

MEMO



To: Planning Commission

From: Ryan Harris, Staff Planner

Date: August 20, 2020

Re: **The Reading Tree Preschool Major Home Occupation Conditional Use Permit**

Elizabeth Harmon submitted an application to have a preschool in her home located at 497 Firestone Drive. The applicant is proposing 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.

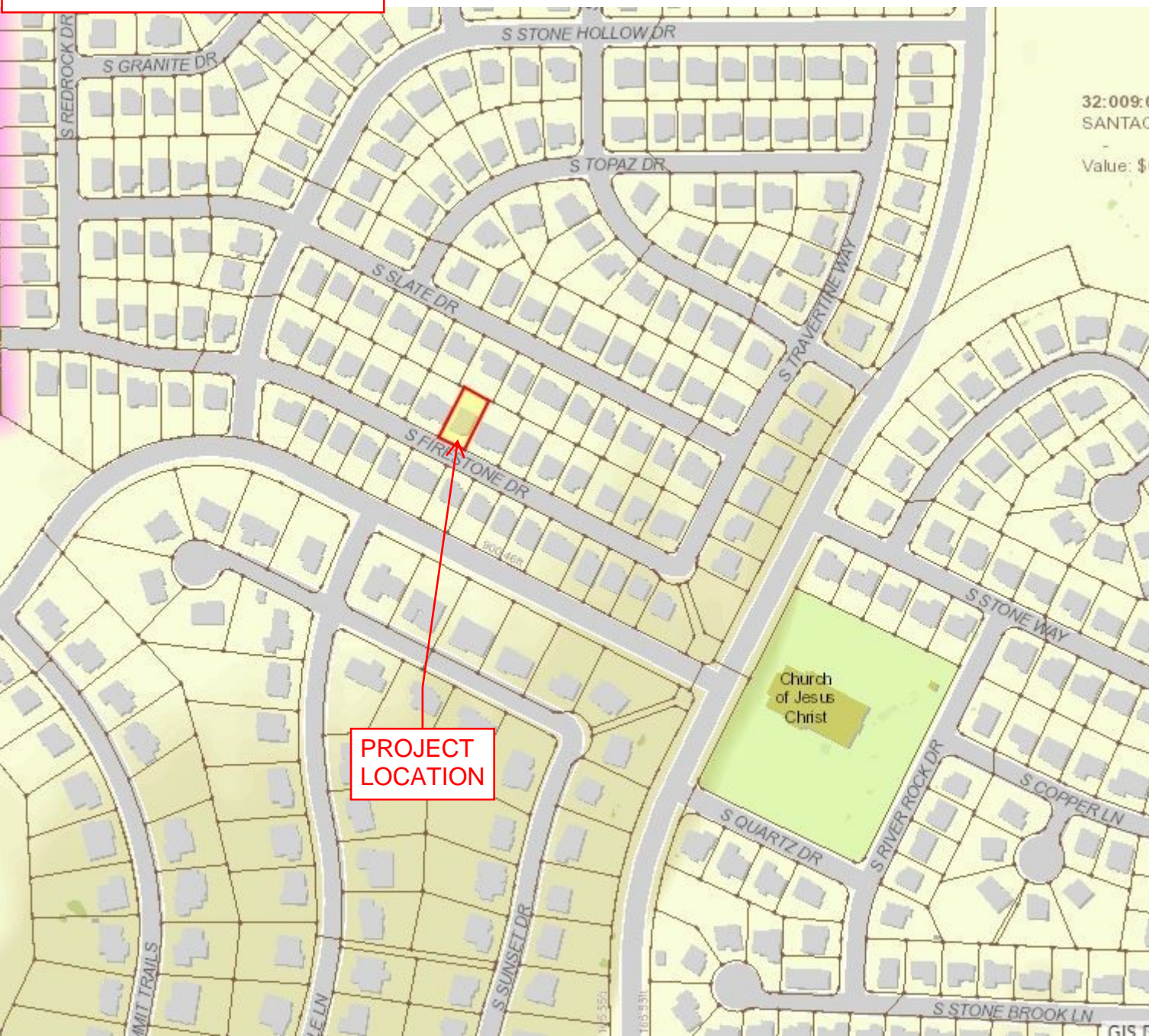
Recommended Motion: “Motion to approve a conditional use permit for the proposed *The Reading Tree Preschool* with the following conditions:

- 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 Letter
3. Site Plan & Traffic Circulation Plan
4. Santaquin City Code 10.40.060

ATTACHMENT 1: VICINITY MAP



July 22, 2021

Santaquin City Planning Commission,

I, Elizabeth Harmon, am applying for a conditional use permit for my new preschool business in Summit Ridge neighborhood. The preschool name will be The Reading Tree Preschool, L.L.C. I will be teaching 3-5 year olds following the state standards for preschool education. Following Santaquin City Municipal Code 10.40.060 for major home occupations, section B Child Oriented Home Occupations:

- 1A: n/a (I'm not doing a family group daycare)
- 1B: I will not exceed 12 children at one time or 24 children per day. I am planning one session/day which will have 11 students plus one of my own children.
- 2A: I do not have any additional structures in my yard. The a/c unit has a fence around it so children can't get to it, and the outdoor faucet has a lock on it.
- 2B: We have installed a fence more than 5 feet high to enclose our backyard. The fence also has a lock on the gate so no children can leave without the owner of the business.
- 3A: All vehicular stops for dropping off or picking up of children will be done with the passenger side of the vehicle towards the residence. This is shown by our traffic plan.
- 3B: I have included a traffic safety and circulation plan.
- 3C: Our Street and a street adjacent to us (Stone Hollow Drive) are both wide enough to accommodate increased ADT caused by the business.
- 3D: The number of business related vehicle stops will not exceed 24. With only one class/day with 11 students, the maximum number we will have is 22.
- 4A: As far as I know, we are not within 300 feet of another child oriented home occupation operating under a conditional use permit.
- 5: I have included my state license in this application.

I have contacted many of my neighbors, and all of the ones that I have talked to have said that they have no concerns about the preschool and how it might affect them. In fact, most of them have said that they are excited for me to open a preschool and that it is needed in our area. Three preschools in our area closed down this year. I have a long waiting list for preschoolers who want to attend my school. I would like for as many kids as possible to be able to have this very necessary early childhood education. These are the people that I have talked to:

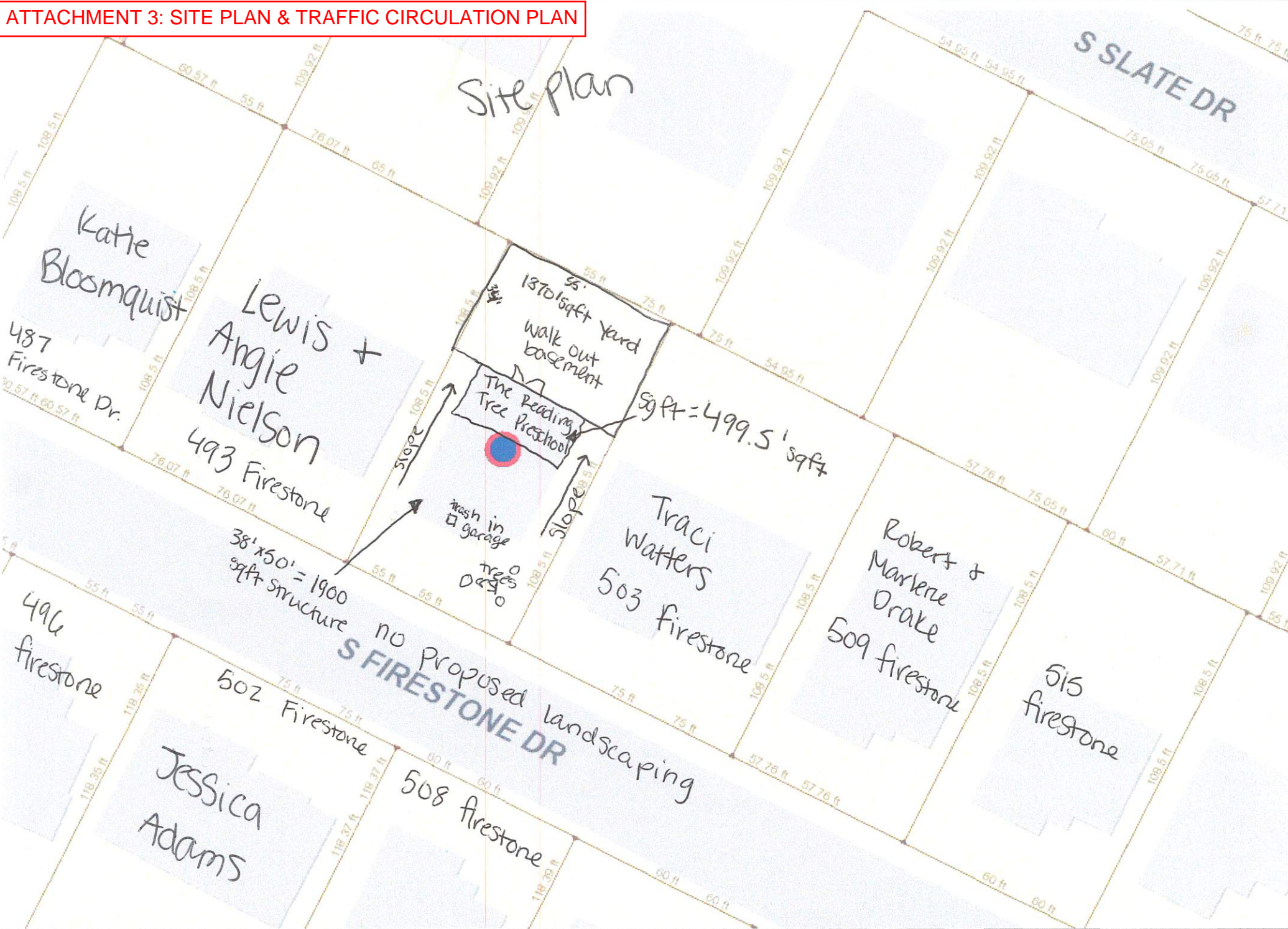
Katie and Andrew Maughan--no concerns 478 Firestone Dr.

Ryan and Heidi Partridge--no concerns 508 Firestone Dr.
Robert and Marlene Drake, no concerns 509 Firestone Dr.
Jeremiah and Kristie Woods, no concerns 481 Firestone Dr.
Joshua and Lonny Woolbright, no concerns 518 Firestone Dr.
Joshua and Kimberly Davis, no concerns, 526 Firestone Dr.
Jared and Jodi Pikus, no concerns, 537 Firestone Dr.
Kevin and Katie Bloomquist, no concerns, 487 Firestone Dr.
Lewis and Angie Neilson, no concerns, 493 Firestone Dr.

This property located at 497 Firestone Dr. is owned by my husband, Nicholas Harmon, and I. My husband is very supportive of me opening a preschool and starting a business in our home. If needed, you can call me at 208-249-4898 or Nick at 928-266-3767.

Sincerely,
Elizabeth Harmon

ATTACHMENT 3: SITE PLAN & TRAFFIC CIRCULATION PLAN



Traffic Plan + Adjacent Streets



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)