

SUPPLEMENTAL MEMORANDUM

TO: Zoning Commission

FROM: ^{JLS} Jennifer Steingasser, Deputy Director, Historic Preservation and Development Review

DATE: October 27, 2017

SUBJECT: **ZC-17-20 Child Development Centers: Supplemental OP Set down Report**
Text Amendment to the Daytime Care use category to address the needs of establishing and expanding Child Development Centers.

The Office of Planning (OP) provides the following corrections to the information provided in the October 20, 2017 set down report. In addition, a chart is provided, under separate cover, which compares the 1958 Regulations, the ZR16 Regulations and the proposed changes.

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4. Daytime Care in MU-Use Group D: Remove the limitations in Subtitle U § 510.1 as the intent is to permit daytime care use as a matter of right in MU-Use Group D. The initial proposal retained the “child development home” and the “expanded child development home” within the list of permitted uses. OAG accurately pointed out that it is not necessary to include the two uses based on the proposal to amend MU-Use Group D.

510 MATTER-OF-RIGHT USES (MU-USE GROUP D)

510.1 The following uses shall be permitted in MU-Use Group D as a matter-of-right subject to any applicable conditions:

- (a) Any use permitted as a matter of right in any R, RF, or RA zone and any use permitted as a matter of right for MU-Use Group A;
- ...
- (f) Daytime care uses ~~for no more than five (5) persons, not including resident supervisors or staff and their families, except a child development home or an expanded child development home shall be permitted as an accessory use incidental to the uses permitted in MU-Use Group D; provided:~~
 - ~~(1) — The dwelling unit in which the use is located shall be the principal residence of the caregiver; and~~
 - ~~(2) — The use otherwise shall meet the definition of a home occupation;~~

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5. Daytime Care in MU-Use Group E: In the first paragraph, the referenced subtitle should be Subtitle U § 513.1(n).

In the 1958 Zoning Regulations, child development centers were permitted as a matter of right in the C-2-A, C-2-B, C-2-C and the CG-2 zones at § 701.2 and § 501. In ZR16, daytime care is permitted as a matter of right in MU-Use Group E under Subtitle U § 512.1(c) with a limitation for up to 20 persons and by special exception at Subtitle U § 513.1(~~m~~ n).

5. Daytime Care in MU-Use Group E: In the fourth paragraph, the referenced Use Group in Subtitle U, § 515.1 should be MU-Use Group F.

515 MATTER-OF-RIGHT USES (MU-USE GROUP F)

515.1 The following uses shall be permitted in MU-Use Group ~~E~~ F as a matter-of-right subject to any applicable conditions:

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First paragraph, retain Subtitle K § 913.2 as it is the introductory paragraph to the section and K § 913.2(a) references animal sales.

913 SPECIAL EXCEPTION USES (WR)

913.2 The following uses shall be permitted as a special exception WR-2, WR-3, WR-4, and WR-5 zones if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, subject to any applicable provisions of each section:

(a)

OP requests the flexibility to work with the Office of Attorney General on the Public Hearing Notice language.