



## Planning & Zoning Department

# Before the Planning & Zoning Commission

June 28, 2016

## Staff Report – Public Hearing #2

**Applicant:** Michelle Wright  
**File No:** CUP 034  
**Prepared By:** Norman L. Holm  
**Date:** June 21, 2016

**Requested Action:** Conditional Use Permit  
**Purpose:** Home Occupation Daycare for up to 12 Children

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### GENERAL INFORMATION

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**Status of Applicant:** resident/renter/operator

**Existing Zoning:** RS 6 (Single Family Residential – 6,000 sq ft)

**Location:** 69 S Peppermint Dr

**Size of Property:** A .25 acre or 10941sq. ft. portion of Section 26, T3N, R2W, NE ¼, BM, Sugar Manor #3 Replat, Lot 16, Block 7

**Surrounding Land Use and Zoning:**

North- Single family residential, RS 6

South- Industrial then single family residential, IL then RS

East- Single family residential, RS 6

West- Industrial, IL

**Comprehensive Plan Designation:** Medium Density Residential

**Zoning & Planning History:** Constructed as a single-family residential property. Applicant is the resident/renter/operator. Property owner is Eldon & Serena Oyadomari.

**Applicable Regulations:** Section 10-5-2 requires a conditional use permit for a home occupation daycare for up to 12 children in RS 6 zones.

Chapter 25 sets forth the criteria of approval and required findings. These criteria essentially require that the use be compatible with and not adversely affect the livability or appropriate development of the surrounding neighborhood.

**Description of Proposed Uses:** The applicant proposes to operate a home occupation daycare for up to 12 children within the residential dwelling and yard area. The back yard area is fully fenced and landscaped.

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## **SPECIAL INFORMATION**

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**Public Utilities:** All available

**Public Services:** All present

**Transportation:** The site has direct access from S Peppermint Dr. to S Taffy Dr. to Sugar Ave. to E. Victory Rd and to Garrity Blvd. Per the Engineering Division trip generation reports by the Institute of Transportation Engineers for daycare facilities with up to 12 children create, on average, the following number of trips: AM Peak – 14 vehicle trips, PM Peak – 12 vehicle trips.

**Physical Site Characteristics:** No changes in the existing physical site characteristics are proposed.

**Environmental:** Home occupation daycares are compatible with single family residential neighborhoods and have little or no impact on adjoining properties and provide an essential service to area residents and to the city.

**Aesthetics/Landscaping:** The outdoor yard area around the home and proposed daycare facility is landscaped and compatible with residential living.

**Correspondence:** As of the date of this memo no correspondence or communication has been received from any neighboring property owners or residents concerning their support for or opposition to the requested conditional use permit for a home occupation daycare for up to 12 children. Code Enforcement has expressed no code violations or complaints from neighbors. The Nampa Fire Department approved their fire inspection.

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## **STAFF FINDINGS & DISCUSSION**

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Review of the site reveals adequate outdoor play area, and parking in comparison to what other home daycares have been approved with. Staff sees no reason why the CUP should not be approved as requested. Granting a continuation of the CUP for daycare use in the neighborhood is reasonable under the basis of the following recommended findings:

1. The location, size, design and operating characteristics of the proposed home occupation day care will be compatible with and will not adversely affect the livability or appropriate development of the surrounding neighborhood with consideration being given to the harmful effect upon desirable neighborhood character. The use will occur in an existing building in an area that will support the intended use.

2. The location, design, and site planning of the proposed home occupation day care will be as attractive as the nature of the use and its location and setting warrants since the outside appearance of the home will not be altered.
3. The proposed home occupation day care will enhance the successful operation of the surrounding area in its basic community function and provide an essential service to the community.

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## **SUGGESTED CONDITIONS OF APPROVAL**

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If the Commission following the public hearing determines that the use could be appropriately located and determines to issue a conditional use permit the following conditions of approval are suggested:

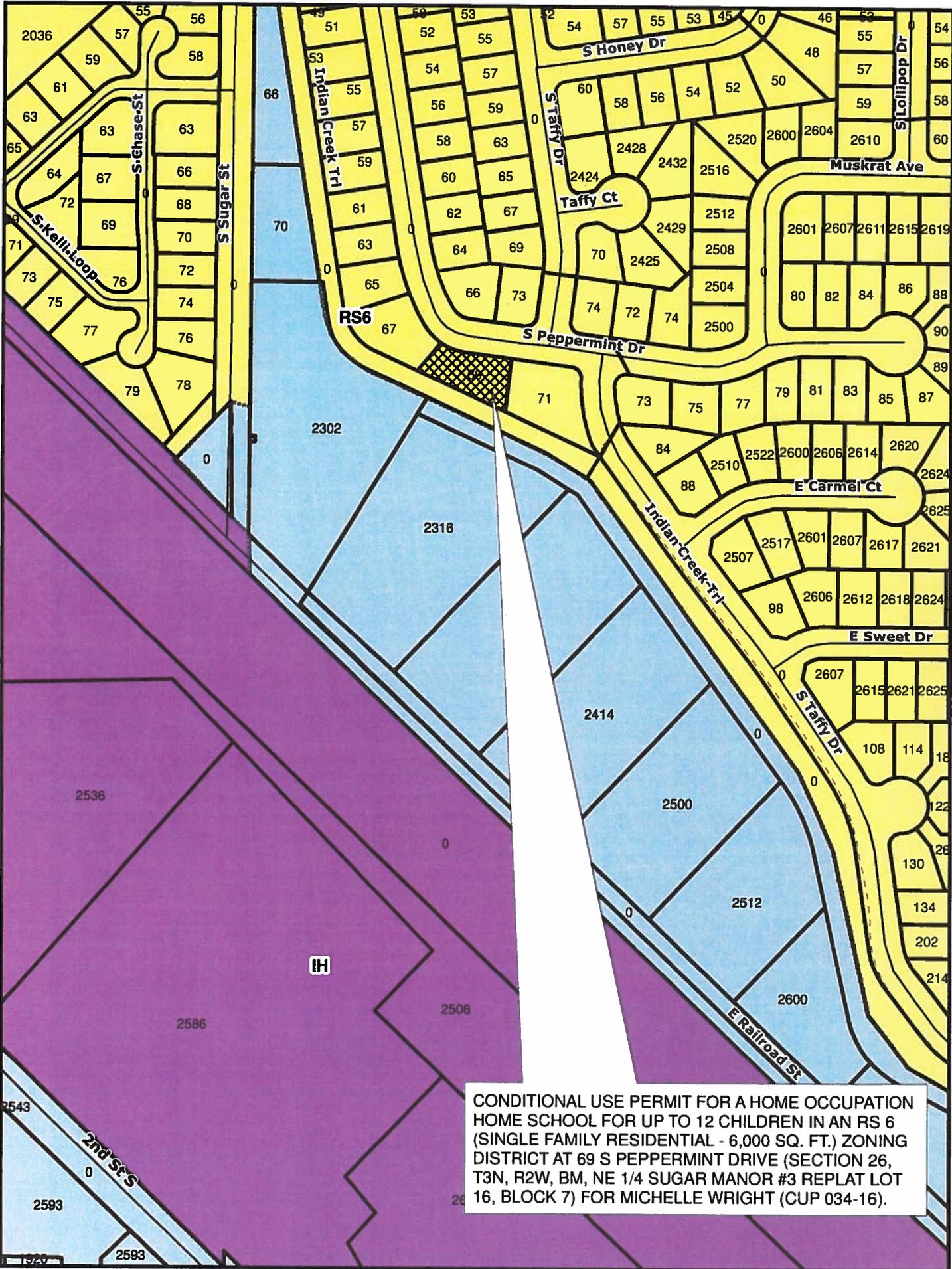
1. That the operator obtains and maintains licensing with State Health & Welfare.
2. That the use as a home occupation daycare does not substantially change the character of the home and be clearly secondary to use of the home as a residence.
3. The outdoor play area and landscaping shall be maintained in a neat and orderly manner.
4. The outdoor play area shall be continuously fenced in order to retain children from wandering out of the area.
5. All requirements of the Nampa Building, Fire, and Engineering Departments regarding day care use shall be satisfied as per State Law prior to occupancy.
6. The size of any advertising signs shall not exceed that allowed for home occupations of 2 sq. ft.
7. The conditional use permit be granted to *Michelle Wright* and shall not be transferable to any other operator or location.
8. Any other conditions felt necessary to address any concerns raised at the public hearing.

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## **ATTACHMENTS**

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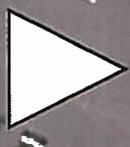
Zoning and location map  
Aerial photo of lot and adjacent property  
CUP application  
NFD daycare inspection form  
Agency and other correspondence



CONDITIONAL USE PERMIT FOR A HOME OCCUPATION HOME SCHOOL FOR UP TO 12 CHILDREN IN AN RS 6 (SINGLE FAMILY RESIDENTIAL - 6,000 SQ. FT.) ZONING DISTRICT AT 69 S PEPPERMINT DRIVE (SECTION 26, T3N, R2W, BM, NE 1/4 SUGAR MANOR #3 REPLAT LOT 16, BLOCK 7) FOR MICHELLE WRIGHT (CUP 034-16).



North



S Taffy Dr

S Peppermint Dr

Indian Dr  
13600  
S Taffy

69

71

72

74

70

2425

73

66

64

65

67

63

73

84

74



# Application for Conditional Use Permit

City of Nampa, Idaho

6/28/16  
Norm

This application must be filled out in detail and submitted to the office of the Planning Director for the City of Nampa, Idaho, accompanied by the appropriate fee of \$234.00 (1 acre or less) or \$463.00 (more than 1 acre).

Name of Applicant/Representative: Michelle Wright Phone: 208 999-6059

Address: 69 S. Peppermint Dr. City: Nampa State: ID. Zip Code: 83687

Applicant's interest in property: (circle one) Own Rent Other

Owner Name: Eldon & Serena Pyadomari Phone: 208-283-8037

Address: 3213 S. Avondale Ave. City: Nampa State: ID. Zip Code: 83686

Address of subject property: 69 S. Peppermint Dr. Nampa, ID. 83687

Is a copy of one of the following attached? (circle one)  Warranty Deed  Proof Of Option  Earnest Money Agreement.

### Subject Property Information

(Please provide the following REQUIRED DOCUMENTATION to complete the CUP):

Original Legal description of property AND a legible WORD formatted document. (Must have for final recording)  
Old or illegible title documents will need to be retyped in a WORD formatted document

OR, Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_

A sketch drawing of the site and any adjacent property affected, showing all existing and proposed locations of streets, easements, property lines, uses, structures, driveways, pedestrian walks, off-street parking and off-street loading facilities and landscaped areas, preliminary or final building plans and building elevations, together with any other information considered pertinent to the determination of this matter.

### Project Description

State (or attach a letter stating) the reason for the proposed Conditional Use Permit: small school in home  
Monday-Friday for up to 12 children.

Length of time requested for the Conditional Use Permit: \_\_\_\_\_ Months and/or \_\_\_\_\_ Years.

Date conditional use is expected to begin after permit is granted: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.  
Please note: Conditional use permits expire if not used within six (6) months after granting.

Dated this 19 day of May, 20 16

Michelle Wright  
Signature of applicant

### Notice to Applicant

This application will be referred to the Nampa Planning Commission for its consideration. The Planning Commission shall hold a public hearing on the application and it shall be granted or denied. Notice of public hearing must be published in the Idaho Press-Tribune 15 days prior to said hearing. Notice shall also be posted on the premises not less than 1 week prior to the hearing. Hearing notices will also be mailed to property owners or purchasers of record within 300 feet of the subject property. You will be given notice of the public hearing and should be present to answer any questions.

If a Conditional Use Permit is granted by the Planning Commission it shall not become effective until after an elapsed period of 15 days from the date of Planning Commission action. During this time any interested person may appeal the action to the City Council. You will be notified of any pending appeals.

If the conditional use permit is denied by the Planning Commission, you may appeal the decision to the City Council within 15 days from the date such action is taken by the Planning Commission. At the time the Conditional use permit becomes effective you will be sent a document which constitutes an official "Conditional Use Permit". This document will enumerate the conditions attached to the issuance of the permit and state the consequences of failure to comply.

### For Office Use Only:

File Number: CUP 034 -2016 Project Name: Home school - up to 12 kids

will be out of state June 7-14th. Thank you.



**City of Nampa Fire Department  
NFD Daycare Inspection Form**

Date Inspected-3/28/16

Occupancy ID-R1498857500

**Name of Establishment**

Simple Measures Preschool  
69 S. Peppermint Dr.  
Nampa ID 83687

**Owner/Operator**

Michelle Wright

*Questions are worded so that a negative answer will indicate and unsatisfactory condition*

**GENERAL REQUIREMENTS FOR ALL DAYCARE FACILITIES**

- Yes Exits are located to provide an unobstructed path outside the building to a public way or area of refuge?
- Yes Can exit doors be opened from inside without the use of a key or any special knowledge or effort?
- Yes Are two exits provided for Group/Daycare Centers?
- Yes Do the required exits have a clear width of 32" and height of 6'8"?
- Yes Are sleeping rooms provided with one egress window or a door directly outside?
- Yes Egress windows from sleeping areas operable from the inside without the use of tools, special knowledge or effort?
- N/A Where children are located in a basement, are two exits provided; one of which exits directly to the outside?
- Yes Serviced Fire Extinguisher with a 2A-10BC rating within 75' travel distance and mounted less than 5'?
- Yes Is there an operable telephone on the premises?
- Yes 6" address numbers contrasting with its background and clearly visible from the street?
- Yes Is there a smoke detector installed in basements where the stairway opens into the facility and provided with sounding device audible in the sleeping areas?
- Yes Are smoke detectors provided in a central location in the corridor or area giving access to rooms used for sleeping?
- Yes Are smoke detectors installed in all sleeping rooms?

**FACILITIES WITH OVER FIFTY (50) CHILDREN**

- Do exit doors swing in the direction of egress?
- Do exit doors have panic hardware?
- Are exit signs installed at required exit doorways and where necessary to clearly indicate the direction of egress?
- Is an approved fire alarm system installed?

**FACILITY APPROVAL STATUS**

Facility Passes Fire Inspection-YES

Occupant Load – 12

This Facility is classified as a **Group Daycare Facility for up to 12 Children**

**Inspected by:**

Melissa Close  
Deputy Fire Marshal  
Nampa Fire Department  
820 2<sup>nd</sup> St. S.  
Nampa ID 83651  
(208) 468-5766

**Copies sent to:**

Owner/Operator  
Health & Welfare Daycare Licensing  
City of Nampa

# Memorandum

**To:** Planning and Zoning

**Cc:** Tom Points, P. E., City Engineer

**Cc:** Daniel Badger, P.E., Staff Engineer

**Cc:** Michael Fuss, P. E., Nampa City Public Works Director

**From:** Jim Brooks – Engineering Division

**Date:** May 25, 2016

**Rev:**

**Re:** CUP – Home Occupation Daycare for up to 12 children

**Applicant:** Michelle Wright

**Address:** 69 So. Peppermint Drive. Nampa, Idaho 83687

**CUP00034-16 for the June 28, 2016 Planning and Zoning Meeting**

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Applicant's request is to have a home daycare for up to 12 children in her residence at 69 So. Peppermint Drive.

Trip generation reports by the Institute of Transportation Engineers for daycare facilities with up to 12 children create, on average, the following number of trips:

- AM Peak – 14 vehicle trips
- PM Peak – 12 vehicle trips

The Engineering Division does not oppose the granting of this conditional use permit.