

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

**TIME AND PLACE: Monday, September 15, 2008, @ 6:30 p.m.
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001**

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Z.C. Case No. 08-16 – (Text Amendment to Modify Definitions of Child Development Home and Child Development Center)

THIS CASE IS OF INTEREST TO ALL ANCS

On May 30, 2008, the Office of Zoning received a report that served as a petition from the Office of Planning requesting text amendments to the Zoning Regulations to modify the definitions of Child Development Home and Child Development Center. The Office of Planning report stated the purpose of the amendments is to make the zoning definitions consistent with the definitions found in the regulations governing the licensure and inspection of these facilities found in Title 29 of the District of Columbia Municipal Regulations, Chapter 3.

At its regular public meeting held June 9, 2008, the Zoning Commission setdown this case for a public hearing.

The proposed amendments to the Zoning Regulations are as follows, with addition to existing provisions shown in **bold and underlined** text:

CHAPTER 1, THE ZONING REGULATIONS, §199 Definitions, is amended by modifying the definitions of Child development home and Child/Elderly development center as follows:

Child development home - a dwelling unit used in part for the licensed care, education, or training of no more than ~~five (5)~~ **six (6)** individuals fifteen (15) years of age or less. Those individuals receiving care, education, or training who are not related by blood, marriage, or adoption to the caregiver shall be present for less than twenty-four (24) hours per day. This definition encompasses facilities generally known as a child care center, day-care center, pre-school, nursery school, before-and-after school programs, and similar programs and facilities.

Child/Elderly development center - a building or part of a building, other than a child development home or elderly day care home, used for the non-residential licensed care, education, counseling, or training of individuals two (2) years old

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or older but under the age of fifteen (15) years of age and/or for the non-residential care of individuals age 65 or older, totaling ~~six (6)~~ **seven (7)** or more persons, who are not related by blood or marriage to the caregiver and who are present for less than twenty-four (24) hours per day. This definition encompasses facilities generally known as child care centers, pre-schools, nursery schools, before-and-after school programs, senior care centers, elder care programs, and similar programs and facilities. A child/elderly development center includes the following accessory uses: counseling, education, training, and health and social services for the person or persons with legal charge of individuals attending the center, including, but not limited to, any parent, spouse, sibling, child, or legal guardian of such individuals.

Proposed amendments to the Zoning Regulations of the District of Columbia are authorized pursuant to Section 1 of the Zoning Act of June 20, 1938, (52 Stat. 797); D.C. Official Code § 6-641.01.

The public hearing on this case will be conducted as a rulemaking in accordance with the provisions of Section 3021 of the District of Columbia Municipal Regulations, Title 11, ZONING. Pursuant to that section, the Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file their intention to testify in writing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

Information should be forwarded to the Secretary of the Zoning Commission, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C., 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, CURTIS L. ETHERLY, JR., GREGORY N. JEFFRIES, PETER G. MAY, AND MICHAEL G. TURNBULL, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.