

SUBJECT: Proposed text amendment for §1401-01-C2 Child Day Care Home and §1401-01-D Day Care Center of the Zoning Code.

PURPOSE:

To obtain approval from the City Planning Commission (CPC) on a text amendment to §1401-01-C2 Child Day Care Home. The definition of day care home is being amended to be consistent with the State definitions and also to allow for the care of adults in a residential home environment.

PROPOSED TEXT AMENDMENT:

§ 1401-01-C2. Child Day Care Home.

~~“Child care day home” means an establishment located in a dwelling unit where an occupant of the residence provides care and supervision for six or fewer children.~~

Reorder the “C” section of the definitions to account for deletion of Child Day Care Home.

§ 1401-01-D. Day Care Center.

“Day care center” means an establishment other than a Day Care Home, licensed by the State of Ohio when required and providing care and supervision for seven or more persons on a less than 24-hour basis. This classification includes nursery schools, preschools, day care centers for children or adults and any other day care facility licensed by the State of Ohio.

§1401-01-D1. Day Care Home – Adult.

“Day care home – adult” means a day care facility located in a permanent residence where an occupant of the residence provides care and supervision for three or fewer adults at one time with no outside employees.

§1401-01-D2. Day Care Home – Type A.

“Day care home – type A” means a child care facility located in a permanent residence where an occupant of the residence provides care and supervision for seven to twelve children at one time, including children under the age of 6 related to the provider. The provider must be licensed by the State of Ohio Department of Human Services and can have no more than one employee assisting.

§1401-01-D3. Day Care Home – Type B.

“Day care home – type B” means a child care facility located in a permanent residence where an occupant of the residence provides care and supervision for six or fewer children at one time, including children under the age of 6 related to the provider. No employees are permitted.

§ 1401-01-D14 Decision.

“Decision” means a discretionary action by a decision-making body.

Reorder the “D” section of the definition section to account for the new “day care home” definitions.

JUSTIFICATION:

This item was held by the CPC on April 20, 2007 for revisions to the definition of adult daycare and Type A child care homes. The Zoning Text Amendment Committee reviewed the language and removed the words “elderly and or functionally impaired” from the definition of Day Care Home – Adult.

These text amendments deal only with the definition section of the Zoning Code. The use schedules will be addressed in a separate amendment. The definition of a Type A and Type B Day Care Home is consistent with Family Child Care Homes regulated by the Ohio Department of Human Services. The new definitions will allow the City to conditionally permit Type A Day Care Homes in residential districts. The Type B Day Care Homes will continue to be permitted by-right in residential districts and Adult Day Care Homes will be added to the use schedules. Additionally, the definitions of the three types of Day Care Homes will provide the flexibility required to address a need in our communities for both our young and aging populations while protecting residential neighborhoods from incompatible uses.

PUBLIC COMMENTS: A Public Staff Conference was held on November 1, 2007. Several attendees felt that Daycare Home Type B and Adult Daycares should have the hours of operation limited to less than 12 hours per day.

Daycare is needed for the children of second and third shift workers. The Zoning Code restricts Child Day Care Centers to a “less than 24 hour basis”. Daycare homes may be the only option for second and third shift workers.

RECOMMENDATION:

The Department of Community Development and Planning staff recommends that the City Planning Commission approve the text amendments as written.

Respectfully Submitted By:

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Reviewed By:

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3/8/07
ZTAC

Approved:

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