

Department of Planning and Zoning

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TO: Planning Commission Ordinance Committee
FROM: Mary O'Neil
DATE: April 7, 2016
RE: Daycare amendments

The purpose of this proposed amendment is to align the definition of Daycare to be consistent with state regulatory review; to assure exemption from zoning requirements as noted, and to affirmatively distinguish daycare use from home occupations.

The recommended text is as follows. New language is **underlined red** and deleted language is crossed out.

Article 3: Applications, Permits and Project Reviews

Section 3.1.2 Zoning Permit Requires

(a) – (b) as written

(c) Exemptions:

The following shall be exempt from the requirements of this Ordinance and shall not be required to obtain a zoning permit:

1-9 as written

10. Family daycare home, serving up to six (6) pre-school plus four (4) school-aged children in a single detached dwelling; or a Family daycare center providing care for children of not more than two families other than that of the person providing the care.

Article 13: Definitions

Day Care Center: (See Article 5 for specific provisions.)

(a) Family Day Care Home:

- i. A ~~state-registered or licensed~~ daycare facility serving up to six (6) pre-school plus four (4) school-aged children.
- ii. A daycare facility providing care for children of not more than two families other than that of the person providing the care.

A family day care shall be considered by right to constitute a permitted accessory use to single detached dwellings, and shall therefore be exempt from zoning permit requirements. See Section 3.1.2 (c).
Family Day Care Centers shall not be considered a home occupation.

(b) and (c) as written.