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AMENDMET TO ZONING CODE
ORDINANCE 2010-12

Zoning Code Amendment Ordinance 2010-12
Point Paper
Child Care Centers
September 16, 2010

Issue:

It has recently come to our attention that day care centers are currently not permitted in the Commercial Core (CC) district of the City Zoning Code.

Background:

Based on our review of the current land development regulations, *Section 4.2 Schedule of Permitted and Conditional Uses by District* permits Day Care Centers in all commercial zoning districts except the CC district and permits them as a Conditional Use in all residential zoning districts. The Zoning Code's definition of Day Care Centers per Section 3.2 is proposed as follows:

Any establishment that provides on a regular basis supervision and care for more than five (5) children unrelated to the operator for a period of less than twenty-four (24) hours a day and which receives a payment, fee or grant for any of the children receiving care and whether or not operated for profit, except that the following are not included: public school and nonpublic schools which are in compliance with the compulsory school attendance law, ~~Chapter 232,~~ Florida Statutes; summer camps having children in full-time residence; summer day camps; and ~~Bible~~ other schools programs normally conducted during vacation periods. The term includes kindergartens, nurseries, nursery schools, day care centers and day nurseries.

Staff Recommendation:

Child care centers are essential support uses which should be available throughout the City. Staff recommends that the use be added to the CC category as a "permitted use".

P & Z Directive:

On August 19, 2010, the Planning and Zoning Board directed City staff to proceed with an amendment to the Zoning Code to include Child Care Centers as a permitted use in the CC zoning district.

Board Alternatives:

1. Make no changes to the Zoning Code at this time.
2. Authorize City staff and City attorney to amend the Zoning Code.

EXISTING ZONING CODE

Sec. 4.2. - Schedule of permitted and conditional uses by district.

X=Permitted use
 C=Conditional use (see Ordinance No. 196)
 —=Prohibited use

Use	Zoning District													
	E-R	RS-1	RS-2	RS-3	RS-4	MHP-1	RM-5	RM-6	GO	CN	CC	CG	CHI	P
<i>Residential support uses</i>														
Child care center	C	C	C	C	C	C	C	C	X	X	—	X	X	X

PROPOSED ZONING CODE

Sec. 4.2. - Schedule of permitted and conditional uses by district.

X=Permitted use
 C=Conditional use (see Ordinance No. 196)
 —=Prohibited use

Use	Zoning District													
	E-R	RS-1	RS-2	RS-3	RS-4	MHP-1	RM-5	RM-6	GO	CN	CC	CG	CHI	P
<i>Residential support uses</i>														
Child care center	C	C	C	C	C	C	C	C	X	X	X	X	X	X