



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 19, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - TXT-36167 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Title 19.04.010 Land Use Tables is hereby amended as follows:

**Table 2 Land Use Table
Institutional and Community Service**

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Child Care - Family Home (1-6 Children)	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
	P	P	P	P	P	P	P	P	P	P	P										
	Description: A residential dwelling used primarily as a residence which also provides day or overnight care for a maximum of 6 children for compensation. Such a use is subject to the child care regulations and standards of the <u>State of Nevada, Department of Finance and Business Services, including the ability to provide care for up to 3 additional children before and after school hours</u> On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.																				

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Child Care Family Group Home (7-12 Children)	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
	S	S	S	S	S	S	S	S	S	S											
	Description: A residential dwelling used primarily as a residence which also provides day or overnight care for a minimum of 7 children and a maximum of 12 children for compensation. Such a use is subject to the child care regulations and standards of the <u>State of Nevada, Department of Finance and Business Services, including the ability to provide care for up to 3 additional children before and after school hours</u> . Minimum Special Use Permit Requirements: *1. The minimum lot size shall be 6500 square feet. *2. The site shall be designed so that all loading and unloading of passengers occurs on-site. *3. In order for this use to be conducted on a parcel developed with multi-family housing, the child care must be provided within a separate structure. *4. The use shall be subject to the child care regulations and standards of the <u>State of Nevada, Department of Finance and Business Services</u> . 5. Access to the facility shall be by means of a right-of way with a width of 60 feet or less. 6. The use of outdoor play areas shall be limited to the hours between 6:00 A.M. and 10:00 P.M. 7. All lighting shall be designed so it does not shine directly onto any abutting residential property. On-site Parking Requirement: One space for each staff member, plus one space for each 6 children.																				

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USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Child Care Center	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
	S	S	S	S				S	S	S	S	S	C	C	C	P	P	P	P	P	P
	Description: Any commercial facility which provides day or overnight care for more than 12 children. Such a use is subject to the child care regulations and standards of the <u>State of Nevada, Department of Finance and Business Services</u>. Conditional Use Regulations: 1. Access to the child care center shall be by means of a collector street or larger. 2. The maximum lot coverage shall not exceed 30 percent. 3. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking must be approved by the City Traffic Engineer prior to the issuance of any building permits. 4. Where structures or play areas have residential adjacency: a. An 8-foot high block wall shall be installed along the common property line, with an additional buffer of evergreen trees along the play area. The trees shall be a minimum of 24-inch box, shall be installed at a minimum of 20 feet on center, and shall be a variety that will grow together to form a visual screen. b. The building entrance and access shall be oriented away from residential uses on local streets. c. Outdoor play shall be limited to daylight hours. d. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property. On-site Parking Requirement: One space for each staff member, plus one space for each 10 children.																				

2. Title 19.20.020 Words and Terms Defined is hereby amended as follows:

"Child Care Group Family Home (1-6 Children)" means a residential dwelling used primarily as a residence which also provides day or overnight care for a maximum of six children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada, Department of Finance and Business Services, ~~including the ability to provide care for up to three additional children before and after school hours.~~

"Child Care - Group Home (7-12 Children)" means a residential dwelling used primarily as a residence which also provides day or overnight care for a minimum of seven and a maximum of twelve children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada, Department of Finance and Business Services, ~~including the ability to provide care for up to three additional children before and after school hours.~~

"Child Care Center" means any commercial facility which provides day or overnight care for more than twelve children. Such a use is subject to the child care regulations and standards of the State of Nevada, Department of Finance and Business Services.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to amend Table 2 of Title 19.04.010 and Title 19.20 to modify references to the Child Care uses.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/07/09	The City Council adopted Ordinance #6022 in Title 6.24.05 and 6.24.10 which established a framework for transitioning the licensing and regulation of child care facilities within the city to the Nevada Bureau of Services for Child Care; to provide a prospective repealer of the citys child care regulations; and to provide for other related matters. The repealer became effective on 05/08/09.
11/05/09	The Planning Commission held this item in abeyance.

ANALYSIS

By modifying references for child care uses, the proposed amendment would bring consistency to Table 2 of Title 19.04.010 and Title 19.20 to references in Title 6.24.010, which were recently updated on 01/07/09 by Ordinance 6022.

Beginning on 01/01/09, all new license applications for Child Care Facilities were sent and processed by the Nevada Bureau of Services for Child Care, as to applications approved, all subsequent licensing and regulatory activity regarding those licensees will be addressed by the Bureau. Beginning 05/08/09, all licensing and regulatory activities otherwise occurring under Chapter 6.24 will proceed under the jurisdiction, authority and regulations of the Bureau. To bring consistency to the child care uses in Table 2 of Title 19.04.010 and Title 19.20, the reference to the Department of Finance and Business Services has been replaced with the State of Nevada.

Currently, the child care uses are referenced differently in Table 2 of Title 19.04.010 and Title 19.20. In Table 2 of Title 19.04.010, the child care uses are referenced as Child Care Family Home while in Title 19.20 definitions, they are referenced as Child Care- Group Home. Therefore, the proposed amendment would modify "Child Care Family Home (7-12 Children)" in Title 19.04.010 to be referenced as Child Care- Group Home (7-12 Children). This is consistent with the reference of Child Care Group Home in Title 6.24.010.

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In addition, the proposed amendment would modify Child Care Group Home (1-6 Children) in Title 19.20 to be referenced as Child Care Family Home (1-6 Children). This is consistent with the reference of Child Care Family Home, which were in Title 6.24.010, before it was repealed on 05/08/09.

FINDINGS

The proposed text amendment will achieve the following:

- Amend Table 2 of Title 19.04.010 and Title 19.20 to modify references to the Child Care uses.

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.04.010 - Land use tables	• Child Care Family Home (7-12 children)	• Change to Child Care Group Home (7-12 children) to be consistent with Title 6.24.010
Title 19.20.020 Words and Terms Defined	• Child Care Group Home (1-6 children)	• Change to Child Care- Family Home (1-6 children) to be consistent with Title 6.24.010
Title 19.20.020 Words and Terms Defined	• Reference to Department of Finance and Business Services in Child Care Uses	• Change reference to State of Nevada

NOTICES MAILED

NEWSPAPER ONLY

APPROVALS

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PROTESTS

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