

Section 46-67 – Definitions.

Family day care home or family childcare home means a private home in which one (1) but fewer than seven EIGHT (8) minor children are received for care and supervision for compensation for periods of less than TWENTY-FOUR (24) hours a PER day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family childcare home includes a home in which care is given to an unrelated minor child for more than four (4) weeks during a calendar year. A family childcare home does not include an individual providing babysitting services for another individual. As used in this subsection, the phrase "providing babysitting services" means caring for a child on behalf of the child's parent or guardian when the annual compensation for providing those services does not equal or exceed \$600.00 or an amount that would according to the internal revenue code of 1986 obligate the child's parent or guardian to provide a form 1099-MISC to the individual for compensation paid during the calendar year for those services.

Group day care home means a private home in which more than six (6) EIGHT (8) but not more than twelve (12) FOURTEEN (14) minor children are given care and supervision for periods of less than twenty-four (24) hours a PER day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.

Section 46-6 – Special Land Uses.

- (9) Group day care homes, as defined in 46-67, may be permitted by the Planning Commission as an accessory use to a principal residential use in the R-LD and R-MD, One Family Residential Districts, R-HD, Multiple Family Residential District, R-PC, Residential Planned Community District, OS, Office Service District and the CBD, Central Business District, with the issuance of a special land use permit which complies with the requirements of this Section, all applicable standards of the district in which it is located, and the following conditions:
- a. The state licensee shall occupy the dwelling as a residence and shall operate the day care home.
 - b. If the day care home is located on a major thoroughfare, the driveway shall be designed so that vehicles can exit the site without having to back onto the street.
 - c. The hours of operation shall be limited to the TIME period between 6:00 a.m. and 8:00 p.m.
 - d. No signs shall be permitted.
 - e. The group day care home shall not be located closer than 1,500 feet from another group day care home. The distance required shall be measured from the respective point on each property line that is nearest to the other.

- f. No more than ~~one (1)~~ TWO (2) employee shall be permitted on the premises at any time, ~~and any vehicle owned by such~~. Employee VEHICLES must be parked in ON an approved PARKING area on the premises OF THE GROUP DAY CARE HOME. The ~~above~~ limitation on the number of employees does not include immediate family members of the licensee that are employees and occupy the dwelling as ~~his~~ THEIR permanent PRIMARY residence.
- g. The facility provides and maintains on the lot not less than NINE HUNDRED (900) square feet of outdoor play space.
- h. The outdoor play space shall be confined to the side and rear yards and shall be enclosed by a four (4) foot high fence that complies with ~~all~~ THE requirements of Section 46-9.