

MEMO



To: Planning Commission
From: Ryan Harris, Senior Planner
Date: March 8, 2024
Re: Kids Academy Daycare Conditional Use Permit

Julie Bingham submitted a conditional use application for a daycare at 806 East 150 South. The applicant will own the home and run a daycare out of the residence but will not live there. The applicant proposes to have 16 children at the daycare, which the State allows if they meet all state requirements. The proposed daycare does not fall under the provisions of a home occupation because the applicant will not live at the home. A daycare is considered a conditional use in the R-10 Zone.

In 2022, the State passed HB15. The bill focused on childcare programs (daycare). This bill created a law (Utah State Code 10.8-84.6 "Prohibition on licensing or certification of childcare programs") that doesn't allow the City to impose licensing or certification requirements for a daycare. The City can require a business license, and that the daycare meets all state requirements. In 2022, the State also allowed a family group (home) daycare provider to have two locations. The provider would not be required to live in the second home, but it still would be considered a family group (home) daycare. The proposed daycare will be the provider's second family group (home) daycare. The proposed daycare would be considered a home daycare per the State and not a commercial daycare. The City cannot require a site plan or site improvements on the property because it is not a commercial use. A business license will still need to be acquired, and all required departments (i.e., building, planning, fire, and police) must review and approve the license before it can be issued.

The planning Commission's is required to review the conditional use and hold a public hearing. The Planning Commission is the land use authority for the conditional use.

Findings

1. A daycare is considered a conditional use in the R-10 Zone (SCC 10.20.080.B)
2. The State allows for a family group (home) daycare provider to have up to two locations ("Department of Health and Human Services Rules" R430-90)
3. The City cannot impose licensing or certifications requirements for a daycare. All licensing and certifications requirements are created and reviewed by the Department of Health and Human services. (Utah State Code 10.8-84.6)

Recommended Motion: "Motion to approve a conditional use permit for the Kids Academy Daycare with the following conditions:

- A business license is obtained and renewed each year the business is in operation.
- All State requirements for a home daycare be met. Once the business receives their state license to operate a daycare, they submit the license to the City.
- All State licenses be maintained as long as the business is in operation.

Attachments:

1. Vicinity Map
2. Applicant's Submittal

Attachment 1: Vicinity Map



Property location

Dear Santaquin City,

Hi! My name is Julie Bingham. I am purchasing a home at 806 East 150 South Santaquin. The intent to purchase this home is to create a place where I can provide family group childcare for Santaquin families. This home is located directly across the street from Seasons of Santaquin assisted living center. In a vibrant, growing neighborhood.

In the state of Utah and per Utah state licensing allowance, a family group is licensed to care for 16 children in the home.

The hours of operation would be from 7:00 AM until 5:30 PM, Monday through Friday. I have been licensed as a state-licensed childcare provider in Utah for the past 18 years. During that time, I have had a perfect license record with no citations or violations through the State of Utah.

My family group would offer child care and preschool to the children in my care. The preschool curriculum I currently use is Mother Goose Time. I focus on making preschool fun and interactive for all of the children. While preparing them for kindergarten.

As a childcare provider and member of the community, I take pride in my work and reputation. I work very hard to provide top-quality childcare and have excellent references. The children are very well taken care of. They will be engaged in learning activities, crafts, puzzles, and games. They will feel safe, nurtured, and inspired to learn. The children will thrive in my childcare environment.

The property provides six off-street parking spaces in the driveway. These parking spaces will be used by my assistant and for parents to park to drop off and pick up their children.

I plan to keep the property clean, well-maintained and landscaped.

Please let me know if you have any questions.

Sincerely,

Julie Bingham

1:39



Dropped pin

Parent drop off and pick up



🍴 Restaurants

⛽ Gas

🌲 Parks

☕ Coffee



Seasons of Santaquin



150 S



150 S

774

788

800

82



1:39



Dropped pin *b parking spaces included in garage and drive way* X

Restaurants

Gas

Parks

Coffee



Seasons of Santaquin



150 S

150 S

774

788

800

82



