

Amends Sec. 5.030, Table Note [4] to remove 25-foot setback for Day cares from other lots in R Districts.

Section 5.030 Lot and Building Regulations

5.030-A Table of Regulations

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[4] Non-residential uses requiring special exception approval in R zoning districts, **excluding Day Cares**, require minimum 25-foot building setback from R-zoned lots that are vacant or occupied by residential uses. **Day Cares are not subject to the required 25-foot building setback.**

Amends Table 15-2 to allow Day Cares by right in OL Districts.

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
Homeless center	S	S	S	S	S	S	S	S	S	S	S	Section 40.130
Life care retirement center	S	P	P	P	P	P	P	P	-	-	-	
Re-entry facility	S	P	P	P	S	S	S	S	P	S	S	
Residential treatment center	S	P	P	P	S	S	S	S	P	S	S	Section 40.130
Rooming/boarding house	S	P	P	P	P	P	P	P	-	-	-	
Shelter, emergency and protective	S	S	S	S	S	S	S	S	S	S	S	Section 40.130
Transitional living center	S	P	P	P	S	S	S	S	P	S	S	Section 40.130
PUBLIC, CIVIC AND INSTITUTIONAL												
Airport	S	S	S	S	S	S	S	S	S	S	S	
Cemetery	S	S	S	S	S	S	S	S	S	S	S	Section 40.150
College or University	S	P	P	P	P	P	P	P	S	S	S	Section 40.070
Day Care	SP	P	P	P	P	P	P	P	S	S	S	Section 40.120

Amends Sec.30.010-I.2 to allow the addition of a Day care as an allowed Minor amendment to a PUD.

30.010-I Amendments to Approved Plans

1. Major Amendments

Any change or amendment that represents a significant departure from an approved PUD development plan requires review and approval of a PUD zoning district map amendment and development plan, including all requirements for fees, notices and hearings.

2. Minor Amendments

- a.** The planning commission is authorized to approve minor changes and amendments to an approved PUD development plan as long as a substantial compliance is maintained with the approved PUD development plan.
- b.** In instances where the city council has expressly imposed a PUD condition more restrictive than originally recommended by the planning commission, any minor amendment of that specific condition must be approved by the city council.
- c.** The following may be processed as minor amendments:
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(16) Addition of Day Cares as an allowed use.

Amends Sec. 35.040-D to allow Day cares the same lot and building regulations of a Detached house and re-defines Family Child Care Home to have up to 12 children.

35.040-D Day Cares

Uses providing care and supervision for children or adults for a fee on a regular basis away from their primary residence for less than 24 hours per day. ~~Examples of day care uses include adult day care centers, as defined in the Oklahoma Adult Day Care Act; child care facilities, family child care homes and large family child care homes, as defined in the Oklahoma Child Care Facilities Licensing Act and OAC 340:110-3-81; provided that~~ uses providing care and supervision for children or adults for 24 hours per day or longer are classified as group living uses. ~~Day camps are also classified as day care uses.~~ Day cares are subject to the same lot and building regulations that apply to detached houses, except as modified by supplemental regulations of Section 40.120. Family Child Care Homes provide care and supervision for 12 or fewer children for less than 24 hours per day and are accessory uses regulated by Section 45.070.

1. Family Child Care Home

~~A day care use that is accessory to a household living use and that provides care and supervision for 7 or fewer children for less than 24 hours per day. See Section 45.070.~~

2. Day Camps

~~As defined in the Oklahoma Child Care Facilities Licensing Act, programs that serve only school-age children and operate during regular school vacations for no more than 12 hours per day.~~

Amends Sec. 40.120 to remove the additional lot area requirement for a Day camp and add additionally supplemental regulations for day cares.

Section 40.120 Day Cares

~~Day camps require a minimum lot area of one acre in AG, AG-R, RE or RS zoning districts.~~ When a Day care use is located inside an R or AG-R Zoning District outdoor child play equipment may not be located or stored in the street yard. See also the (accessory use) family child care home regulations of Section 45.070.

Amends Sec. 45.070 to allow an additional employees at the site of a Family child care Home and allows Family Child Care Home to have up to 12 children

Section 45.070 Family Child Care Homes

- 45.070-A** Family child care homes must be an accessory use to an allowed household living use and be licensed by the State of Oklahoma.
- 45.070-B** Applicants for family child care homes must obtain a zoning clearance permit and a certificate of occupancy before commencing operation.
- 45.070-C** Family child care homes may provide supervision for no more than **7 12** children.
- ~~**45.070-D** No person may be employed other than a member of the household residing on the premises a non-resident, substitute caregiver, as may be required for family child care homes by the State of Oklahoma.~~
- 45.070-ED** Signs advertising a family child care home are prohibited.
- 45.070-FE** No exterior building alterations or site modifications may be made that would change the residential character of the premises.
- 45.070-GF** A family child care home may not be established on any lot located within 300 feet of another lot occupied by a family child care home if any boundary of the subject lot abuts the same street. For purposes of this provision, "street" means any named or numbered street along its full length, regardless of any intervening streets. State-licensed family child care homes lawfully established on or before October 22, 1985 that would be prohibited by the distance separation requirements of this section, are allowed to continue to exist and operate.

Amends 70.040-I to allow the addition of a Day care as an allowed Minor amendment to a Development Plan.

70.040-I Amendments to Approved Development Plans

1. Minor Amendments

- a.** The planning commission is authorized to approve amendments to approved development plans as minor amendments if the planning commission determines that substantial compliance is maintained with the approved development plan. The following is a non-exhaustive list of changes that may be considered as minor amendments:

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(11) Addition of Day Cares as an allowed use.

