

BOARD OF ALDERMEN

ITEM NO. (1)

AGENDA ITEM ABSTRACT

MEETING DATE: March 13, 2007

**TITLE: Worksession on a Land Use Ordinance Text Amendment to Revise Provisions
Related to Child Day Care Homes and Facilities**

DEPARTMENT: PLANNING	PUBLIC HEARING: YES _ NO <u>X</u>
ATTACHMENTS: A. Resolution B. Committee Report C. Staff Memo D. January 23, 2007 Board of Aldermen Meeting Minutes E. Draft Ordinance	FOR INFORMATION CONTACT: Kendal Brown – 918-7334 Patricia McGuire – 918-7327 Mike Brough – 929-3905

PURPOSE

The Board of Aldermen, at its January 23, 2007 public hearing, considered a request to amend the text of the Land Use Ordinance to revise several current restrictions on child day care homes and facilities, as well as the staff analysis and staff response in the form of a draft ordinance. This item responds to comments made by the Board of Aldermen at the public hearing.

INFORMATION

On May 4, 2004, the Board of Aldermen appointed the Carrboro Childcare Study Committee to make recommendations as to appropriate regulation of childcare facilities in Carrboro, cost-free ways the Town could expand childcare options, and improvement of working conditions for childcare workers.

In March, 2006, the Committee submitted its report to the Board, noting the need for more daycares in Carrboro both now and in the future. Committee's recommendations pertaining specifically to zoning and land development are listed below:

- Allow childcare facilities in all non-industrial zoning districts, including B1-C.
- Define small childcare centers to have 15 or fewer children and large childcare centers to have 16 or more
- Modify screening requirements for small childcare facilities from Type A screening (6 foot fencing) to Type C screening (such as 4 foot fencing with trees planted every 30 feet)
- Require a Zoning Permit (rather than a Special Use Permit) for small childcare centers in commercial zones
- Consider requiring provision of childcare space as a condition for approval of commercial development.

The item was referred to the Planning Board, Transportation Advisory Board, Economic Sustainability Commission, the Appearance Commission, and Orange County staff. The Planning Board, Transportation Board, and Economic Sustainability Commission supported the staff recommendation. Neither the Appearance Commission nor the Orange County staff had any comments.

A public hearing was held on January 23, 2007. There were no comments from the public. The Board of Aldermen made several comments on the draft ordinance and on desired objectives regarding establishment of daycares in Carrboro. The attached staff report lists board member comments and corresponding staff responses.

FISCAL IMPACT

There are no extraordinary costs associated with holding a Board of Aldermen worksession.

STAFF RECOMMENDATION

Possible next steps for the Board are:

- Make no changes to the current ordinance provisions; or
- Adopt the draft ordinance presented on January 23, 2007, representing the staff's response to the Childcare Committee Report and Board comments while balancing the objectives in stated policies such as encouraging small businesses and protecting neighborhoods;
- Give the staff specific direction regarding revising the draft ordinance, direct staff to notify all neighborhoods likely to be affected by amended regulations, and set a public hearing to receive public input.

Regarding the third option, we believe that if regulations are proposed which would permit daycares of 9-15 children to be operated from a home upon issuance of a Zoning Permit, citizens in residential areas would potentially be affected. We believe that neighborhood residents should be notified of this proposal, consistent with the Board's recent direction to notify citizens in and around the downtown of proposed changes to architectural standards for downtown buildings, as well as for allowing ground floor residential in downtown buildings.

At the January 23, 2007 public hearing we recommended the first option. For this work session, we recommend that the Board direct the staff on any follow up action necessary.