MEMO



To: Planning Commission

From: Loren Wiltse Senior Planner

Date: May 5, 2023

Re: Conditional Use Permit - Major Home Occupation/ Mobile Tool Truck Business

Grumpy Old Vet Tools LLP (Owners, Scott Alan Sweet & Ericka Monique Sweet) has submitted a Conditional Use Permit application for a Major Home Occupation to operate a Mobile Tool Truck Business, at their residence located at 572 Little Rock Dr.

The (attached) Major Home Occupation application includes the use of a (2) two axel MT45 panel delivery truck (29' foot long by 10' foot high), to provide tools to various mechanics and automotive stores from Springville to Santaquin. The proposal states that an established route would be followed Monday- Friday from 7:00 a.m. to 7:00 p.m., and the truck will be parked next to their home behind an existing fence and gate when it is not being used. The applicants have noted that a small business office will be created in the residence and no customers visits will occur at the residence.

The proposed major home occupation business is specially being reviewed as a Major Home Occupation under SCC 10.40.060 because the size of the vehicle being used exceeds the size limits for a Minor Home Occupation. Santaquin City Code Section 10.40.060 Major Home Occupations part D. states: "Businesses"..."which utilize a commercial vehicle that exceeds the maximum height, weight or length requirements established in SCC 10.40.050 (Minor Home Occupation Standards) 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.

Major home occupations are subject to Conditional Use Permit approval from the Planning Commission.

This review is for the Planning Commission to determine that the proposal will meet applicable general conditions for Major Home Occupations SCC 10.40.060. before 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.

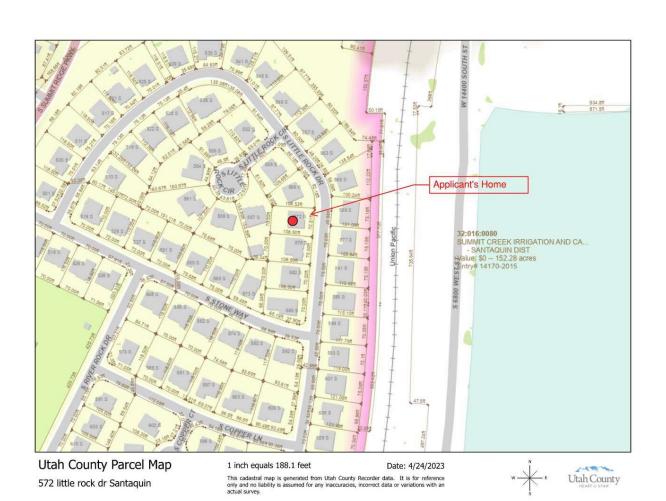
Recommended Motion: "Motion to approve a Conditional Use Permit for the proposed Major Home Occupation "Mobile Tool Delivery Business" to *Grumpy Old Vet Tools. LLP* with the following conditions:

- The applicant shall comply with Santaquin City Code 10.04. "Home Occupations" regulations.
- A business license be obtained before operation of the "Mobile tool truck business."

Attachments:

- 1. Vicinity Map
- 2. Applicant's Application
- 3. Santaquin City Code 10.40

VICINITY MAP



Santaquin City Corporation Conditional Use Permit Application

45 West 100 South, Santaquin, Utah (801) 754-3211 Fax (801) 754-3526 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 Thursday of each month. The meeting is held in the City Council Chambers at City Hall, 45 West 100 South, 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)	ALUGN				iozas alta divi
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Grumsy O	LP		66:199:0104			
Project Address, City, State, Zi	p:					Zone:
572 Little Re	Cle Dr. Suntag	uin	UT 84	665		
Applicant Informat	tion					
Applicant Company:	Application Date: 4/19/2-3	Date of Meeting Request: 4/27/23 or 5/4/23				
Address, City, State, Zip: 572 Little	Rock Dr. Sas	ntagu	in UT	846		
Telephone:	Alternate Phone:	Fax:		Email: 1 1 to total @ own] or		
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Property Owner In	formation (if differe	nt)			1.	
Property Owner Name/ Repres						
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572 Little K	ack Dr. Suntag		UT 846:			
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Nature of Condition	nal Use Permit Requ	est				
"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 beable get a business license to operate or tool truck business in Santague City lunits through Cornwell tools			
Certification		1897	A REPORT OF THE			A STANDARD STANDARD
I/We, the undersigned, swear and say that I anvive are the owners of record on the Tax Rolls of the property involved in this application, or anviare enhancing qualified to initiate this application under Sattaquin City Code, that the information on the attached legal descriptions;1; all plans, drawings, and sketches attached herein and all of the statements and answers contained berein are in all responses true and correct to the best of mylour inconvolage and belief, and the undersigned understands that this application must be complete and enematic before a hearing can be			SUBSCRIBED AND SWORN TO before me this day of 20 My Commission Expires: (Seal)			
Sylvetone Sylvetone	Pengany Owner Proporty Owner	_			Notary Public	

Business Planning for "Grumpy Old Vet Tools LLP" 572 Little Rock Dr. Santaquin, UT 84655

Owner: Ericka Monique Sweet Business Partner: Scott Alan Sweet

Our business will be a tool truck through the Cornwell Franchise. We will have an established route to service varying mechanics and automotive stores from Springville to Santaquin Utah. Each city will be serviced on a different day of the week. The truck will only be seen in Santaquin one day of the week during operational hours. Our hours of operation will be from Monday to Friday, 7 am to 7pm. We will not be using our home to sell product, only storing the truck. We will using an office in our home for inventory and accounting/bookkeeping purposes that is 500 sq ft.

The tool truck will be a MT45 Freight liner (Picture included in visual A). The truck will be approximately 29 feet long, by 10 feet tall. It is a single rear wheel axle. It will be a 2018 or newer truck. When not in use, it will be parked behind our gate located on the side of our house in Summit Ridge (Picture included of parking in visual B). The truck will have a new wrapping similar in style to the visual as well.

Thank you for your time and consideration,

Ericka Monique Sweet.

Scott Alan Sweet



Visual A



Visual B





Visual B-3

Santaquin City Zoning Code:

10.40 HOME OCCUPATIONS

10.40.010 PURPOSE

10.40.020 HOME OCCUPATION LICENSE

10.40.030 CATEGORIES AND REGULATIONS OF HOME OCCUPATIONS

10.40.040 STANDARDS FOR ALL HOME OCCUPATIONS

10.40.050 MINOR HOME OCCUPATIONS

10.40.060 MAJOR HOME OCCUPATIONS

10.40.070 PROHIBITED HOME OCCUPATIONS

10.40.080 BED AND BREAKFAST HOMES

HISTORY

Amended by Ord. 04-01-2018 on 8/1/2018

10.40.010 PURPOSE

The purposes of this chapter are to:

- A. Establish regulations for the establishment, maintenance, and well being of home occupations in order to provide for the betterment of the community, residents, patrons, and neighboring citizens.
- B. Provide an opportunity for home occupations as an accessory use, when they are compatible with the neighborhoods in which they are located.
- C. Guide business activities which are not compatible with neighborhoods to appropriate commercial and industrial zones.
- D. Promote peace, quiet, and domestic tranquility within all residential neighborhoods and protect residents from the adverse effects of business uses being conducted in residential areas, i.e., noise, nuisances, traffic, fire hazards, or other possible business impacts that are in excess of that customarily associated with the neighborhood.
- E. Provide an opportunity for a home occupation to engage in the business of childcare and other group child activities.
- F. Provide a means to enforce and regulate the businesses that are licensable through the authority of this chapter, and, if necessary, terminate home occupations if violation of the ordinances regulating home occupations occurs, as provided for herein. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

10.40.020 HOME OCCUPATION LICENSE

All home occupations shall be licensed in accordance with SCC 3 and the provisions of this chapter. Only the owner or official representative of a business may apply for a home occupation business license and the applicant must be a resident of the home where the business will be conducted. The authority to issue a license to conduct a home occupation shall be under the jurisdiction of the city council. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

10.40.030 CATEGORIES AND REGULATIONS OF HOME OCCUPATIONS

Home occupations, as defined in SCC 10.08.020, shall be classified as "minor home occupations", "major home occupations", "prohibited home occupations", and "bed and breakfast homes".

A completed application for a home occupation business license will be approved for a minor home occupation upon the city staff's verification that the proposed home occupation complies with the requirements of SCC 10.40.040 and SCC 10.40.050.

A completed application for a home occupation business license will be approved for a major home occupation or a bed and breakfast home only after issuance of a conditional use permit by the planning commission.

Prohibited home occupations are not allowed to operate in residential zones.

Notwithstanding the foregoing, in the event that the zoning administrator, or his/her designee, is unable to determine whether the home occupation is a major home occupation or a minor home occupation; or if he/she determines that approval of a home occupation business license may jeopardize the health, safety or welfare of the community, he/she may refer the application to the planning commission. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

10.40.040 STANDARDS FOR ALL HOME OCCUPATIONS

All home occupations must comply with the following "standards" at all times. Bed and breakfast homes are regulated by SCC 10.40.080.

- A. Permitted Or Conditional Use: Home occupations must be a permitted or conditional use in the zone in which the home occupation is to be located and not be in conflict with the objectives and characteristics of the same zone.
- B. Accessory Use On The Property: The home occupation shall be clearly incidental and secondary to the primary residential use of the property and dwelling.
- C. Bona Fide Resident: The home occupation business shall be owned by and carried on only by a resident of the home for which a certificate of occupancy has been issued.
- D. Satellite Offices Not Allowed: Established or workstation business activities for an off premises employer shall not be conducted at the home of an employee by other employees of the same business who are not residents of the home.
- E. Parking: All business related vehicles, which park at the location of the home occupation, must be legally parked, either in conventional parking spaces on the lot or adjacent to the frontage of the lot. No parking from the home occupation shall be permitted in front of adjacent lots unless approved by the city as part of a traffic circulation and safety plan. Required parking for resident vehicles shall be available at the close of business each day.
- F. Signs: Signs are limited to one nonanimated sign not larger in area than two (2) square feet. The sign shall not be directly or internally illuminated.
- G. External Appearance: Any exterior alterations to the residence to accommodate the home occupation shall maintain the character and appearance of the residential dwelling in which it is located. Furthermore, the business operation shall not negatively affect the physical appearance, traffic, and other activities of the surrounding neighborhood and not depreciate surrounding property values.
- H. Storage Areas: Home occupations are not permitted to store materials or products outside of the dwelling unit, except in a city approved and permitted accessory building.
- Conformity With Safety Codes: No hazardous materials or equipment may be used in the home occupation, including, but not limited to, anything flammable or unsafe that is not customary to the home in which the occupation is located. There shall be complete conformity with fire, building, plumbing, electrical and all other city, county, state and federal codes.

- J. Neighborhood Disruptions Not Permitted: The home occupation shall not disrupt the peace, quiet and domestic tranquility of the neighborhood nor emit noise, odor, dust, fumes, vibration, smoke, electrical interference (including interferences with radio and television reception), or any other interference with the residential use of adjacent properties.
- K. Renter/Owner Responsibility: If the applicant for a home occupation license rents or leases the property wherein the home occupation is intended to be conducted, the applicant must provide a letter of acknowledgment and consent from the property owner at the time the application is submitted to the community development department. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

10.40.050 MINOR HOME OCCUPATIONS

In addition to the standards previously set forth in SCC 10.40.040, all minor home occupation businesses must comply with the qualifications outlined below. If a business is unable to fully comply with these qualifications, the applicant may request approval as a major home occupation, as outlined in SCC 10.40.060.

A. Employees:

- 1. One full time or full time equivalent nonresident may be employed, volunteer, or work at a designated workstation or area on the premises or inside the home where the home occupation business is located. Only one nonresident employee may work at the home, in such manner, at one time. No more than two (2) persons shall comprise the equivalent full time employee.
- 2. In addition to the employees described in paragraph A,1, any home occupation may utilize employees to work off site. Such off site employee, volunteer, hiree and any other persons engaged with the home occupation shall not come to the home for purposes related to the home occupation license, except for incidental vehicle stops in accordance with the traffic and operational hours qualifications outlined below.
- B. Operational Hours: The home occupation shall not generate any traffic before six o'clock (6:00) A.M. or after eight o'clock (8:00) P.M. (e.g., clients, patrons, employees, volunteers, students, pupils, etc.).
- C. Traffic: Vehicular traffic from business related visitors, employees, volunteers, and customers shall not exceed that which normally and reasonably occurs for a home in the neighborhood, and shall be conducted so that the neighbors will not be significantly impacted by its existence. Minor home occupations shall be limited to three (3) business related vehicular stops to the residence during any one hour to a maximum of eight (8) business related vehicular stops per day. Vehicles for delivery or pick up of business related supplies or products (e.g., UPS package delivery vehicles) shall not exceed two (2) per day.

Exception: Daycare and child group activities having an approved traffic circulation and safety plan may exceed the above maximum number of vehicle stops up to a total of sixteen (16) business related vehicle stops at the home in a day (e.g., dropping off and picking up a child would count as 2 vehicle stops).

D. Areas And Property To Be Used:

- 1. The business activities in the dwelling shall not occupy more than five hundred (500) square feet or twenty five percent (25%) of the total floor area of such dwelling, whichever is less. For the purposes of this section, a garage, carport, patio, breezeway, or any accessory building is not considered to be part of the dwelling.
- 2. Business activities in an accessory structure shall not exceed eight hundred (800) square feet or fifty percent (50%) of the accessory structure floor area, whichever is more unless such accessory structure is being utilized for licensed agribusiness functions or is

associated with a licensed boarding facility for animals. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

- E. Business Related Vehicles: Business related vehicles include those vehicles owned and operated by residents of the dwelling, vehicles on the property which are nonoperable due to: 1) a collision or other violent act; 2) has had parts removed from the vehicle rendering the vehicle inoperable; or 3) is being stored on a lot for the purpose of restoration. Business related vehicles shall also include any vehicles brought to the residence by the applicant, an employee, customer, client or business related visitor and shall comply with the following:
 - 1. There shall be no more than four (4) business related vehicles parked or being stored at the residence at any one time.
 - Exception: Any vehicle, operable on a road or not, that is inside a fully enclosed, permanent structure shall not be included in the maximum number of vehicles permitted at one time. Single or dual occupancy, off highway recreation vehicles (OHV) or watercraft are also excluded unless such are used as part of the business operation.
 - 2. Business related vehicles shall not exceed eight feet (8') in height.
 - Exception: Delivery or pick up vehicles (e.g., UPS package delivery vehicles) not owned or operated by the owner or employees of the licensed home occupation.
 - 3. Business related vehicles shall not exceed two (2) axles or twenty two feet (22') in length individually nor three (3) axles or thirty five feet (35') in length with attachments. No vehicle having more than two (2) axles shall travel to the residence for the purpose of delivery of merchandise, goods, or supplies for use in the home occupation.
 - 4. Business related vehicles may not exceed sixteen thousand (16,000) GVW. (Ord. 02-03-2017, 2-1-2017, eff. 2-2-2017)
- F. Number Of Licenses Allowed: Multiple home occupation licenses may be granted per residence as long as the cumulative effects of the businesses do not exceed the above standards and qualifications.
- G. Additional Qualifications For Daycares And Child Group Activities:
 - 1. Child oriented home occupations shall not exceed eight (8) children at any one time. A maximum of eight (8) students/children is permitted per day. This number shall include the licensee's own children if they are less than six (6) years of age and are under the care of the licensee at the time the home occupation is conducted.
 - 2. All child oriented home occupations shall be allowed to provide safe, outdoor playtime as required by state, county or local laws governing such business activity. All outdoor play areas must be enclosed by a fence of at least five feet (5') if there are more than six (6) children enrolled.
 - 3. All daycare and other child group activity facilities must be located on a through street unless a traffic and circulation plan is approved by the city as part of the business operations. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

HISTORY

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

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:
 - 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

10.40.070 PROHIBITED HOME OCCUPATIONS

The following uses, by the nature of the occupation, substantially impair the use and value of residentially zoned areas for residential purposes and are therefore prohibited:

- A. Mortuaries, crematoriums, columbaria, mausoleums.
- B. Clinics, dental offices, medical offices, chiropractic offices, or other healthcare facilities.
- C. Junkyards, auto wrecking yards, salvage yards, impound lots, or vehicle towing operations.
- D. Storage, service, repair, sales or rental of ambulances, tow trucks, recreational vehicles, watercraft, automobiles, ATVs, or other motorized vehicles.
- E. Food or drink preparation, storage or catering which is not permitted by an appropriate state or county department or agency.

- F. Fitness or health spa facility.
- G. Auto body repair, motor vehicle repair.
- H. Any home occupation which entails the use of chemicals exceeding typical household quantities, pesticides and flammable/combustible materials, and including any other process or business where current, adopted building and fire codes would require an "operational permit".
- I. Any home occupation unable to comply with the standards outlined in SCC 10.40.040. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

10.40.080 BED AND BREAKFAST HOMES

The planning commission may grant a conditional use permit for a bed and breakfast home, if the following conditions are met:

- A. Any bed and breakfast homes must be reviewed by the city's development review committee to assure compliance with all building, zoning, fire, health, and other applicable ordinances prior to review by the planning commission.
- B. Bed and breakfast homes are either a permitted or a conditional use within the zone.
- C. Bed and breakfast homes shall not have less than two (2) guestrooms nor more than eight (8).
- D. The applicant shall submit a plot plan showing the location of the bed and breakfast home, parking, required yards, and property lines at a scale of not less than one inch to twenty feet (1": 20') to the planning commission, health, and fire departments.
- E. The bed and breakfast home must be and remain the primary residence of the owner or lessee. If approved by the planning commission, employees who are not family members may be hired; however, such employees shall not be allowed to reside at the residence. A notarized letter attesting that the owners will occupy said bed and breakfast home, except for bona fide temporary absences, shall be submitted to the planning commission and kept on record with the city.
- F. Signs shall be limited to one nonlighted sign not larger in area than sixteen (16) square feet.
- G. Each bed and breakfast home must collect and pay all applicable transient room taxes, sales tax, and all other applicable taxes and obtain a Santaquin City business license.
- H. No more than two (2) unrelated adult persons may occupy any guestroom.
- I. If meals are served, they shall be prepared, served, and placed upon the table family style, without service or ordering of individual portions from a menu.
- J. All applicable licenses and inspections are to be done by the appropriate governing agencies and officials, including, but not limited to, any remodeling or construction requiring a Santaquin City building permit, prior to approval of the business license by the city council.
- K. A Santaquin City business license has been obtained prior to opening. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)