



# Chatham County, NC

## Legislation Details (With Text)

**File #:** 23-4900      **Version:** 1

**Type:** Agenda Item      **Status:** Passed

**File created:** 8/7/2023      **In control:** Planning

**On agenda:** 8/21/2023      **Final action:** 8/21/2023

**Title:** Vote on a request by planning staff to schedule a public hearing on September 18 to consider amendments to the Chatham County Zoning Ordinance; specifically, Sections 7.2 Definitions and 10.13 Table of Permitted Uses to make changes to in-home childcare regulations and setbacks.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Redline Zoning 2

Date	Ver.	Action By	Action	Result
8/21/2023	1	Board of Commissioners	approved	Pass

Vote on a request by planning staff to schedule a public hearing on September 18 to consider amendments to the Chatham County Zoning Ordinance; specifically, Sections 7.2 Definitions and 10.13 Table of Permitted Uses to make changes to in-home childcare regulations and setbacks.

**Action Requested:**

Vote on a request by planning staff to schedule a public hearing on September 18 to consider amendments to the Chatham County Zoning Ordinance; specifically, Sections 7.2 Definitions and 10.13 Table of Permitted Uses to make changes to in-home childcare regulations and setbacks.

**Introduction & Background:**

From time to time the Chatham County Zoning ordinance needs to be updated to adapt to the changing needs of county residents. There are times when staff notice minor errors or “housekeeping” items that need to be addressed. The changes shown in the attached redline document are meant to address the concerns of county staff and residents with regards to starting and operating in-home childcare centers, also known as family daycare centers. The redline document shows the new definitions that will be added to the Zoning Ordinance as well as the updates to the Table of Permitted Uses.

The NC General Statues defines Child Care (G.S. § 110-86) as a program or arrangement where three or more children less than 13 years old, who do not reside where the care is provided, receive care on a regular basis of at least once per week for more than four hours but less than 24 hours per day from persons other than their guardians or full-time custodians, or from persons not related to them by birth, marriage, or adoption. In-Home Childcare is defined as a childcare arrangement located in a residence where, at any one time, more than two (2) children, but less than nine (9) children, receive childcare.

### **Discussion & Analysis:**

County staff met with the Chatham County Partnership for Children in early July 2023 to discuss the organization's concerns with the onerous permitting and regulatory restrictions imposed on residents trying to open and operate in-home childcare centers. Additionally, there are grant funds available from state agencies for county residents wishing to operate a childcare facility in their home. With the influx of grant funds, and the anticipated increase in demand for in-childcare facilities, these amendments are intended to make it easier for facility owners to move through the permitting process. Currently, in-home or family daycare centers must have a Special Use Permit. The text amendment would allow them by right. This change is specific to planning, and operators would still have to satisfy the requirements of other county departments.

Planning staff has suggested two new definitions and some adjustments to the Table of Uses. These changes are shown in the attached redline document. The housekeeping items are related to language in the definitions of Front Setback and Setback, removing the words "or edge of access easement." This language is superfluous and causes procedural issues for planning staff.

### **How does this relate to the Comprehensive Plan:**

Provide equitable access to high-quality education, housing and community options for all.

### **Recommendation:**

Vote to schedule a public hearing on September 18 to receive comments on amendments to the Chatham County Zoning Ordinance; specifically, Sections 7.2 Definitions and 10.13 Table of Permitted Uses to make changes to in-home childcare regulations and setbacks.