

P12-63

PENDING AMENDMENT

Stedman Zoning Ordinance
Day Care Facilities

CURRENT MEETING INFORMATION:

Public Hearing on October 4, 2012 by the Stedman Board of Commissioners, 6:55 pm, Stedman Town Hall, 5510 Front Street, Stedman

CASE HEADING:

P12-63: REVISION AND AMENDMENT TO THE TOWN OF STEDMAN ZONING ORDINANCE AMENDING ARTICLE III, PERMITTED PRINCIPAL USES AND STRUCTURES, SECTION 3.1. TABULATION OF PERMITTED USES, TABLES 1-A, 1-C AND 1-D; ARTICLE IV. CONDITIONAL USES, SECTION 4.3. CHILDREN'S DAY CARE FACILITIES; AND ARTICLE X. DEFINITION OF TERMS, SECTION 10.2. DEFINITIONS OF SPECIFIC TERMS AND WORDS, SPECIFICALLY: *DAY CARE FACILITY*; AND UPDATING THE TABLE OF CONTENTS IF APPROPRIATE. (STEDMAN 10-4-12*)

ADDITIONAL INFORMATION:

Complete text is attached.

On September 18, 2012 the Joint Planning Board considered the proposed amendment and voted unanimously to recommend approval as attached.

CONTACT INFORMATION:

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P12-63
Town of Stedman
Zoning Ordinance Amendment
(Day Care Facilities)

P12-63: REVISION AND AMENDMENT TO THE TOWN OF STEDMAN ZONING ORDINANCE AMENDING ARTICLE III, PERMITTED PRINCIPAL USES AND STRUCTURES, SECTION 3.1. TABULATION OF PERMITTED USES, TABLES 1-A, 1-C AND 1-D; ARTICLE IV. CONDITIONAL USES, SECTION 4.3. CHILDREN'S DAY CARE FACILITIES; AND ARTICLE X. DEFINITION OF TERMS, SECTION 10.2. DEFINITIONS OF SPECIFIC TERMS AND WORDS, SPECIFICALLY: *DAY CARE FACILITY*; AND UPDATING THE TABLE OF CONTENTS IF APPROPRIATE. (STEDMAN)

AMEND Article III, Permitted Principal Uses and Structures, Section 3.1. Tabulation of Permitted Uses, Tables 1-A, 1-C and 1-D as indicated below:

Strike the word "Children's" from the use entitled: *Children's day care facility*, in Table 1-A, Table 1-C, and Table 1-D to read as:

~~Children's~~ Day care facilities

AMEND Article IV, Conditional Uses, Section 4.3. Children's Day Care Facilities, as indicated below:

SECTION 4.3. ~~CHILDREN'S~~ DAY CARE FACILITIES

(a) For ~~Regardless of any other requirements in this ordinance, the following specific provisions shall be met as minimum standards prior to the approval of any children's day care facilities located facility as a conditional use with~~ in a residentially zoning district, the following provisions must be complied with zoned area:

(1) (a) Minimum lot size shall be: ~~Twenty thousand (20,000)~~ square feet.;

(2) (b) ~~The required Building setback~~ minimum setbacks shall be as follows:

a. Front yard: ~~minimum from any public or private street: Thirty (30)~~ feet from any public or private street;

b. (c) Rear yard setback ~~minimum:~~ Thirty five (35) feet;

c. ~~(d)~~ Side yard setbacks s minimum: Twenty (20) feet; and

d. ~~(e)~~ Corner lots setback minimum from interior lot lines: shall provide a minimum of 30 Twenty (20) feet from both streets;

(3) Subject property must abut and have direct access to a major or minor thoroughfare or higher street classification, as identified in the Highway Plan, for all day care facilities located in residential districts. ~~(f) Minimum distance to another children's day care facility as defined herein, whether conforming or nonconforming, shall be two thousand five hundred (2,500) feet;~~

(b) Day care facilities allowed in zoning districts other than residential districts shall comply with the district dimensional requirements of the zoning district in which the property is located.

(c) ~~(g)~~ Minimum of two paved off-street parking spaces, plus one off-street parking space for each employee, shall be provided. : Two (2) plus one (1) for each employee; Off-street parking shall be provided in accordance with the standards of Article VIII.

(d) ~~(h) Minimum paved off-street loading and unloading area: In addition to the off-street parking area, there~~ There shall be sufficient paved driveway to accommodate at least two motor vehicles (2) autos at one time for the purpose of loading and unloading passengers in addition to any off-street parking area. ;

(e) ~~(i)~~ All children's outside play areas shall be enclosed with at least a four-foot high fence and located only within the side and/or rear yards, provided the yards are not adjacent to a street. The horizontal/vertical spacing in the fence shall be a maximum of four inches and at a minimum the fence must comply with the guard opening limitations for spacing established in the N.C. BLDG CODE § R312.2 (2006). ; and

~~(j) Other conditions as deemed necessary by the Board of Adjustments in accordance with Section 4.2.~~

~~The above requirements are minimum standards which must be met by the applicant and may not be varied by the Board of Adjustment. Once these requirements are met the applicant shall be entitled to a conditional use permit.~~

AMEND Article X, Definition of Terms, Section 10.2 Definitions of Specific Terms and Words, specifically: *Day care facility* as indicated below:

Day care facility: A building or dwelling regularly used for recreational or supervisory care of nine or more persons (adults or children), not including the operator's own family members, during any 24-hour period. It does not matter where it is located, whether the same or different persons attend and whether or not it is operated for profit. The following are not included: public schools; non-public schools, as described in N.C. GEN. STAT. §110-86(2); [day care facilities operated on the principal campus of and in conjunction with a religious worship facilities.](#) summer camps having children in full-time residence; summer day camps; specialized activities or instruction such as athletics, clubs, the arts, ~~etc.~~; and bible schools normally conducted during vacation periods.

(Amd. 11/03/05)