UDC Amendment #26
Allow Family Day Care Home in R-1 and R-MF as Conditional Use

(Norgaad Request)

Chapter 29 – Unified Development Code
Article 3 – Permitted Uses.

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Section 29-3.3 Use-specific Standards.

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29-3.3(j) - Primary Use of Land and Buildings: Family Day Care Center.

This use is subject to the following additional standards:

(1) In the R-1, R-2, R-MH, and A Districts:

(i) Not more than ten (10) children not related to the operator shall be kept. Up to three (3) additional children over the age of two (2) may be kept for up to two (2) hours per day. Up to three (3) additional school-age children may be kept on unscheduled days of school closings; provided that at no time shall more than thirteen (13) children not related to the operator be kept;

(ii) The use shall be permitted only if the rear yard in which the home would operate meets the minimum requirements of this section;

(iii) The use shall be located in a dwelling used by the operator as his or her private residence;

(iv) The operator shall not employ more than one (1) full-time (forty (40) hours per week) assistant who does not reside on the premises or more than two (2) half-time (twenty (20) hours per week) assistants who do not reside on the premises; and

(v) A Family Day Care Center may utilize one (1) sign used for identification purposes, but such sign must be attached flat to the structure, may not be larger than one square foot, and may not be illuminated.

(2) In the R-1, R-2, and R-MF Districts, a family day care home that exceeds the size limit of item (1)(i), above, ~~may~~must be approved as a conditional use.