

VILLAGE OF HOMEWOOD



BOARD AGENDA MEMORANDUM

DATE OF MEETING: November 26, 2024

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: MC-ORD – Text Amendment – Child Care Centers in B-2 Downtown Transition District

PURPOSE

The property at 18341 Dixie Highway operated as a childcare center from 1990 until 2020. The property is currently zoned R-2 Single-family Residence zoning district. Childcare centers are not permitted in the R-2 district. Homewood’s zoning ordinance currently allows child care centers as a special use only in the B-3 General Business district. This property is not adjacent to the B-3 district and could not be re-zoned into that district. To allow the child care center to operate at this location, an amendment to the zoning text is required. Staff recommends allowing child care centers as a special use with limitations in the B-2 district.

PROCESS

The current zoning ordinance, adopted in 2023, modified where child care centers are permitted to operate within the Village of Homewood. The former ordinance allowed child care centers as a special use in all single-family residential and commercial districts. Today, the ordinance only allows child care centers as a special use in one commercial zoning district. No childcare centers are currently permitted in residential districts, except as home daycares operating as a permitted home occupation.

Staff assessed neighboring communities’ codes, and found the following:

- All communities studied allow child care centers as a special use in most commercial districts. All communities allow child care centers in “neighborhood” or “community” commercial districts (similar to Homewood’s B-2 and B-3 districts)
- All communities include home day cares as a permitted home occupation in single-family districts, most with restrictions on size and location, which is consistent with Homewood’s zoning ordinance.
- Homewood’s current zoning requirements for child care centers are significantly more restrictive than those found in other communities in the region, especially in the number of commercial districts where child care centers are permitted.

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On November 21, 2024, the Planning and Zoning Commission considered the requests in a public hearing. All commission members were present and voted unanimously with all members present (7 -0) to recommend approval.

OUTCOME

At the public hearing, the Planning and Zoning Commission reviewed the application, heard testimony from Village staff, considered responses to the Standards outlined in Section 44-07-10 of the Homewood Zoning Ordinance, and determined that the text amendment is in conformance with the aforementioned Standards.

Staff has prepared the *draft* findings of fact following the standards outlined in Section 44-07-11 of the Village Zoning Ordinance for special use permit applications.

1. The Village of Homewood Zoning Ordinance was adopted on January 11, 2023.
2. The amendment to Table 44-03-04 of the Homewood Zoning Ordinance permits the operation of *child care center* uses in the B-3 General Business zoning district.
3. *Child care center* uses will remain prohibited in the B-1 Downtown Core, B-4 Shopping Center, and all residential zoning districts.
4. All *child care center* uses permitted in the B-3 General Business zoning district as amended would be required to comply with applicable use-specific standards set forth in Section 44-04-04 and Section 44-08-11 of the Homewood Zoning Ordinance to receive approval of a special use permit by the Board of Trustees.
5. Section 44-05-01(C) of the Homewood Zoning Ordinance lists all *child care center use* categories as subject to a parking requirement of 1 parking space per 300 square feet of gross floor area.
6. Child care center uses would be subject to restrictions on minimum gross floor area, and limitations to operate only in single-use and free-standing buildings for commercial child care centers in the B-2 district.
7. The Village of Homewood consulted peer communities, engineering standards, input from other practitioners, and guidance on best practices to assess this amendment.
8. The proposed text amendment is an outcome of the meeting of the Planning and Zoning Commission, conducted on November 21, 2024.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

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LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass an ordinance amending the text of the Zoning Ordinance:

- a. Amend Table 44-03-04 of the Village Zoning Ordinance to add child care centers as a special use within the B-2 Downtown Transition zoning district; and
- b. Amend Section 44-04-06 Child Care Center of the Homewood Zoning Ordinance to add the following standards for child care centers:
 - (1) The center shall operate in a single-use principal building in the B-2 Downtown Transition zoning district;
 - (2) The center shall operate in a freestanding building in the B-2 Downtown Transition zoning district; and
 - (3) Child Care Centers shall be at least 3,000 square feet in gross floor area.

ATTACHMENT(S)

Ordinance