



Home Occupation Childcare

§ 24-43 Review criteria, specific conditional uses.

(Amended by Ord. No. 90-21; Ord. No. 92-5; Ord. No. 92-6; Ord. No. 97-19)

(E) Home Occupation Childcare. A home occupation offering childcare services is a permitted use in any residential district or agricultural district, subject to the following:

- 1) An applicant for a home occupation childcare must submit a completed application and a filing fee, as specified in the annual budget resolution, with the planning department. An application is not required if two or less children are being cared for.
- 2) The planning department shall review and tentatively approve the application if the application complies with the following:
 - a. No more than two persons are to be employed in the home occupation childcare. One person must be a family member of the dwelling in which the home occupation childcare is being conducted. The second person may be unrelated to the family.
 - b. There is no exterior indication of the home occupation childcare.
 - c. Any parking incidental to the home occupation childcare will be provided on site.
 - d. The outside play area for the children being cared for is fenced, or will be fenced within a reasonable period of time.
 - e. The employees and premises of the home occupation childcare are licensed and certified by the appropriate state agency.
 - f. There are no more children than the state license allows in the home occupation childcare. (The state license must be posted.)
 - g. A City business license has been acquired.

(3) The planning department shall review all applications for home occupation childcare.

(a) The planning department shall tentatively approve the application if the complies with subsections (1) and (2) of this section.

(b) After reviewing the application, the planning department shall contact by letter, property owners within three hundred feet of the property proposed for the home occupation. The letter shall indicate that an application has been filed and tentatively approved for a home occupation. Property owners within three hundred feet of the property proposed for the home occupation shall have fourteen calendar days from the date of the letter to file with the planning department a written objection to the home occupation. Such an objection shall require a conditional use permit review of the home occupation by the planning and zoning commission. An additional fee, as specified in the annual budget resolution, for the planning and zoning commission review shall be paid by the applicant. The conditional use permit application shall be reviewed according to the procedures set forth in Article V of Chapter 24 of this Code.

(c) If an objection is not filed with the planning department within the prescribed time period, the planning department shall approve the application and issue a conditional use permit for a one-year period. If, during this one-year period, the planning department receives a signed, written complaint about the home occupation from an affected property owner, the application shall be reviewed, granted or denied by the planning and zoning commission pursuant to the procedures set forth in Article V of Chapter 24 of this Code. If the planning department does not receive any signed, written complaints during the one-year period, the planning department shall issue a conditional use permit for an unlimited duration for the home occupation described in the application.

(d) If there are any changes in the conditions or operation of the home occupation described in the application, as approved by either the planning department or the planning and zoning commission, the applicant shall submit a new application and obtain approval of said changes in accordance with the requirements of this section.

(e) If the applicant cannot meet the requirements of subsections (1) and (2) of this section, the planning department shall deny the application. A denial by the planning department may be appealed to the planning and zoning commission pursuant to section 24-103E of the City zoning ordinance. However, the planning and zoning commission has no authority to waive compliance of said requirements.



Complete Conditional Use Permit Application

The following attachments are required in addition to the online permit request [application](#):

For an application to be considered complete-

- 1) List of property owners within 300 feet of the requested address (this can be acquired from the [Unita County website](#))
- 2) Completed narrative (explanation of the request)
- 3) Completed [Conditional Use Permit Criteria Sheet](#)
- 4) Any additional requirements will be provided after review of the initial application and attachments
- 5) Once all requirements are completed, the permit fee must be paid



Engineering & Planning Department

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Conditional Use Permit Home Occupation Childcare/Preschool

- 1) How many children are you currently caring for? _____
- 2) How many children are you licensed to care for? _____
- 3) Can you provide a copy of your State Certification? _____
- 4) What are your hours of operation? _____
- 5) Circle the days of the week that you will operate the business:

Mon Tues Wed Thurs Fri Sat Sun
- 6) How many customers can park in your driveway? _____
- 7) Is your back yard fenced? _____. If not, when can it be fenced? _____
- 8) Is your front yard fenced? _____
- 9) How long have you conducted a daycare/preschool? _____
- 10) Are you the sole operator of the daycare/preschool? _____

If not, who is your assistant? _____

Signature

Street Address

Mailing Address

Date



Conditional Use Criteria

(1)

Size and location of site;

(2)

Street and road capacities in the area;

(3)

Ingress and egress to adjoining public streets;

(4)

Location and amount of off-street parking;

(5)

Internal traffic circulation system;

(6)

Fencing, screening and landscaped separations;

(7)

Building bulk and location;

(8)

Usable open space;

(9)

Signs and lighting;



Conditional Use Criteria

(10)

Noise, vibration, air pollution and other environmental influences;

(11)

Number of employees;

(12)

Volume of business in terms of number of customers per day;

(13)

Hours of operation;

(14)

Location of the use with respect to similar uses in the immediate area;

(15)

Intensification of traffic congestion or hazard caused by the use which may be over and above normal traffic for the area, and a means to address this issue;

(16)

The design of existing or new buildings to be used to determine compatibility with surrounding land uses and its location;

(17)

Security;

(18)



Conditional Use Criteria

Infrastructure needs including water, sewer, solid waste and employee housing needs;

(19)

Accessory uses;

(20)

Licensing requirements.

