

ZONING STAFF REPORT

DOCKET: UDO-61

STAFF: David Reed

REQUEST

Text amendment to the Unified Development Ordinances (UDO) to amend Chapter A Article II "Definitions"; Chapter B Table 2.6 "Permitted Uses"; Chapter B Section 2-5 "Use Conditions" to create two new child care uses, "Child Care(Drop-in)" and "Child Care (Sick Children)"; and Chapter B Section 2-7 "Temporary Uses" to create a temporary use, "Child Care (Temporary Care)".

BACKGROUND

The changes in our society and labor force related to working parents and the need for flexible working arrangements have created a demand for additional child care options. Current definitions of child care in the UDO include Child Day Care, Small Home; Child Day Care, Large Home; and Child Day Care Center. Each of these require State licensing and each must meet certain UDO requirements (including permitted zones and indoor and outdoor space requirements). Staff became aware of the need for other options when the owner of a business attempted to secure a permit for a "Child Care (Drop-in)" operation. The current UDO definitions and regulations could not accommodate the use at the proposed location. In addition, recent changes in State regulations for child care have not been made in the UDO. A meeting was arranged with the Inspections staff, Planning staff and the State Licensing staff to discuss the specific business needs and other issues related to child day care. The proposed text amendment is the result of that meeting.

REQUEST

Three categories of child care considered in this text amendment are Child Care (Drop-in), Child Care (Sick Children), and Child Care (Temporary Care).

- Child Care (Drop-in) is a child care arrangement where children attend on an intermittent, unscheduled basis. It would provide for a maximum of four hours of care per child per day and is proposed to be permitted as an accessory use to a church or school and in the following zoning districts: CPO, GO, C, MUS, NB, PB, LB, NSB, HB, GB, CB, LI, CPI, GI, CI and IP. The center could choose to provide 35 square feet per child of indoor space in lieu of outdoor play area.
- Child Care (Sick Children) would be allowed as an ancillary use for internal service (care provided by an employer to its employees) and a stand-alone use in the same zoning districts that allow day care centers. The day care arrangement shall provide a satisfactory plan of operation which includes sufficient medical and nursing coverage with due regard to communicable disease control in accordance with State requirements.

- Child Care (Temporary Care) is a child care arrangement on the campus of a church, school, or university which provides either drop-in care or care on a seasonal or other part-time basis. The temporary use permit would allow one 90-day permit per year. The permit could not be renewed in the same year but could be renewed in subsequent years.

ANALYSIS

Although the subject amendment was initiated partially in response to a specific case, the text amendment is proposed to accommodate all potential sites for these uses. The text amendment will accommodate the demand for additional child care options and is consistent with State regulations, will insure the safety of the children, and minimize the impacts on adjoining properties.

RECOMMENDATION

Staff recommends the following:

1. Defining and establishing as principal uses "Child Care (Drop-in)" and "Child Care (Sick Children)"; and defining and establishing as a temporary permitted use "Child Care (Temporary Care)".
2. Establish use conditions for each of the proposed uses which are consistent with State requirements.