students plus 2 of my own children in attendance. I would also like the option to increase the number of classes I offer in the future.

Certification

I/We, the undersigned, swear and say that I am/we are the owner(s) of record on the Tax Rolls of the property involved in this application, or am/are otherwise qualified to initiate this application under Santaquin City Code; that the information on the attached legal description(s); all plans, drawings, and sketches attached hereto and all of the statements and answers contained herein are in all respects true and correct to the best of my/our knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted.

SUBSCRIBED AND SWORN TO before me this 25 day of May, 20 22

My Commission Expires: _____
(Seal)

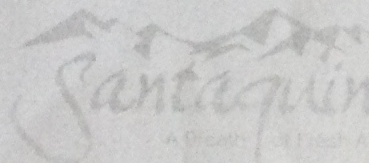
Leslie Yates
Property Owner

Property Owner

Notary Public

Santaquin City Corporation Conditional Use Permit Requirements

45 West 100 South, Santaquin, Utah
(801) 754-1011
www.santaquin.org



A conditional use permit requires approval of the planning commission prior to the issuance of a permit for construction or commencement of use on properties within the city. Zoning regulations determine if a use is permitted, conditional or prohibited in a certain zone. A conditional use permit requires individual consideration of each application.

Attachment 2: Applicant's Application
Site Plan



New Business License Application

275 West Main, Santaquin, Utah 84655
(801) 754-3211 Fax (801) 754-3526
www.santaquin.org



HOME OCCUPATION BUSINESS LICENSE APPLICATION

It is **strongly** advised that all business license applications be submitted well in advance of all deadlines. All business licenses must be reviewed and approved by the appropriate City Departments prior to operation of the business. State law requires all business names be registered with the Utah Department of Commerce. Business licenses expire on December 31st of each year.

Applicant's Information

Name: <u>Leslie Yates</u>	Home Phone Number: <u>cell</u>	Date of Birth: <u>3/30/96</u>
Home Address: <u>163 E 880 S</u>	City: <u>Santaquin</u>	State: <u>UT</u> Zip Code: <u>84655</u>
Email Address: <u>leslie.yates26@gmail.com</u>	Cell Phone Number: <u>(435) 465-8941</u>	Fax Number:
Title or Agent (as applicable):	Driver License Number:	Social Security Number: <u>529-79-6112</u>

Business Information

Business Name: <u>Sunny Day Preschool</u>		Business Property Address (if different):	
Business Mailing Address:		Business Phone Number:	Tax ID Number:
City:	State:	Zip Code:	Department of Commerce Entity Number:

Property Owner Information: If the applicant is not the property owner, provide written approval from the property owner for the business to be conducted at the proposed location.

Owner's Name:		Phone Number:	
Home Address:	City:	State:	Zip Code:

Business License Requested

Please Check One	<input type="checkbox"/> Temporary Business License (120 days) <input checked="" type="checkbox"/> Home or Premises Occupation <input type="checkbox"/> Other (explain)
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Description of Home Occupation. (Attach additional description if needed.)

Number of Employees: 1 (myself)

Operational Hours: 4 hrs/week - may increase in the future

Detailed Description of Business Activities: Preschool will run 2 days/week, 2 hours each day. Preschool students will enjoy free play, snack time, calendar/mug time and outside play as weather permits. Activities will follow weekly themes and include age appropriate skill building.

Attachment 2: Applicant's Application
Business License Application

Impact Information	
Estimated number of patrons visiting the home hourly and daily (if any): <u>7 students and their parent(s)</u>	Floor area size devoted to business:
Number and type of vehicles used in the business (if any): <u>NA</u>	Storage area devoted to business (if any): <u>NA</u>
Possible Environmental Impacts	If you would like your business information displayed on the Santaquin City website and other City social media accounts, please mark which information you would like included.
<input type="checkbox"/> Noise <input type="checkbox"/> Dust <input type="checkbox"/> Fumes <input type="checkbox"/> Vibration <input type="checkbox"/> Smoke <input type="checkbox"/> Electrical Interference <input type="checkbox"/> Hazardous Material <input type="checkbox"/> Flammable Material <input type="checkbox"/> Unsafe Materials <input type="checkbox"/> Unsafe Equipment	<input type="checkbox"/> Business Name <input type="checkbox"/> Business Address <input type="checkbox"/> Business Contact Information <input type="checkbox"/> Brief Business Description <input checked="" type="checkbox"/> I would not like my business information shared.
For Staff Purposes Only	
Application Review & Certification (for City use only)	
<input type="checkbox"/> Planning: _____ <input type="checkbox"/> Building Inspection: _____ <input type="checkbox"/> Fire Inspection: _____ <input type="checkbox"/> Police: _____ <input type="checkbox"/> City Manager: _____ <input type="checkbox"/> Business License Admin: _____	DATE: _____ License Fee: _____ Payment Date: _____ BL-Number: _____

*Applicant's Signature - By signing this application, you testify the information provided is complete, accurate and, is in compliance with Title 10 Chapter 12 of the Santaquin City Code.	
Signature: <u>Geslie Yates</u>	Date of Application:

10.40.060 MAJOR HOME OCCUPATIONS

Major home occupations must comply with all of the standards outlined in SCC 10.40.040 and where possible the qualifications of SCC 10.40.050. Major home occupations must be reviewed by the planning commission and granted a conditional use permit before pursuing a business license through the city. Each major home occupation is subject to the pertinent conditions listed below:

A. General conditions for all major home occupations:

1. Major home occupations may only be conducted from property having a detached single-family dwelling,
2. The conditional use permit and the home occupation business license shall be maintained in good standing for the entire period that business is being conducted,
3. Conditional use permits can be revoked based upon unresolved legitimate complaints as determined by the city zoning administrator.

B. Child oriented home occupations shall comply with the following conditions:

1. Maximum Children Permitted: The following maximum numbers include the licensee's and any employees' children if they are under twelve (12) years of age and are under the care of the licensee at the time the home occupation is conducted:
 - a. Family group daycares may not exceed twelve (12) children at one time or eighteen (18) different children per day.
 - b. Child group activities may not exceed twelve (12) students/children per session and a maximum of twenty four (24) students/children per day. A maximum of two (2) sessions per day may be permitted.
2. Yard Requirements:
 - a. All nonbusiness related structures or on premises hazards are to be made inaccessible to the children attending the daycare facility.
 - b. All outdoor play areas must be enclosed by a fence at least five feet (5') in height.
3. Traffic:
 - a. All vehicular stops for the dropping off or picking up of children shall be done with the passenger side of the vehicle toward the residence.
 - b. A traffic circulation and safety plan must be submitted to, reviewed and approved by the city.
 - c. At least one adjacent residential street must be of sufficient width to accommodate the increased average daily vehicular traffic (ADT) counts caused by the business.
 - d. The number of business related vehicle stops at the home per day shall not exceed twenty four (24) (e.g., dropping off and picking up a child would count as 2 vehicle stops).
4. Location Requirements: No child oriented home occupation, which requires a conditional use permit, may be operated within three hundred feet (300'), as measured from property line to property line, of another child oriented home occupation operating under a conditional use permit.

5. Licensure: Copies of all licenses required by the state shall be provided to the city for verification of compliance with all state standards.
- C. Businesses not conducted within a home, which must obtain a conditional use permit and which may include welding, carpentry, sheet metal work, furniture manufacturing, upholstery and other similar manufacturing activities, must comply with the following:
1. Machinery Operation: No machinery may be operated between the hours of seven o'clock (7:00) P.M. and eight o'clock (8:00) A.M.
 2. Noise Levels:
 - a. No power equipment which emits a sound pressure level in excess of seventy four (74) dB, as measured at a distance of fifty feet (50') (15 m) from such machinery, shall be used.
 - b. No equipment shall cause a noise disturbance for a consecutive period longer than fifteen (15) minutes or for more than thirty (30) minutes per hour.
 - c. Business machinery noise levels are not to exceed fifty five (55) dB when measured at the closest property boundary.
 3. Storage Qualifications: All storage qualifications listed in SCC 10.40.050 must be met.
 4. Designated Areas: The applicant shall designate the areas of the home, attached/detached garage or accessory structure that will be used for the home occupation and, if approved, the home occupation may be conducted only in the designated areas. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)
- D. Businesses having more than four (4) business related vehicles parked or stored at the home at one time or which utilize a commercial vehicle that exceeds the maximum height, weight or length requirements established in SCC 10.40.050, must comply with the following conditions:
1. All business related commercial vehicles are to be parked on the property and behind the front of the home when parked on the property.
 2. The vehicles and attachments are to be located behind a six foot (6') tall opaque fence, or other obstruction, so as to minimize their view from the front property line.
 3. Proof of proper CDL licensing must be provided with each license renewal.
 4. No maintenance of vehicles exceeding sixteen thousand (16,000) GVW may occur at the home unless conducted within a fully enclosed permanent structure compliant with building codes. (Ord. 02-03-2017, 2-1-2017, eff. 2-2-2017)
- E. Businesses entailing food or beverage preparation, storage or catering must comply with the following conditions:
1. Obtain all authorizations required by a state or county department or agency prior to approval of a business license and maintain all such authorizations for the duration of the business.
 2. Compliance with all business related vehicle qualifications listed in SCC 10.40.050 must be met.
- F. Businesses which have operating hours past eight o'clock (8:00) P.M. and before six o'clock (6:00) A.M. must comply with the following:
1. Applicants must show that any operation conducted after eight o'clock (8:00) P.M. and

before six o'clock (6:00) A.M. will be compatible with like uses and operations found in the residential neighborhoods between such hours.

2. All business activities are to be conducted within closed doors between eight o'clock (8:00) P.M. and six o'clock (6:00) A.M. unless shown to be compatible with like uses and operations found in the residential neighborhood between such hours.
3. Any business lighting shall be shielded and directed downward away from adjoining properties or contained within the building from which it emanates. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

HISTORY

Amended by Ord. 02-03-2017 on 2/1/2017