



Memorandum

To: Zoning Committee of the Planning Commission (ZOCO) **Date:** January 18, 2019

From: Kimberly Vacca, Associate Planner

Subject: Child Care Initiative Zoning Ordinance Amendment

Introduction

Staff is proposing to amend the Arlington County Zoning Ordinance to eliminate or reduce land use barriers that currently hinder opening, expanding, and operating child care programs in Arlington. This study is part of a comprehensive countywide effort called the Child Care Initiative (CCI). At the December 11, 2018 Zoning Committee (ZOCO) meeting, staff provided background on the CCI and discussed local and state child care regulations to give context for the proposed Zoning Ordinance Amendment. At the January 30, 2019 ZOCO meeting, staff will discuss the first phase of associated proposed Zoning Ordinance amendments related to family day care homes and center-based child care programs as follows:

| Family Day Care Homes | Center-based Child Care Programs |
|--|---|
| <ul style="list-style-type: none"> • Amending the Zoning Ordinance definition • Expanding the maximum number of children from nine to 12 • Modifying the development review process to allow family day care homes by right for nine or fewer children and requiring a use permit for homes with 10-12 children • Adding land use standards • Adding parking requirements • Allowing family day care homes in the RA7-16 zoning district | <ul style="list-style-type: none"> • Amending the Zoning Ordinance definition • Amending parking requirements • Allowing flexibility from parking requirements |

This memo discusses the topics listed above in separate sections to discuss their regulatory background, existing land use regulations, and the proposed amendments to the Zoning Ordinance. This memo also briefly describes other technical modifications, such as updates to the use permit review process, which fall outside the purview of the Zoning Ordinance. Overall, this set of proposed regulatory changes result from staff conducting a comprehensive analysis of Arlington County's Zoning Ordinance and development review processes which aligns and supplements direction outlined in the CCI Action Plan. In total, these changes will help clarify regulations, create consistency among multiple districts, and improve organization within the Zoning Ordinance.

Child Care Definitions

Background

In Arlington County, child care programs are regulated by the Arlington County Zoning Ordinance and Chapters 52 and 59 of the Arlington County Code. Chapters 52 and 59 are administered by the Department of Human Services (DHS). In 1975, the County Board adopted Chapter 52 which regulates center-based child care programs, including child care centers, preschools, nursery schools, parents-day-out programs, and cooperative playgroup programs. Shortly thereafter, in 1977 the County Board adopted Chapter 59 which provides for the licensing and regulation of family day care homes.

Zoning regulations for child care have evolved over time to meet changing demands. The following provides a brief overview of the child care definition chronology:

- The first Zoning Ordinance (adopted in 1930) did not indicate a use specific to child care.
- The 1950 Zoning Ordinance incorporated child care uses by allowing “schools (private, elementary, and high), kindergartens, and day nurseries” as conditional uses in the R-20 One-Family Dwelling Zoning District. Because the Zoning Ordinance was pyramidal, the uses allowed in the R-20 Zoning District were allowed in most other R and RA districts.

The 1950 Zoning Ordinance did not define “day nurseries” nor provide guidance for other types of child care uses. As such, any program providing care for children was considered to be a day nursery during this time, including both family day care homes and child care centers.

- In 1960, the Zoning Ordinance was amended to add “nursery school” as a conditional use. A nursery school was defined as “any place, however designated, operated for the purpose of providing training, guidance, education, or care for 4 or more children under 6 years of age, separated from their parents or guardians during any part of the day other than from 6 p.m. to 6 a.m., including kindergartens, day nurseries, and day care centers.” As such, all family-based and center-based child care programs were considered nursery schools and were required to meet the age and hours of operation requirements set by the definition.
- In 1993, definitions for “child care center” and “family day care home” were added to the Zoning Ordinance to better coordinate with County Code Chapters 52 and 59. Due to the

age and hour of operations restrictions set forth in the nursery school definition, the addition of a child care center definition allowed for more flexibility in programming and operations for center-based child care programs. As a result, the current Zoning Ordinance references only two types of center-based programs (nursery schools and child care centers), and does not specify other forms of child care such as extended day/before- and after-school programs or other programs licensed in County Code Chapter 52: parents-day-out programs and cooperative play groups. The Zoning Administrator considers these types of center-based programs as child care centers based on the flexibility of the child care center definition.

Although the Zoning Ordinance has separate definitions for nursery schools and child care centers, it does not provide separate use standards or regulations to differentiate the review processes or requirements for each type of center-based program. As such, staff reviews use permits for all center-based child care programs in a similar manner to determine the land use impacts of each proposal. Additionally, staff recommends applying, and the County Board has approved, the same use permit conditions for all center-based programs which have included the provision of one off-street parking space per employee, designation of a community liaison, and submission of a parking management plan regardless of the type of program.

The differences between the types of center-based programs are established in County Code Chapter 52 and include the age and number of children and the hours of operation of the program. While the characteristics of each center-based program are slightly different, these factors are reviewed during the use permit review process because the County requires that child care programs include these details in their use permit submittal package. As such, the Zoning Ordinance does not need to differentiate between the types of center-based programs for staff and the County Board to understand their land use impacts.

Summer Camps

As part of the initial phase of work on the CCI, staff uncovered that summer camps are being categorized as child care centers, thus requiring approval of a use permit to operate. The Zoning Administrator treats summer camps as child care centers because the current child care center definition is written broadly enough to include the use; however, this was highlighted as a potentially unnecessary requirement for summer camps. Staff included summer camps as part of the CCI to determine whether the use should continue to be categorized as a child care center or as a separate use. Summer camps are not licensed by the County's Child Care Office, are not regulated by County Code Chapter 52, and are a short-term use, operating on a seasonal basis in tandem with a principal use, such as a community center or private business.

Proposed Zoning Ordinance Amendment

Staff proposes to modify child care definitions in the Zoning Ordinance and provide several clarifying modifications to uses associated with child care.

Center-Based Child Care Programs

Staff proposes to eliminate the nursery school and child care center definitions and create a singular "child care center" definition to consolidate all types of center-based child care programs into one definition. The proposed child care center definition seen below aligns with County Code Chapter 52 and the Code of Virginia:

“Any facility, but not including family day care homes, operated for the purpose of providing non-medical care, protection, and guidance to two or more children separated from their parents or guardians for less than a 24-hour period.”

The proposed definition encompasses child care centers, nursery schools, preschools, before- and after-school or extended day programs, cooperative play groups, and parents-day-out programs. Consolidating these programs into one definition provides technical clarity and consistency within the Zoning Ordinance and with local and State licensing regulations and will improve overall administration of child care programs. The proposed amendments to County Code Chapter 52 also consolidate the varying types of center-based child care under a singular “child care center” definition. Additionally, the proposed child care definition is consistent with how many other local jurisdictions regulate child care in their zoning ordinances.

Family Day Care Homes

Staff proposes to amend the “family day care home” definition to better align with County Code Chapter 59 and the Code of Virginia. The changes specify the maximum number and age of children, eliminate the existing requirement to operate for a minimum of 10 hours per week, and require that at least one child receives care for compensation. The proposed family day care home definition is:

“Any dwelling unit where 12 or fewer children under the age of 13, not related by blood, adoption, or marriage to the person who resides in and maintains the home, are received for care, protection, and guidance during only part of the 24-hour day, on a regular basis when at least one child receives care for compensation.”

Other Uses Similar to Child Care

Day Camps: Staff proposes to create a definition for summer camps (day camps), categorize day camps in the Day Care use category in Section (§) 12.2.4.C., and allow day camps as a short-term use subject to general short-term use standards in §12.10.2 and proposed use standards in §12.10.8. The proposed amendment clarifies that day camps would not be considered child care centers and thereby would no longer require a use permit. The proposed day camp definition in §18.2 states the following:

“Day camp. A program temporarily operated or used for the entertainment, education, recreation, religious instruction or activities, physical education, or health of children.”

In staff’s perspective, a day camp should not be regulated as a child care center because it operates on a temporary, seasonal basis; is not subject to the licensing requirements in County Code Chapter 52; and does not have the same level of impact to the surrounding environment as a full-time child care center. The proposed amendment to §12.10.8. states that “day camps shall be allowed to operate for four consecutive months or less” to ensure that proposed day camps operate as a short-term use. Changing day camps to a short-term use will also require that any proposed application would be reviewed for consistency with the general short-term use standards in §12.10.2. which includes standards related to parking, vehicular and traffic congestion, hazards, lighting, and emergency services.

Studios/Classes: Staff proposes to add text to §12.2.4.C. to clarify that dance, art, fitness/wellness, gymnastic, or music studios or classes for children are categorized as retail, personal service uses and not child care centers. While the Zoning Ordinance currently lists these uses as retail, personal service uses in §12.2.5.G., the public expressed confusion about whether the broadness of the existing child care center definition encompasses programs that cater to children. Overall, the proposed amendments to the Zoning Ordinance would provide consistency in how these uses are reviewed and approved in the future.

Accessory Child Care Uses

Staff proposes to clarify the type of child care programs that qualify as accessory uses in the Zoning Ordinance. Currently the Zoning Ordinance lists child care as an accessory use under ten broad use categories in §12.2., including:

- | | |
|---------------------------|-----------------------------------|
| 1. Community service | 6. Social service institutions |
| 2. Government facilities | 7. Offices |
| 3. Hospitals | 8. Light industrial services |
| 4. Religious institutions | 9. Warehouse and freight movement |
| 5. Schools | 10. Wholesale trade |

This means that child care in a general sense could be an accessory use for any of the principal uses listed in the 10 use categories above. “Child care,” however, is referenced as an accessory use inconsistently throughout §12.2. in the following ways:

- Child care
- Child care and therapy areas
- Day care
- Before- and after-school child care
- On-site child care, schools, or facilities where children are cared for while parents or guardians are occupied on the premises or a site-sponsored special event, but not on a daily basis
- On-site child care, schools, or facilities where children are cared for while parents or guardians are occupied on the premises

While none of the accessory use tables in the Zoning Ordinance list child care (except for family day care homes as noted above), §12.2.1. states that accessory uses in §12.2 are allowed in conjunction with principal uses unless otherwise stated in the regulations or in the use tables. In practice, this has been applied to mean that uses determined to be incidental to, and clearly an extension of, the primary use can be considered an accessory use. However, the vagueness of this language has led to some circumstances where child care centers were permitted as an accessory use by right. This is problematic and inconsistent with other provisions of the Zoning Ordinance where all of the principal use tables in the Zoning Ordinance allow child care centers by approval of a use permit.

The varying child care terminology throughout §12.2 has resulted in inconsistent application of child care uses over time. To improve clarity, staff proposes to modify the use categories that currently allow child care as an accessory use to standardize the language for the types of child

care programs that qualify as an accessory use. The proposed text allows the following as an accessory use:

“On-site child care, schools, or facilities where children are cared for while parents or guardians are occupied on the premises, but not on a daily basis.”

This would allow child care as a by right, accessory use for programs that care for children on an irregular basis and are not regulated by Chapter 52. An example of such a program includes fitness centers that have a room dedicated for children to play and socialize under adult supervision. Thus, child care centers that operate full-time and are licensed by County Code Chapter 52 are not allowed as accessory uses and must obtain County Board approval of a use permit.

Development Review Process and Maximum Number of Children in Family Day Care Homes

Proposed Zoning Ordinance Amendment

In order to increase the availability of child care in Arlington County, staff proposes the following amendments to the Zoning Ordinance:

- Expand the maximum number of children in family day care homes from nine to 12;
- Allow family day care homes by right up to nine children; and
- Modify the special exception use permit requirement for family day care homes from homes with six or more children to homes with 10 or more children.

Maximum Number of Children: To address Arlington’s undersupply of available and affordable child care, staff proposes to expand the number of children allowed in family day care homes from nine to 12 which will address a number of concerns and comments heard from early outreach efforts during the process. Expanding the maximum number of children will increase Arlington’s potential child care supply, align with the maximum set by the State, provide potential additional revenue for providers and additional child care jobs in homes that are able to increase their capacity, increase opportunities for children to play together, and help address the County’s lengthy child care wait lists.

By increasing the maximum capacity per home in the Zoning Ordinance, there is potential for the overall supply of child care slots in Arlington to increase; however, this does not mandate that each provider offer the full capacity. Furthermore, the maximum capacity will continue to ultimately be determined by other factors including the license requirements from the County’s Child Care Office and the Virginia Department of Social Services (VDSS), and requirements set by the Virginia Uniform Statewide Building Code during the certificate of occupancy permit process. These processes are designed to ensure that the County and State are reviewing proposed family day care homes for conformance with licensing and quality of care standards and require annual inspections of the home. Furthermore, not all homes will be able to accommodate up to 12 children, as the Virginia Uniform Statewide Building Code requires a minimum of 35 square feet per child to be dedicated to the child care use. Because of this minimum, multi-family dwelling units are typically only able to accommodate up to three children while single-family homes can accommodate larger numbers. The proposed increase also aligns with many other local jurisdictions in the region as Arlington County and the City of

Alexandria are the only two jurisdictions in the D.C. Metro area that have a maximum of nine children. Staff does not find that the increase would result in diminished quality of child care, as many of the programmatic and quality of care requirements would still be in effect by Chapter 59.

Review Process: Staff also proposes to modify the development review process for family day care homes. As mentioned in the memo distributed for the December 11, 2018 ZOCO meeting, the use permit requirement is perceived as a significant barrier to many child care providers. Some child care providers are confused by the process and/or intimidated by the public hearing that they either choose not to open a family day care home or provide child care at a number below that which requires use permit approval. The existing Zoning Ordinance requires family day care homes to obtain a use permit if they choose to provide care to six or more children. This requirement was established in 1993 to align with the State's licensing requirements that were set in 1977.

To understand whether a use permit should continue to be required at six children, staff evaluated the potential land use impacts of family day care homes based on the number of children in the home. Land use impacts typically include pick-up/drop-off, congestion on nearby streets, on-street parking, and noise from outdoor play. Currently, family day care homes with up to nine children have operated without significant land use impacts on the surrounding community. Over the past ten years, the County Board has never denied a use permit for a family day care home nor has a use permit review been discontinued for reasons other than providers choosing to cease operations. The number of children and staff in family day care homes with six to nine children has also not been a concern. Existing family day care homes with six to nine children have between two to three staff; of the programs with nine children, 64% have three staff. Complaints to the County from the community have been minimal once family day care homes begin to operate likely because many of the child care staff commute to work using alternative forms of transportation and pick-up/drop-off of children occurs largely in the dedicated on-site parking space required by use permit conditions.

Family day care homes with up to nine children have consistently operated without significant disruption to their surrounding neighborhoods. This compatibility leads staff to recommend increasing the number of children allowed by right from five to nine. Staff recommends retaining the use permit requirement for homes with 10 to 12 children. Family day care homes with 10 or more children will likely require at least three staff, including resident employee(s), due to the proposed amendments to County Code Chapter 59's teacher-child ratios. Family day care homes tend to provide care to children under two years of age, which require higher numbers of staff, versus center-based programs which tend to have a greater share of three- to five-year-old children, which requires lower numbers of staff. Staff proposes to require a use permit for homes with 10 children due to the larger number of required staff on-site at one time and the greater need for on-site space dedicated for pick-up and drop-off. As will be discussed in the family day care homes use standards section, staff finds that parking and pick-up/drop-off impacts for homes with 10 to 12 children will best be reviewed through the use permit process, where particular circumstances that may require mitigation can be addressed through use permit conditions more aptly than through creation of use standards and a by-right approval process.

Family Day Care Homes in the RA7-16 Zoning District

Background

The Zoning Ordinance includes 37 zoning districts which allow a range of single- and multi-family residential, public, commercial/mixed-use, and/or industrial uses. Family day care homes with five or fewer children are permitted by right in 33 districts and are prohibited in all industrial zoning districts and the RA7-16 multiple-family zoning district (see Figure 2). Family day care homes with six to nine children are allowed by right as an accessory use in 3 out of 37 zoning districts, require approval of a use permit by the County Board in 31 districts, and are prohibited in the remaining three industrial districts. As such, the RA7-16 zoning district is the only non-industrial zoning district where a family day care home with up to five children is not a permitted use.

Figure 2. Zoning Districts

| Zoning District | | Family-Based Program (<5 children) | Family-Based Program (6-9 children) |
|---------------------------------------|---------------|------------------------------------|-------------------------------------|
| Residential Districts | All Districts | P | U |
| Multiple-Family Districts | RA14-26 | P | U |
| | RA8-18 | P | U |
| | RA7-16 | -- | U |
| | RA6-15 | P | U |
| Public Districts | All Districts | P | P |
| Commercial/Mixed-Use Districts | All Districts | P | U |
| Industrial Districts | All Districts | -- | -- |

| Legend | |
|--------|--------------------|
| P | Permitted By-Right |
| U | Use Permit |
| -- | Prohibited |

In June 1961, the County Board established the RA7-16 zoning district to create a district with predominantly multi-family residential uses. At the time of adoption, the RA7-16 zoning district was more restrictive than other residential zoning districts because it did not allow single-family residential uses and permitted residential uses by right that were “apartment houses as permitted and regulated in the RA14-16 District.” Prior to 1993, the Zoning Ordinance did not define or enumerate family day care homes and the use was classified as a nursery school if it had four or more children.

When family day care homes were added to the Zoning Ordinance as an enumerated use in 1993, staff included family day care homes with five or less children as a by-right use in the R-20 zoning district of which *most* other zoning districts were dependent and built upon. Because the RA7-16 zoning district did not build upon the R-20 zoning district, family day care homes with five or less children were not permitted. During the Zoning Ordinance update process in 2011-2015, staff did not evaluate whether this omission in the RA7-16 zoning district should be maintained.

Proposed Zoning Ordinance Amendment

To align with the overall staff recommendation to amend the maximum number of children and the development review process for family day care homes, staff recommends amending the

RA7-16 zoning district to allow family day care homes with nine or fewer children by right and allow homes with 10 to 12 children with County Board approval of a use permit. Allowing family day care homes with one to five children by right would allow the use at a lesser intensity than what is already permitted in the Zoning Ordinance which allows family day care homes with six to nine children through approval of a use permit.

Currently, the RA7-16 zoning district totals slightly over 100 acres on nine sites throughout the county. Within this district, there are over 3,220 dwelling units with a mix of apartments and condominiums, and a small number of less than 50 townhouses. While family day care homes with six to nine children are allowed within this district, none of the units currently have a family day care home with six to nine children. Staff presumes that this is due to the inherent difficulties with meeting the minimum square footage building code requirements in a multi-family unit. As such, the proposed Zoning Ordinance amendment would expand the number of units eligible to operate a family day care home by approximately 3,220 units in Arlington County.

Family Day Care Home Use Standards

Proposed Text Amendment

Staff proposes to amend §12.9.9. to create new use standards for family day care homes. The proposed use standards are necessary to shift to a by-right process for up to nine children as described above and the standards will mitigate potential land use and transportation impacts on the surrounding community. Pages 14-15 of Attachment 2 include the proposed use standards in §12.9.9. of the Zoning Ordinance.

Staff received targeted feedback from the community on use standards for family day care homes at the September 2018 community meeting and online survey as well as at the November 2018 Civic Association/BID focus group sessions (see Attachment 3). Staff presented a variety of potential options for use standards based on the County's existing use standards and permit conditions for family day care homes as well as use standards implemented by other local jurisdictions nationwide. Overall, respondents expressed a desire to not over-regulate family day care homes and to maintain the performance standards customarily applied to family day care homes via County Board approved use permit conditions if the review process shifted from a use permit requirement to a by-right process. The largest concerns expressed from residents about family day care homes were noise, parking, and pick-up/drop-off.

Staff's proposed use standards for family day care homes maintain a number of the existing use permit conditions for family day care homes and create new use standards to facilitate predictability for providers, neighbors, and the County when approved by-right family day care homes. Two of the five proposed use standards are existing use permit conditions for family day care homes, which include requiring that parents or providers escort children to and from the home and that one off-street parking space is available for pick-up and drop-off.

One of the new proposed use standards requires that family day care homes provide fencing if on-site outdoor play space is provided. Arlington County Code Chapter 59 requires that family day care homes provide "space indoors and outdoors for the child to play," but does not specify whether the outdoor play space needs to be located on-site or off-site. As such, family day care home providers can either provide outdoor play space on-site or use nearby playgrounds, park, or open space to meet this requirement.

In addition to this requirement, County Code Chapter 59 requires that the outdoor play space is safe and fenced; however, fencing shall not be required if the applicant can show that the play area provides proper protection from traffic and other hazards. While Chapter 59 does not define what constitutes “proper protection” or “other hazards,” staff from the Child Care Office stated that compliance is typically met by either having a fence on-site or by using off-site outdoor play space, such as a playground or park. If applicants who do not have a fence choose not to build one, the Child Care Office will typically require that they meet their outdoor play space requirements off-site. Additionally, VDSS licensing regulations require that family day care homes must provide a non-climbable barrier at least four feet high around outdoor play areas located within 30 feet of hazards such as streets with speed limits greater than 25 miles per hour, streets with heavy traffic, or railroad tracks (Section 22VAC40-111-500, Code of Virginia).

As such, staff proposes a use standard that would require family day care homes to provide fencing if the operator chooses to meet the outdoor play space requirements on-site. The proposed use standard will help to ensure safety of the children, serve as a physical boundary that keeps children on-site, and will provide a physical and visual barrier to surrounding neighbors. Requiring fencing will help to alleviate concerns from neighboring residents for by-right family day care homes and will ensure that a barrier exists between properties. This requirement will not apply to family day care homes that use communal on-site outdoor play areas, such playgrounds in multi-family apartment complexes.

The proposed Zoning Ordinance Amendment also requires homes with six to 12 children to meet three additional standards that address communication requirements, parking, and pick-up/drop-off. Staff proposes a use standard that requires family day care home providers to give their contact information to nearby civic associations. This would facilitate direct connections for civic associations with local family day care homes and supplement existing online directories. Providing contact information to civic associations will help to create easier and better communication between family day care homes and their surrounding neighborhood. This requirement is also typically included in use permit conditions for center-based child care programs. Lastly, the two use standards that address parking and pick-up/drop-off are proposed to ensure that family day care homes do not impede traffic flow and are built to accommodate the number of children coming to the site daily.

Parking Requirements

This section discusses the existing parking requirements for center-based and family-based child care programs as well as the proposed amendments to the Zoning Ordinance related to parking.

Background

Section 14.3.7.A. of the Zoning Ordinance regulates off-street parking for all development in Arlington County through minimum parking requirements for each use. Regarding child care, the Zoning Ordinance includes parking standards for nursery schools; no other parking standard was added for center-based programs or family-based programs when prior amendments were adopted. Historically, staff has consistently determined that child care centers are most similar to nursery schools, which require one off-street parking space per employee, and thus have been required to meet the same parking ratio. Unlike many other land uses, the parking ratio requirement cannot be modified by the County Board through the use permit process, although

the Board can allow off-site parking for child care programs if the required parking cannot be accommodated on-site. For additional information about parking and pick-up and drop-off, see pages 32-34 of *Child Care in Arlington County: A Land Use Research Report* (Land Use Research Report) available on the [CCI website](#).

In addition to the feedback collected through the CCI engagement process that the Zoning Ordinance’s parking ratios and lack of flexibility to modify the requirement are significant barriers to center-based programs, child care providers stated that a ratio based on the number of employees is confusing. The existing parking ratio for nursery schools is only meant to calculate the number of required parking spaces and does not require that parking shall only be dedicated for employees. Contrary to this assertion, providers stated that County staff would inconsistently interpret the Zoning Ordinance and/or use permit conditions and sometimes require that the dedicated off-street parking must be used for employees only. Providers requested that staff evaluate whether the metric of “per employee” should be modified to either “per children” or “per X square feet” to eliminate this confusion.

As for family day care homes, standard use permit conditions based on long standing practice typically require one off-street parking space despite the Zoning Ordinance’s omission of a parking ratio for family day care homes. Staff typically proposes this requirement with County Board approval to alleviate pick-up and drop-off impacts on the surrounding neighborhood.

Proposed Text Amendment

To address the parking barriers for child care operations, staff proposes to amend the Zoning Ordinance’s parking requirements for both center-based and family-based child care programs. For center-based programs, staff proposes to modify the Zoning Ordinance’s parking ratio from one space per employee to one space per eight children. The proposed parking ratio was developed from data obtained from the center-based child care survey conducted in the summer of 2018. Survey results showed that only 64% of child care staff were driving alone to work while the remaining 36% commuted by transit, biking, carpooling, or walking; the percentage decreased to 57% when analyzing child care programs within a ½-mile of a Metro station. Using the existing teacher-child ratio requirements in County Code Chapter 52 for center-based child care programs, a child care center with 100 children could require anywhere from 10 to 34 staff, or 22 staff on average. Knowing that approximately 60% of staff are commuting by car, only 13 spaces would be needed to accommodate parking needs which equates to one space per eight children. To understand how the proposed parking ratio compares to other jurisdictions, Figure 3 shows how many parking spaces would likely be required for a 10,000-square-foot child care center.¹

¹ Based on assumptions on page 48 of the Land Use Research Report

Figure 3. Parking Requirements for Child Care Centers

| Standard | Jurisdiction | Parking Ratio | # of Parking Spaces |
|------------------|--|---|---------------------|
| # of Employees | Arlington County (existing) | 1 space per employee | 40 |
| | Loudoun County | 1.5 spaces per day shift employee | 60 |
| | City of Baltimore | 1 space per 4 employees on peak shift | 10 |
| # of Children | Arlington County (proposed) | 1 space per 8 children | 25 |
| | Fairfax County | 0.19 spaces per child for schools with enrollment of <99 children 0.16 spaces per child for schools with enrollment of 100> children | 32 |
| | Prince William County | 1 per 5 children up to 40 children, then 1 per 10 children | 24 |
| Gross Floor Area | Montgomery County | 3 spaces per 1,000 sq. ft. of GFA | 30 |
| | City of Alexandria | Within the enhanced transit area: | 3 |
| | | • 0.25 spaces per 1,000 sq. ft. of GFA Outside the enhanced transit area: | 8 |
| | City of Falls Church | 1 space per 125 sq. ft. of GFA, plus 2 for employees | 82 |
| Washington, D.C. | 0.5 spaces per 1,000 sq. ft., with a minimum of 1 space required | 5 | |

Changing the parking requirement for center-based programs to one space per eight children will require less parking than what is currently required in the Zoning Ordinance and will eliminate confusion about whether parking needs to be dedicated for employees, all users, or pick-up/drop-off purposes.

Staff also proposes to allow the County Board to reduce parking requirements for center-based programs through the use permit process. The proposed amendments to §14.3.7.C. would allow the County Board to reduce required parking or allow off-site parking under certain conditions. Staff proposes to use a 1/3-mile radius around transit stops as the catchment area for flexibility as this aligns with the majority of transit walkshed academic research that shows transit ridership peaks anywhere between ¼-mile to ½-mile radius. Additionally, staff proposes to allow parking reductions near bus stops along high-frequency routes as many child care employees commute to work using the bus system and would not need to use off-street parking spaces. Paired with this amendment are two new definitions in §18.2. for “high-frequency bus route” and “peak commuting hours.” Staff recognizes that transit service and frequencies may change over time, however, eligibility for parking reductions will be determined at the time of submittal of a use permit.

Overall, the proposed amendment seeks to encourage use of alternative forms of transportation by employees and parents, allows additional flexibility from the Zoning Ordinance’s parking requirements, and removes a significant, costly barrier to opening or expanding a child care program if the provider knows its business model can support fewer parking spaces. The proposed amendment was reviewed for consistency with the Master Transportation Plan and is consistent with the following goals and policies:

Master Transportation Plan

- **Goal 2:** Provide more travel choices and reduce the relative proportion of single-occupant-vehicle (SOV) travel through Transportation Demand Management (TDM), telecommuting, and travel shifts to other modes including transit, carpooling, walking, and bicycling.

Master Transportation Plan: Parking and Curb Space Management Element

- **Policy 6:** Ensure that minimum parking needs are met and excessive parking is not built.
 - **Implementation Step H:** Ensure that parking levels approved below those amounts set forth in the Zoning Ordinance are ameliorated by shared parking agreements, increased TDM contributions, and/or similar alternative mitigations and community benefits.
 - **Implementation Step I:** Study existing parking ratio requirements and TDM measures and practices to determine if adjustments should be made based upon expected need.
- **Policy 8:** Allow reduced parking space requirements for new development in close proximity to frequent transit service and exemplary access by non-motorized travel modes and car-sharing vehicles.
- **Policy 9:** Maximize the sharing of parking spaces, including in private parking lots and garages, by various users throughout the day and night.

Use Permit Review Process

Staff proposes to amend the use permit review process for child care programs to streamline the process and eliminate a perceived child care barrier. The County's use permit review process is explained on pages 36-38 of the Land Use Research Report. Staff proposes to eliminate the 3-year and 5-year use permit County Board review and add a 3-year administrative review for both center-based and family-based child care programs. The staff report for the March Planning Commission and County Board hearings will further describe staff's recommendation and analysis, however, staff included this recommendation in this memo to prepare and inform ZOCO of the proposed modification.

Engagement Process

Per the County's "Six Step Approach for Public Engagement," staff chose the *Involve* level of engagement for the proposed Zoning Ordinance amendment with various levels of Communicate, Consult, and Involve throughout the process. This level of engagement is appropriate given that the proposed amendment will have a countywide impact on the location and operation of child care programs and stakeholder groups were diverse including center-based and family-based child care providers, parents, residents, multiple County departments, and partnership groups.

Staff held a series of community engagement efforts with a wide variety of stakeholders. Attachment 1 in the memo from the December 11th ZOCO meeting outlines the community outreach conducted thus far, however, the significant meetings are highlighted below:

- The CCI Work Group and Leadership Roundtable discussed the proposed Zoning Ordinance amendments at their December 19th and 20th meetings. Comments from the Work Group involved understanding what qualifies as queuing and how it affects neighbors. Overall, the Work Group overwhelmingly supported the proposed Zoning Ordinance Amendment. Comments from the Leadership Roundtable were minimal and overall overwhelmingly supported the proposed Zoning Ordinance Amendment.
- Staff held a meeting with family-based and center-based child care providers on December 17, 2018 to discuss the proposed changes; 23 child care providers attended the meeting. Comments from attendees included support to allow flexibility from the parking requirement, concern with having to obtain a use permit in order to expand their family day care home from nine to 12 children, and questions about the stakeholders who participated in developing a parking ratio for center-based programs.
- The Transportation Commission reviewed the sections of the proposed Zoning Ordinance amendment related to parking as an informational item on November 29, 2018. Commissioners expressed an interest in requiring zero parking for center-based child care programs in order for the private market to determine parking needs or, at a minimum, reduce the proposed 1 space per 6 children parking ratio to better align with parking ratios in the City of Alexandria or Washington, D.C. Commissioners expressed general support for allowing the County Board to have parking flexibility for center-based programs, and emphasized that staff should conduct a parking study of existing center-based programs to better understand their parking and pick-up/drop-off needs. Based on this feedback, staff reevaluated its proposed ratio and determined that reducing the parking requirement for center-based programs from 1 space per 6 children to 1 space per 8 children would be an appropriate minimum.
- Staff facilitated two focus group meetings with Civic Association and BID presidents on November 15, 2018 to discuss several options to amend the Zoning Ordinance and County Code. Three Civic Association representatives attended and expressed support for allowing family day care homes with up to 12 children by right with minimal use standards. Two attendees stated that they would desire zero parking requirements for center-based programs in order to let the private market determine parking and pick-up/drop-off needs.

Anticipated Schedule

- February 23, 2019** County Board Request to Advertise
- March 4, 2019** Planning Commission final consideration and recommendation
- March 16 & 19, 2019** County Board final consideration and action

| <u>Attachments</u> |
|---|
| Attachment 1: Question & Answer Matrix |
| Attachment 2: Strikethrough/Underline of the Proposed Zoning Ordinance Amendment |
| Attachment 3: Results from the September 2018 Community Meeting and Online Survey |

Attachment 1. Question & Answer Matrix

1. Describe the major changes staff is proposing to the County’s licensing regulations in County Code Chapters 52 and 59.

The Department of Human Services (DHS) is seeking to align the County Code with VDSS’ licensing requirements, except for:

- Center-based/family-based child care teacher-to-child ratio requirements
- Center-based child care group sizes
- Center-based child care lead teacher qualifications

2. What are the existing and proposed changes to teacher-to-child ratio requirements in the County Code?

Tables 1 and 2 show the existing and proposed County Code and VDSS requirements for teacher-to-child ratios in center-based and family-based programs as of December 20, 2018.

| Table 1. Center-Based Child Care Programs | | | |
|---|-----------------------|-----------------------|------|
| Age | Chapter 52 – Existing | Chapter 52 – Proposed | VDSS |
| Birth through 15 months | 1:3 | 1:3 | 1:4 |
| 16 months through 23 months | 1:3 | 1:4 | 1:5 |
| 2 years | 1:5 | 1:8 | 1:8 |
| 3 years | 1:8 | 1:10 | 1:10 |
| 4 years | 1:10 | 1:10 | 1:10 |
| 5 years | 1:10 | 1:18 | 1:18 |
| 6 – 8 years | 1:15 | 1:18 | 1:18 |
| 9 – 12 years | 1:15 | 1:20 | 1:20 |

| Table 2. Family Day Care Home Child Care Programs | | | |
|---|---|--|---|
| Age | Chapter 59 – Existing (Max. of 6 points per caregiver) | Chapter 59 – Proposed (Max. of 16 points per caregiver) | VDSS (Max. of 16 points per caregiver) |
| Birth through 15 months | 2 points per child (1:3) | 5 points per child* (1:3) | 4 points per child (1:4) |
| 16 months through 23 months | 2 points per child (1:3) | 4 points per child (1:4) | 3 points per child (1:5) |
| 2 – 4 years | 1 point per child (1:6) | 2 points per child (1:8) | 2 points per child (1:8) |
| 5 – 9 years | 1 point per child (1:6) | 1 point per child (1:12) | 1 point per child (1:12) |

*There shall be no more than nine (9) children from birth through 15 months of age in care at any one time, including the provider’s own children and children who reside in the home. When nine (9) children from birth through 15 months of age are in care, no other children may be in care.

3. What are the outdoor play space requirements for child care?

Center-based child care programs are required to provide a safe, fenced play area of 75 square feet per child and may stagger play times to meet area size requirements. While Chapter 52 regulates the size of the play space and quality of equipment, the code does not provide direction about the proximity of play space to the child care program and whether such play space must be on-site. As such, some center-based programs have met their outdoor play space requirements by using off-site playgrounds or open space areas. Family-based child care programs do not have a minimum square footage requirement for outdoor play space, but do require that a safe, fenced outdoor play area be provided if the provider chooses to have outdoor play space on-site.

4. What are the differences between the types of center-based child care programs?

The differences between the types of center-based programs are established in County Code Chapter 52 and include the age and number of children and the hours of operation of the program. County Code Chapter 52 also currently provides varying standards for the quality of the child care program, such as director and teacher qualifications, nutrition and food services, group sizes, teacher-to-children ratios, and daily programming; these requirements and standards, however, are not included in the Zoning Ordinance or evaluated during the use permit review process.

| Center-Based Program | County Code 52 Regulations | | |
|--------------------------|----------------------------|-----------------|---------------|
| | Hours of Operation | Age of Children | # of Children |
| Child Care Center | All hours | 0-18 years | 2+ children |
| Preschool/Nursery School | < 4 hours | 2, 3, 4 years | 5+ children |
| | < 6.5 hours | 5 years | |
| Parents-Day-Out | < 6.5 hours | 0-5 years | 5+ children |
| Cooperative Playgroup | < 3 hours | 0-5 years | 5-15 children |

5. What is the age range of children who are cared for in child care facilities? Does the age of children in a center-based or family-based facility have relevance from a zoning perspective?

The typical ages of children in child care programs range from infancy to five, or the ages prior to enrollment in the K-12 public education system. Planning staff reviews the age of children in proposed child care programs because it affects the number of required on-site staff, thereby affecting parking and pick-up/drop-off.

6. Are minimum parking requirements calculated based on the number of full-time employees, part-time employees, or the combination of these two employee groups?

Per direction in Section 14.3.5.B. of the Zoning Ordinance, parking spaces are calculated using the total maximum number of employees on the premises at any one time. The types of employee (part-time vs. full-time) is irrelevant to this calculation.

Attachment 2. Strikethrough/Underline of Proposed Amendments

* * *

Approved amendments are shown with **bold underline** to denote new text, and **~~bold strikethrough~~** to denote deleted text. Text moved from one location to another is shown with **red** to show the new location and **~~bold strikethrough~~** to show the original location.

Where paragraphs are added or deleted, all subsequent paragraphs are renumbered accordingly, and all references throughout the Ordinance are updated accordingly.

* * *

Article 4. Public (P) Districts

§4.1. Public (P) Districts Use Tables

§4.1.2 Public (P) districts principal use table

Table §4.1.2 lists the principal uses allowed within the P districts.

G. Use Categories

All of the use categories listed in the table below are described in §12.2. The first column of the use table lists the sub-categories. The second column of the use table lists the specific use types included within the respective sub-categories.

| PUBLIC (P) DISTRICTS PRINCIPAL USE TABLE | | | | | |
|--|--|------|-----|-----|---------------|
| Use Category | Specific Use Types | S-3A | S-D | P-S | Use Standards |
| KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted | | | | | |
| Public, Civic and Institutional Use Categories (§12.2.4) | | | | | |
| Day Care (See §12.2.4.C) | All day care uses <u>Child care centers</u> | U | | U | §12.4.1 |
| | <u>Adult day care programs</u> | U | | U | |

§4.1.4. Public (P) districts accessory uses table

Accessory uses in Public (P) districts shall include the following uses, activities and structures:

| Public (P) Districts Accessory Uses | | | | |
|--|------|-----|-----|---------------|
| Specific Use Types | S-3A | S-D | P-S | Use Standards |
| KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted | | | | |
| Telecommunications antennae, building and ground mounted | U | U | U | |
| <u>Family day care homes (10 to 12 children)</u> | U | U | U | §12.9.9 |
| <u>Family day care homes (up to nine children)</u> | P | P | P | §12.9.9 |

Article 5. Residential (R) Districts

§5.1. Residential (R) Districts Use Tables

§5.1.2. Residential (R) districts principal use table

Table §5.1.2. lists the principal uses allowed within the R districts.

H. Use categories

All of the use categories listed in the table below are described in §12.2. The second column of the use table lists some of the specific use types included within the respective use categories.

| RESIDENTIAL (R) DISTRICTS PRINCIPAL USE TABLE | | | | | | | | | | |
|--|--|------|------|-------|-----|-----|-----|---------|------|---------------|
| Use Category | Specific Use Types | R-20 | R-10 | R-10T | R-8 | R-6 | R-5 | R15-30T | R2-7 | Use Standards |
| KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted | | | | | | | | | | |
| Public, Civic, and Institutional Use Categories (See §12.2.4) | | | | | | | | | | |
| Day Care (See §12.2.4.C) | All day care uses <u>Child care centers</u> | U | U | U | U | U | U | U | U | §12.4.1 |
| | <u>Adult day care programs</u> | U | U | U | U | U | U | U | U | |

§5.1.4. Residential (R) districts accessory use table

Accessory uses in residential (R) districts shall include the following uses, activities and structures:

| RESIDENTIAL (R) DISTRICTS ACCESSORY USE TABLE | | | | | | | | | | |
|--|--|------|------|-------|-----|-----|-----|---------|------|---------------|
| Use Types | | R-20 | R-10 | R-10T | R-8 | R-6 | R-5 | R15-30T | R2-7 | Use Standards |
| KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted | | | | | | | | | | |
| Family day care homes (six to nine <u>10 to 12</u> children) | | U | U | U | U | U | U | U | U | §12.9.9 |
| Family day care homes (up to five <u>nine</u> children) | | P | P | P | P | P | P | P | P | §12.9.9 |

Article 6. Multiple-Family (RA) Districts

§6.1. Multiple-family (RA) Districts Use Tables

§6.1.2. Multiple-family (RA) districts principal use table

Table §6.1.2. lists the principal uses allowed within the RA districts.

H. Use categories

All of the use categories listed in the table below are described in §12.2. The second column of the use table lists some of the specific use types included within the respective use categories.

| Multiple-family (RA) Districts Use Table | | | | | | |
|--|--|---------|--------|--------|--------|---------------|
| Category | Specific Use Types | RA14-26 | RA8-18 | RA7-16 | RA6-15 | Use Standards |
| KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted | | | | | | |
| Public, Civic and Institutional Use Categories (§12.2.4) | | | | | | |
| Day Care (See §12.2.4.C) | Child care centers <u>Child care centers</u> | U | U | U | U | §12.4.1 |
| | Nursery schools and preschools <u>Adult day care programs</u> | U | U | U | U | §12.4.1 |

§6.1.4. Multiple-family (RA) districts accessory use table

Accessory uses in residential apartment (RA) districts shall include the following uses, activities and structures:

| MULTIPLE-FAMILY (RA) DISTRICTS ACCESSORY USE TABLE | | | | | |
|--|---------|--------|--------|--------|---------------|
| Use Types | RA14-26 | RA8-18 | RA7-16 | RA6-15 | Use Standards |
| KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted | | | | | |
| Family day care homes (six to nine <u>10 to 12</u> children) | U | U | U | U | §12.9.9 |
| Family day care homes (up to five <u>nine</u> children) | P | P | P | P | §12.9.9 |

Article 7. Commercial/ Mixed Use (C) Districts

§7.1. Commercial/Mixed Use (C) Districts Use Tables

§7.1.2. Commercial/mixed use (C) districts principal use table

Table §7.1.2. lists the principal uses allowed within the C districts.

H. Use categories

All of the use categories listed in the table below are described in §12.2. The second column of the use table lists some of the specific use types included within the respective use categories.

| COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE | | | | | | | | | | | | | | | | | | | | | |
|--|--|-----|------|----------|-------|-----|-------|-------|---------|---------|---------|-----|-------|-------------|------------------|-----|------|-----|-----|---------------|---------|
| Specific Use Types | RA4.8 | R-C | RA-H | RA-H-3.2 | C-1-R | C-1 | MU-VS | C-1-O | C-O-1.0 | C-O-1.5 | C-O-2.5 | C-O | C-O-A | C-O ROSSLYN | C-O CRYSTAL CITY | C-2 | C-TH | C-3 | C-R | Use Standards | |
| KEY: C = requires use permit and site plan approval; P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted | | | | | | | | | | | | | | | | | | | | | |
| Public, Civic, and Institutional Use Categories (See §12.2.4) | | | | | | | | | | | | | | | | | | | | | |
| Day Care (See §12.2.4.C) | <u>All day care uses</u> <u>Child care centers</u> | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | §12.4.1 |
| | <u>Adult day care programs</u> | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | |

§7.1.3. Commercial/mixed use (C) districts accessory use table

Accessory uses in commercial/mixed use (C) districts shall include the following uses, activities and structures:

| COMMERCIAL/MIXED USE (C) DISTRICTS ACCESSORY USE TABLE | | | | | | | | | | | | | | | | | | | | | |
|--|-------|-----|------|----------|-------|-----|---------|-------|---------|---------|---------|-----|-------|-------------|------------------|-------|--------|-------|-------|---------------|---------|
| Use Types | RA4.8 | R-C | RA-H | RA-H-3.2 | C-1-R | C-1 | MU-VS * | C-1-O | C-O-1.0 | C-O-1.5 | C-O-2.5 | C-O | C-O-A | C-O ROSSLYN | C-O CRYSTAL CITY | C-2 * | C-TH * | C-3 * | C-R * | Use Standards | |
| KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted | | | | | | | | | | | | | | | | | | | | | |
| Family day care homes (six to nine <u>10 to 12</u> children) | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | U | §12.9.9 |
| Family day care homes (up to five <u>nine</u> children) | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | §12.9.9 |

Article 8. Industrial (M) Districts

§8.1. Industrial (M) Districts Use Tables

§8.1.2. Industrial (M) districts principal use table

Table §8.1.2. lists the principal uses allowed within the M districts.

G. Use categories

All of the use categories listed in the table below are described in §12.2. The second column of the use table lists some of the specific use types included within the respective use categories.

| INDUSTRIAL (M) DISTRICTS PRINCIPAL USE TABLE | | | | | |
|--|---|----|-----|-----|---------------|
| Use Category | Specific Use Types | CM | M-1 | M-2 | Use Standards |
| KEY: P = allowed by-right; U = requires use permit approval; S = requires site plan approval; Blank cell = not permitted | | | | | |
| Public, Civic and Institutional Use Categories (§12.2.4) | | | | | |
| Day Care (See §12.2.4.C) | All day care uses Child care centers | U | U | U | §12.4.1 |
| | Adult day care programs | U | U | U | |

Article 11. Overlay and Form Based Code Districts

§11.1. CP-FBC, Columbia Pike Form Based Code District

§11.1.6. Columbia Pike Form Based Code districts accessory use table

Accessory uses in Columbia Pike Form Based Code districts shall include the following uses, activities and structures.

COLUMBIA PIKE FORM BASED CODE DISTRICTS ACCESSORY USE TABLE

| Use Types | CP-FBC | Use Standards |
|--|--------|---------------|
| Family day care homes (six to nine <u>10 to 12</u> children) | U | \$12.9.9 |
| Family day care homes (up to five <u>nine</u> children) | P | \$12.9.9 |

Article 12. Use Standards

§12.2. Use Categories

§12.2.4. Public, civic and institutional use categories

B. Community service

1. Characteristics

Community services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community, neighborhood or a specific segment of the community. Generally, they provide the service on-site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community services or facilities that have membership provisions are open to the general population of the community or neighborhood and/or the general public, to join at any time, (for instance, any senior citizen could join a senior center). Such uses may provide special counseling, education, or training of a public, nonprofit or charitable nature.

2. Examples

Examples of Community Service include community centers; libraries; museums and art galleries or studios; cultural exhibits; philanthropic institutions; recreation centers; senior centers; swimming pools; and youth club facilities.

3. Accessory uses

Accessory uses include associated offices; caretaker residence; food preparation and dining facilities; health, arts and crafts, ~~child care~~ and therapy areas; **on-site child care, schools, or facilities where children are cared for while parents or guardians are occupied on the premises, but not on a daily basis**; indoor or outdoor recreation and athletic facilities; limited retail sales; meeting areas; and parking.

4. Uses not included

Animal care facilities, veterinary clinics, animal hospitals (see Retail, Personal Service); athletic or health clubs (see Retail, Personal Service); churches, mosques, synagogues, or temples (see Religious Institutions); counseling in an office setting (see Office); membership clubs and lodges (see Entertainment); public parks (see Parks and Open Areas); repair garages, storage or repair yards or warehouses (see Light Industrial Service); soup kitchen (see Social Service Institutions); treatment centers, transient lodging or shelters for the homeless (see Social Service Institutions).

C. Day Care

1. Characteristics

Day care uses provide care, protection, and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours each day.

2. Examples

Examples of day care include adult day care programs, child care centers, **(before- and after-school or extended day programs, cooperative play groups, parents-day-out programs, nursery schools and preschools), and day camps.**

3. Accessory uses

Accessory uses include associated offices; food preparation and dining facilities; health, arts and crafts and therapy areas; indoor or outdoor recreation facilities; and parking.

4. Uses not included

Counseling in an office setting (see Office); family day care for fewer than ~~nine~~ **12** persons (see Accessory Use); on-site schools or facilities operated in connection with a business or other principal use where children are cared for while parents or guardians are occupied on the premises (see Accessory Use); **dance, art, fitness/wellness, gymnastic or music studios or classes (see Retail, Personal Service).**

D. Government facilities

1. Characteristics

Government facilities include storage, maintenance and other facilities for the operation of local, state, or federal government.

2. Examples

Examples of government facilities include detention or correctional centers; emergency medical and ambulance stations; fire and police stations; post offices; maintenance and repair garages, storage areas and yards and warehouses; and public transit facilities.

3. Accessory uses

Associated helicopter landing facilities; auditorium and meeting rooms; cafeterias; ~~day care, on-site child care, schools, or facilities where children are cared for while parents or guardians are occupied on the premises, but not on a daily basis;~~ holding cells; infirmaries; limited fueling facilities; off-street parking; satellite offices; storage; and telecommunications antennae.

4. Uses not included

Schools (see Schools); local, state, or federal offices (see Offices); park-and-ride facilities (see commercial parking) parks and recreational facilities (see Parks and Open Areas); utilities including bus shelters; bike share stations (see Utilities); waste-related service (see Waste-related Service).

E. Hospital

1. Characteristics

Hospitals include uses providing medical or surgical care to patients and may offer overnight care.

2. Examples

Examples of hospitals include blood plasma donation centers; hospitals; sanitariums; and medical centers.

3. Accessory uses

Accessory uses include associated helicopter landing facilities; meeting rooms; cafeterias; telecommunications; ~~child care, on-site child care, schools, or facilities~~ **where children are cared for while parents or guardians are occupied on the premises, but not on a daily basis;** infirmaries; out-patient clinics; parking; satellite

offices; laboratories; teaching facilities; maintenance facilities and housing facilities for staff or trainees.

4. Uses not included

Exclusive care and treatment for psychiatric, alcohol, or drug problems, where patients are residents (see Social Service Institutions); nursing and medical schools not accessory to a hospital (see Schools); and urgent care or emergency medical offices (Retail, Personal Service), and parks and open space.

H. Religious institutions

1. Characteristics

Places of assembly that provide meeting areas for religious practice.

2. Examples

Examples of religious institutions include churches, mosques, synagogues, and temples.

3. Accessory uses

Accessory uses include associated offices; food services and dining areas; meeting room/classroom for meetings or classes not held on a daily basis; parking; on-site child care, schools or facilities where children are cared for while parents or guardians are occupied on the premises or a site-sponsored special event, but not on a daily basis; and staff residences located on-site.

4. Uses not included

Athletic or health clubs (see Retail Sales and Service, Personal-service Oriented); schools (see Schools); ~~preschools, child care centers, nursery schools, latch-key programs, intermediate childcare,~~ or adult day care programs (see Day Care); rescue missions (see Social Service Institutions); revivals, temporary (see temporary use standards); senior centers (see Community Service); and social service facilities (see Social Service Institutions); soup kitchen (see Social Service Institutions); and treatment centers, transient lodging or shelters for the homeless (see Social Service Institutions).

I. Schools

1. Characteristics

Public and private (including charter or religious) schools at the primary, elementary, middle, junior high, or high school level that provide basic academic education.

2. Examples

Examples of schools include boarding schools; elementary schools; high schools; middle schools; military academies; and private schools.

3. Accessory uses

Adult continuing education programs; associated offices; auditoriums; before- and after-school child care; cafeterias; ~~child care;~~ food services; health facilities; housing for students and faculty; laboratories; libraries; maintenance facilities; meeting areas; parking; play areas; recreational and sports facilities; support commercial (a college-operated bookstore, for example); and theaters.

4. Uses not included

Business, driving, fitness/wellness, trade and other commercial schools (see Office); dance, art, music studios or classes (see Retail Sales and Service); **child care centers, excluding before- and after-school child care preschools or nursery schools** (see Day Care); and community colleges, liberal arts colleges, seminaries and universities (see Colleges).

J. Social service institutions

1. Characteristics

Uses that primarily provide treatment of those with psychiatric, alcohol, or drug problems, and transient housing or shelters related to social service programs.

2. Examples

Examples of social service institutions include alternative- or post-incarceration facilities; counseling, occupational therapy services; exclusive care and treatment for psychiatric, alcohol, or drug problems, where patients are residents; halfway houses; neighborhood resource centers; rehabilitative clinics; rescue missions; social service facilities, including soup kitchens, transient lodging or shelter for the homeless; and treatment centers.

3. Accessory uses

Accessory uses include adult educational facility; ancillary indoor storage; associated office; ~~day care~~; **on-site child care, schools, or facilities where children are cared for while parents or guardians are occupied on the premises, but not on a daily basis**; food services and dining area; meeting room; parking; and staff residences located on-site.

4. Uses not included

Assisted living facility (see Group Living); cemetery, columbarium, mausoleum, memorial park (see Parks and Open Areas); schools (see Schools); philanthropic institution (see Community Service); Retirement living facility with individual self-contained dwelling units (see Household Living).

§12.2.5. Retail, service and commercial use categories

C. Office

1. Characteristics

Activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.

2. Examples

Examples of offices include advertising offices; business management consulting; college or university operated as a commercial enterprise; counseling in an office setting; day labor employment agency; data processing; financial services, such as lenders, investment or brokerage houses, collection agencies, or real estate and insurance agents; government; professional services such as lawyers, accountants, bookkeepers, engineers, or architects; medical or dental offices or clinics, including doctors, physicians, dentists, psychologists or similar practitioners of medical or

healing arts for humans and licensed for such practice by the state; sales office; travel agency; television and radio studios; and utility offices.

3. Accessory uses

Accessory uses include cafeterias; car-sharing; ~~child care~~; health facilities; meeting rooms; parking; on-site child care, schools or facilities where children are cared for while parents or guardians are occupied on the premises, **but not on a daily basis**; other amenities primarily for the use of on-site employees; small retail operations for on-site workers (with limited external signage); small retail operations for on-site workers (with limited external signage); small personal service operations for on-site workers (with limited external signage); telecommunications facilities; and technical libraries.

4. Uses not included

Branch banks (see Retail Sales and Service, Personal-service); contractors and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site (see Light Industrial Service); mailing or stenographic services (see Light Industrial Service); mail-order houses (see Wholesale Trade); offices that are part of and located with a principal use in another category (see Accessory Uses); research, testing and development laboratories (Light industrial service); urgent care or emergency medical offices (see Retail Sales and Service, Personal-services Oriented).

§12.2.6. Industrial use categories

A. Light industrial service

1. Characteristics

Firms are engaged in the repair or servicing of industrial, business, or consumer machinery, equipment, products, or by-products. Firms that service consumer goods do so mainly by providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

2. Examples

Examples of light industrial service include agricultural implement sales/service; building, heating, plumbing or electrical contractors; building maintenance facilities and services; catering establishments, large scale; contractors and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site; carpet cleaning plants; clothing or textile manufacturing; commercial bakeries; crematoriums; dry cleaning plants; exterminators; mailing and stenographic services; manufacture or assembly of consumer equipment, instruments (including musical instruments), precision items and other electrical items; manufacture or production of artwork and toys; medical or dental laboratories; photo-finishing laboratories; printing, publishing and lithography, small scale; production of artwork and toys; research, testing and development laboratories; sign making; storage areas used as manufacturing uses; maintenance or repair yards and buildings; truck stop or truck plaza; vehicle and equipment maintenance facilities; vehicle storage lots and towing services; welding, machine and tool repair shops;

woodworking, including cabinet makers and furniture manufacturing.

3. Accessory uses

Accessory uses include cafeterias; ~~child care~~; **on-site child care, schools, or facilities where children are cared for while parents or guardians are occupied on the premises, but not on a daily basis**; employee recreational facilities; offices; parking; on-site repair facilities; single residential unit for security purposes; and storage.

4. Uses not included

Manufacture and production of goods from composting organic material (see Waste-related Service); and catering establishments, small-scale (see Food Establishments); manufacture and maintenance of electric and neon signs, billboards, or commercial advertising structures (see Manufacturing and Production); plumbing or sheet metal shop (see Manufacturing and Production).

D. Warehouse and freight movement

1. Characteristics

Firms involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers.

2. Examples

Examples of warehouse and freight movement include cold storage plants, including frozen food lockers; household moving and general freight storage; parcel services; separate warehouses used by retail stores such as furniture and appliance stores; stockpiling of sand, gravel, or other aggregate materials; and transfer and storage businesses, where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred.

3. Accessory uses

Accessory uses include cafeterias; ~~child care~~; **on-site child care, schools, or facilities where children are cared for while parents or guardians are occupied on the premises, but not on a daily basis**; employee recreational facilities; offices; parking; outdoor storage yard; single residential unit for security purposes; and truck fleet parking and maintenance areas.

4. Uses not included

Mini-warehouses, multi-story enclosed storage facilities or storage garages (see self-service storage); solid or liquid waste transfer or composting (see Waste-related Service).

F. Wholesale trade

1. Characteristics

Firms involved in the sale, lease, or rent of products primarily intended for industrial, institutional, agricultural, or commercial businesses. The uses emphasize on-site sales or order-taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.

2. Examples

Examples of wholesale trade include lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation; beverage distribution facilities; mail-order houses; sale or rental of machinery, equipment, heavy trucks, building supplies and lumber, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures; wholesale of food, clothing, auto parts and building hardware.

3. Accessory uses

Accessory uses include cafeterias; ~~child care~~, **on-site child care, schools, or facilities where children are cared for while parents or guardians are occupied on the premises, but not on a daily basis**; minor fabrication services; offices, parking; product repair; repackaging of goods; single residential unit for security purposes; and warehouses.

4. Uses not included

Stores selling, leasing, or renting consumer, home and business goods (see Retail Sales and Service); warehouse and freight movement uses (see Warehouse and Freight Movement).

§12.4. Public and Civic Use Standards

§12.4.1. Day care uses

~~All day Child care centers, except for before- and after-school programs, uses~~ shall be licensed pursuant to Chapter 52 of the Arlington County Code.

§12.9. Accessory Use Standards

§12.9.9 Family day care homes

~~A. Every family day care home shall have a certificate of occupancy for both the residential dwelling and for the family day care home use as required in §15.3.~~

~~B. Every family day care home shall be licensed pursuant to Chapter 59 of the Arlington County Code.~~

Family day care homes shall comply with the following requirements:

A. Parents and/or another authorized caregiver of children receiving care shall escort the children both to and from the home at all times.

B. If an on-site outdoor play area is provided compliant with County Code Chapter 59, the area shall be enclosed and screened by a solid wall or fence, or a combination of landscaping and fencing to minimize noise and visibility. Fencing and/or walls shall be consistent with §3.2.6.A.3.(a) and §3.2.6.A.3.(e). This standard does not apply to communal on-site outdoor play areas, such as playgrounds in multiple-family apartment complexes.

C. Family day care homes with six to 12 children shall meet the requirements in subsections A and B as well as the additional requirements below:

- 1. An owner or employee of the family day care home shall be designated to serve as a neighborhood liaison to communicate with nearby neighbors and address concerns that may be related to the family day care home. The name, telephone number, and email address (if applicable) of the neighborhood liaison shall be provided to the Civic Association(s) that the family day care home is located within and directly adjacent to.**
- 2. At least one off-street parking space shall be available for the pick-up and drop-off of children during the hours specified for pick-up and drop-off in the certificate of occupancy.**
- 3. Pick-up and drop-off of children shall be accommodated and managed so that queuing of two or more cars does not occur on public streets or impede access to any neighboring property or driveway. Legally parked cars do not qualify as queuing.**

§12.9.11. Home occupation

Home occupations are permitted in dwelling units subject to R, RA and C district regulations when such use is clearly subordinate or incidental to the principal use of the premises for dwelling purposes and as follows:

- A. Home occupations which are conducted as limited by §12.9.11.C₇ below, and which have the general character of the following uses are permitted:**
 1. Accessory homestay, subject to the provisions of this §12.9.11 and §12.9.12.
 2. Artist, photographer, sculptor.
 3. Author, composer, editor, translator, writer.
 4. Contractor or service business, provided that all requirements of this section are met as well as the following additional requirements:
 - (a) Not more than one commercial vehicle, as defined in Article 18, shall be parked on the property and then only in accordance with applicable regulations of §12.9.4.
 - (b) No contracting equipment or materials shall be stored on the premises, except in a commercial vehicle used for transporting said equipment and materials between jobs, and no loading or unloading shall be done on or in the vicinity of the premises.
 - (c) The dwelling is not an accessory dwelling.
 5. Tailors, milliners, seamstresses, dressmakers and upholsterers.
 6. Home crafts such as lapidary work, macramé, model making and weaving,
 7. Office of an ordained minister of religion.
 8. Office of an accountant, architect, bookkeeper, broker, clerical service, computer programmer, consultant, dentist, doctor, engineer, instructor in the arts and crafts, insurance agent, land surveyor, landscape architect, lawyer, musician, real estate broker or telephone service.
 9. Office of a salesman, sales representative or manufacturers' representative.

10. Repair services, such as musical instruments, watches and clocks, small household appliances, and toys or models.
- B. Home occupations not permitted include those with the general characteristics of the following:
 1. Amusement or dance parlors;
 2. Animal care facilities, veterinary clinics, animal hospitals and grooming services;
 3. Antique shops;
 4. Barber shops or beauty salons;
 5. Boarding houses or rooming houses;
 6. Chapels;
 - 7. Day care uses;**
 - ~~7-8.~~ Funeral homes;
 - ~~8-9.~~ Gift shops;
 - ~~9-10.~~ Hospitals;
 - ~~10-11.~~ Kennels or other boarding of animals;
 - ~~11-12.~~ Medical or dental offices or clinics;
 - ~~12.~~ **Nursing homes;**
 13. Motor vehicle repair or sales;
 - ~~14.~~ **Nursery schools;**
 - 14. Nursing homes;**
 15. Repair or testing of internal combustion engines; **and**
 16. Restaurants or tearooms;

§12.10 Short Term Use Standards

§12.10.8. Public, civic and institutional ~~building~~ uses

A. Short term use of buildings approved for public, civic and institutional uses, as provided in §12.2.4, may be allowed as follows:

~~A-1.~~ Daily or hourly rental of classrooms, meeting rooms, auditoriums, multilevel parking structures and recreational facilities to profit or nonprofit entities may be allowed as follows:

~~1-(a)~~ For college, community service, school, social service institution or recreation uses, as provided in §12.2, for which a certificate of occupancy shall not be required; and

~~2.(b)~~ The Zoning Administrator may approve commercial uses incidental to and consistent with the purposes in §12.10.8.A.1 above, for periods not to exceed seven consecutive days.

~~B.2.~~ On transitional sites in S-3A and P-S districts, to permit the productive use of existing publicly-owned structures, when the County Board determines it to be advisable to continue to have such structures available for public use following the expiration of the short term use, the County Board may approve short term commercial use of an existing publicly-owned structure on a transitional site, subject to the following:

~~1.(a)~~ The proposed use shall be subject to approval of a use permit as provided in §15.4 and the provision of parking as required in §14.3;

~~2.(b)~~ The proposed short term use shall be for the purpose of providing services to an existing abutting use for a period not to exceed 15 years;

~~3.(c)~~ Short term use of the transitional site may be approved notwithstanding the fact that up to 25 percent of the area of the existing structure is located outside the portion of the site within which transitional uses are allowed.

B. Day camps may be permitted as follows:

1. Day camps shall be allowed to operate for four consecutive months or less.

Article 14. Site Development Standards

§14.3. Parking and Loading

§14.3.7. Required parking and standing space

A. Parking shall be provided for all uses in accordance with the following standards unless specified otherwise in this or other sections of this zoning ordinance:

| Use Types | Minimum Parking Requirement (spaces) | Additional Requirements | |
|---|--|---|---|
| Household and group living uses | | | |
| <u>Family day care homes</u> | <u>1 space for homes with 6 or more children, not in addition to any existing off-street parking</u> | -- | |
| Public, Civic and Institutional uses | | | |
| Schools | Nursery | 1 per each staff member or employee | Plus 1 space for each 10 fixed seats, or other vantage accommodation for spectators, for public assembly; plus 1 per 50 sq. ft. of floor area for auditoriums, multipurpose rooms, gymnasium or other facilities used for public assembly but having no fixed seating arrangement specified |
| | High | 1 per each 10 students of design capacity | |
| Schools | Elementary and middle | 1 per each 7.5 students of design capacity for employee parking | Plus 1 space for each 40 students of design capacity for visitor parking |
| <u>Day care uses</u> | <u>Child care centers</u> | <u>1 per 8 children</u> | -- |

C. The County Board may, through Use Permit approval pursuant to §15.4, modify the regulations set forth in §14.3.7, as follows:

1. Modify the number of parking spaces set forth in §14.3.7 and/or permit off-site parking to be used for elementary, middle and high schools and for uses associated with noncommercial recreation and community center buildings and grounds, where the County Board finds that:
 - (a) Such modifications will preserve or create recreational facilities such as but not limited to playing fields, open space, and playgrounds, located either within the school development project or at approved off-site locations, through incorporation of techniques that will reduce impervious surfaces, minimize grading, preserve existing trees, or similar objectives; and
 - (b) A transportation demand management plan submitted by the applicant demonstrates that the potential adverse impacts of parking demand and any potential disruption of parking patterns within affected neighborhoods that could result from the modification will be mitigated by utilizing available on-street parking abutting the site, and through the implementation of measures such as, but not limited to:
 - (1) Utilizing, by written agreement with another party in terms acceptable to the County, off-street parking spaces at a site owned or controlled by that same party; and/or
 - (2) Utilizing a managed or shared parking program at times when parking demand is highest; and/or

- (3) Implementing Transportation Demand Management (TDM) strategies for the use, and/or demonstrating that transit or other transportation options exist that may offset parking demand.

~~2. Modify regulations to permit off-site parking to be used to meet the required minimum number of parking spaces as set forth in §14.3.7, for day care uses as provided in §12.2.4.C, where the off-site parking spaces at a site located near the day care use, owned or controlled by another party, are committed through written agreement with that party in terms acceptable to the County, and where the County Board finds that the off-site parking will not result in parking being unavailable for the primary use of the site on which the parking is provided, and that the off-site parking will be conveniently usable without causing unreasonable:~~

- ~~(a) Hazard to pedestrians;~~
- ~~(b) Hazard to vehicular traffic;~~
- ~~(c) Traffic congestion;~~
- ~~(d) Interference with safe and convenient access to other parking areas in the vicinity;~~
- ~~(e) Detriment to the appropriate use of business property in the vicinity; or~~
- ~~(f) Detriment to any residential neighborhood.~~

2. Modify the number of off-street parking spaces and/or permit off-site parking to be used for child care centers where the County Board finds that:

(a) For any reduction to the number of required off-street parking spaces, the child care center has demonstrated the following:

- (1) The major portion of the use is located within a 1/3-mile radius of a Metro station entrance or a bus stop along a high-frequency bus route;
- (2) That sufficient parking and circulation for pick-up and drop-off of children are maintained; and
- (3) That the potential adverse impacts of parking demand and any potential disruption of parking patterns within affected neighborhoods that could result from the modification will be mitigated and implemented by measures such as, but not limited to:

a. Utilizing a managed or shared parking program at times when parking demand is highest; and/or

b. Implementing Transportation Demand Management (TDM) strategies, and/or demonstrating that transit or other transportation options exist that may offset parking demand.

(b) For modifications to allow off-site parking, the child care center has demonstrated the following:

- (1) Any off-site parking spaces owned or controlled by another party is committed through written agreement with that party in terms acceptable to the County;

- (2) Off-site parking shall not result in parking being unavailable for the primary use of the site on which the parking is provided;
 - (3) That sufficient parking and circulation for pick-up and drop-off of children are maintained; and
 - (4) Off-site parking shall be located near the child care center and accessible by a reasonable walking path.
- (c) Modified parking allowing a reduction in the number of off-street parking spaces and/permitting off-site parking is conveniently usable without causing unreasonable:
- (1) Hazard to pedestrians;
 - (2) Hazard to vehicular traffic;
 - (3) Traffic congestion;
 - (4) Interference with safe and convenient access to other parking areas in the vicinity;
 - (5) Detriment to the appropriate use of business property in the vicinity; or
 - (6) Detriment to any residential neighborhood.

Article 15. Administration and Procedures

§15.2. Certificate of Occupancy

§15.2.2. Certificates of occupancy types

- E. Type v. Family day care homes
Family day care homes for one to ~~nine~~12 children.

Article 18. Definitions

§18.2. General Terms Defined

For the purposes of this zoning ordinance certain terms and words used herein shall be defined and interpreted as follows.

Child care center. Any facility, but not including family day care homes, operated for the purpose of providing non-medical care, protection, and guidance to two or more children separated from their parents or guardians for less than a 24-hour period.

~~Child care center. Any facility, but not including family day care homes, operated for the purpose of providing care, protection, and guidance to a group of children separated from their parents or guardians during only part of the 24 hour day.~~

Day camp. A program temporarily operated or used for the entertainment, education, recreation, religious instruction or activities, physical education, or health of children.

Family day care home. Any dwelling unit where ~~12~~ **nine** or fewer children **under the age of 13**, not related by blood, adoption, or marriage to the person who resides in and maintains the home, are received for care, protection, and guidance during only part of the 24-hour day, on a regular basis, ~~for a minimum of 10 hours per week, and that complies with the requirements of Chapter 59 of the Arlington County Code, when at least one child receives care for compensation.~~

High-frequency Bus Route. A bus route with frequencies of 15 minutes or less during peak commuting hours.

~~Nursery school. Any place, however designated, operated for the purpose of providing training, guidance, education, or care for six or more children under six years of age, during any part of the day between 6:00 a.m. and 6:00 p.m., including kindergartens, but not including family day care homes.~~

Peak Commuting Hours. The hours between 6:00 a.m. and 9:30 a.m. and between 3:00 p.m. to 7:00 p.m. on Monday through Friday, excluding holidays.

Child Care Initiative (CCI) Community Meeting & Online Feedback Summary

Updated October 23, 2018

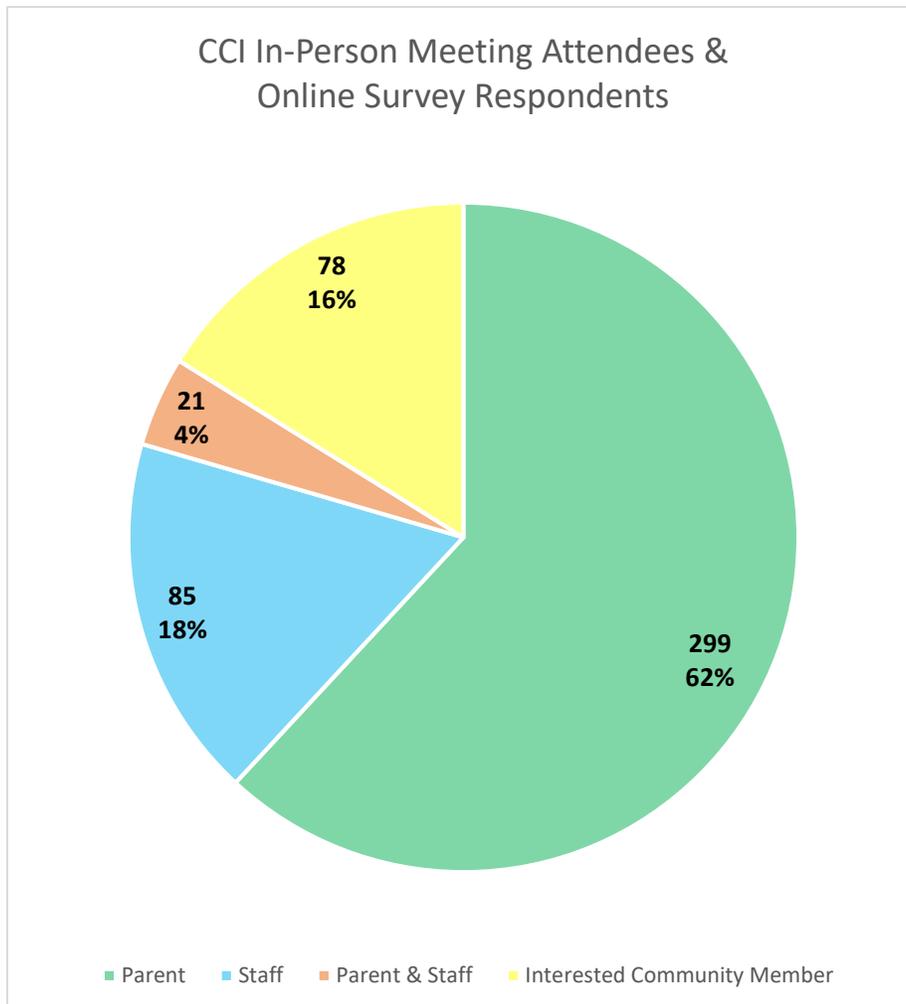
Meeting Attendance/Online Survey Responses

A community meeting seeking public feedback on possible changes to the Zoning Ordinance and local child care codes (i.e., Chapters 52 & 59) was held at the Department of Human Services on September 17, 2018 from 7 – 9:30 p.m. Free child care was made available for children three (3) years of age and older, and Spanish interpretation services were available.

A meeting was held with child care program staff in advance of the community meeting at the Department of Human Services on September 13, 2018 from 3 – 4:30 p.m.

An online survey was available September 17-23, 2018 for people who were unable to attend the other meetings but wanted to provide feedback. Following discussion at the September CCI Work Group and Leadership Roundtable meetings, the decision was made to extend the online survey through October 14, 2018.

Attendees/respondents were categorized as parents, child care staff, parents AND child care staff, or interested community members. The distribution of attendees/respondents is presented in the chart below.



Note: the source of the 483 responses can be broken down as follows: 26 in-person responses were received at the child care program staff meeting on September 13, and 69 in-person responses were received at the community meeting on September 17. A total of 388 unduplicated online responses were received; 39 responses were received September 17-23, and 349 responses were received September 28-October 14.

Family Day Care Homes – Maximum Number of Children and Review Process

By-right projects are permitted under their current zoning and do not require approval by the County Board; they are approved administratively by the Zoning Administrator and do not require public hearings. Use permits, in comparison, are required for special exception uses that may be essential or desirable, but which are not allowed by-right within a zoning district. Use permits allow the County to review the use through a public hearing process, and may allow flexibility within a zoning ordinance.

The Arlington County Zoning Ordinance allows up to nine (9) children in Family Day Care Homes. Family Day Care Homes with one (1) to five (5) children are permitted by-right, while Family Day Care Homes with six (6) to nine (9) children require the County Board’s approval of a use permit.

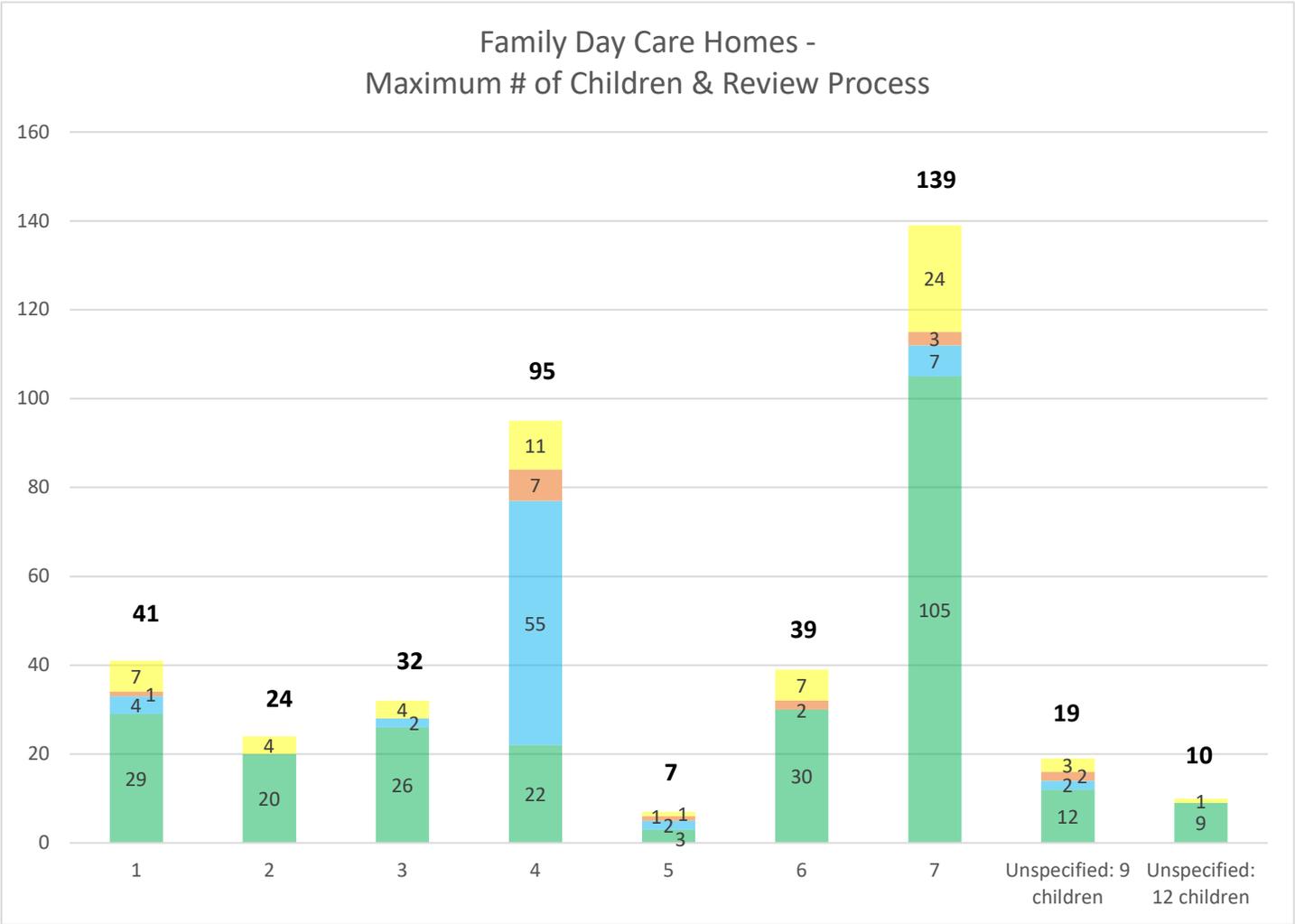
Below are six (6) alternatives to the existing Zoning Ordinance regulations that were presented to meeting attendees and survey respondents. The seventh option shows the existing regulations for comparison.

| Option | | Number of Children | | | | | | | | | | | |
|--------|------------------------------|--------------------|-------|-------|-------|-------|--------|--------|--------|--------|--------|--------|--------|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 1 | Family Day Care Home | Green | Green | Green | Green | Green | Yellow |
| 2 | Family Day Care Home | Green | Green | Green | Green | Green | Green | Green | Green | Green | Red | Red | Red |
| 3 | Family Day Care Home | Green | Green | Green | Green | Green | Green | Green | Green | Green | Yellow | Yellow | Yellow |
| 4 | Family Day Care Home | Green | Green | Green | Green | Green | Green | Green | Green | Green | Green | Green | Green |
| 5 | SF-Home Family Day Care Home | Green | Green | Green | Green | Green | Green | Green | Green | Green | Green | Green | Green |
| | MF-Home Family Day Care Home | Green | Green | Green | Green | Green | Red |
| 6 | SF-Home Family Day Care Home | Green | Green | Green | Green | Green | Green | Green | Green | Green | Yellow | Yellow | Yellow |
| | MF-Home Family Day Care Home | Green | Green | Green | Green | Green | Red |
| 7 | (NO CHANGE) | Green | Green | Green | Green | Green | Yellow | Yellow | Yellow | Yellow | Red | Red | Red |

| LEGEND | |
|--------|------------|
| | By-Right |
| | Use Permit |
| | Prohibited |

| | |
|----|---------------|
| SF | Single-family |
| MF | Multi-family |

The distribution of preferences by attendee/respondent type is presented in the chart below. 29 respondents did not select one of the seven options, but did share whether they thought the maximum number of children allowed in a Family Day Care Home should be nine (9) or 12. This data is captured in the two rightmost columns in the chart.



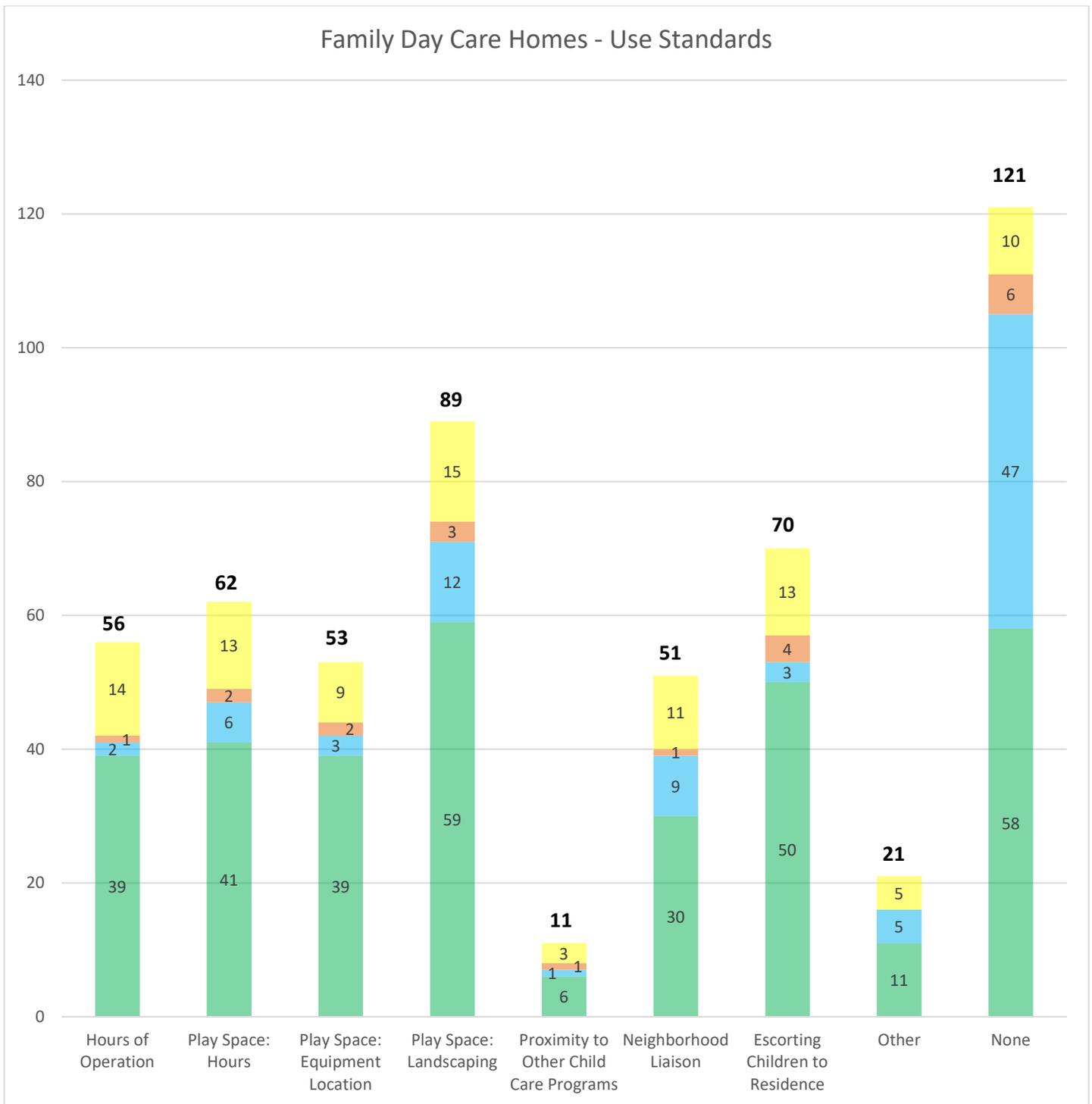
Family Day Care Homes – Use Standards

A zoning ordinance includes use standards to provide specific direction for the design and operation of a use in addition to the lot size, setback, density, and height requirements set by a zoning district. Use standards are enforced by the Zoning Administrator, and apply to both by-right and special exception projects.

Currently, existing Arlington County Family Day Care Home use standards include the requirement of a certificate of occupancy, as well as licensure pursuant to Chapter 59 of the Arlington County Code. Possible additional use standards for family-based child care relate to private outdoor play space (e.g., hours of use, proximity to adjacent residential lots, and buffering/ landscaping/ fencing); parking; pick-up and drop-off; proximity to other child care programs; provision of a neighborhood liaison; and escorting children to residence. It is important to note that child care programs would be able to request exceptions to the requirements established by the use standards, but a use permit would be required.

Below are seven (7) possible use standards, as well as the options of none and other, which were presented to meeting attendees and survey respondents. Attendees/respondents were asked to choose up to three possible use standards that they felt were important for the County to consider for inclusion in the Zoning Ordinance. The distribution of preferences by attendee/respondent type is presented in the chart below.

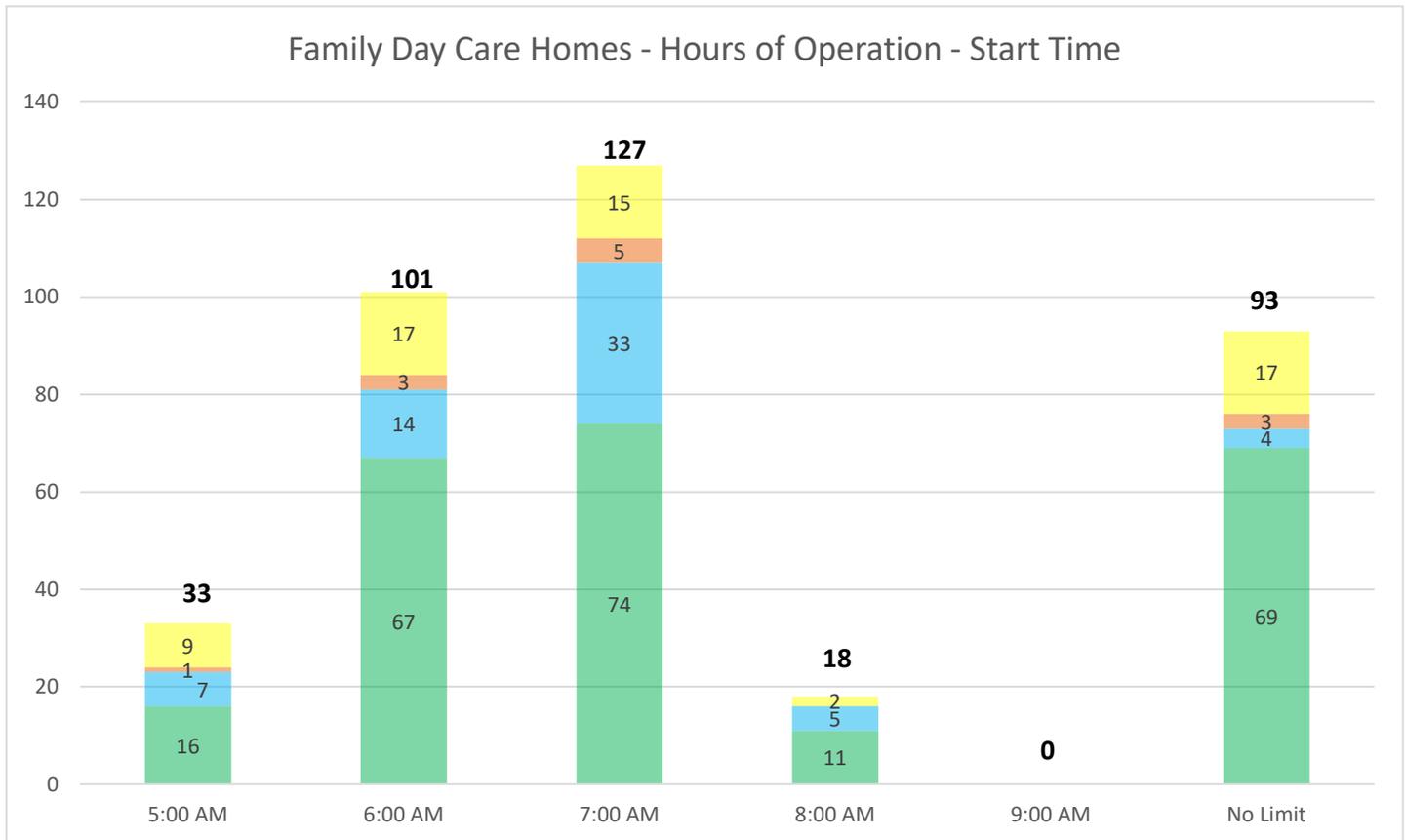
Family Day Care Homes - Use Standards

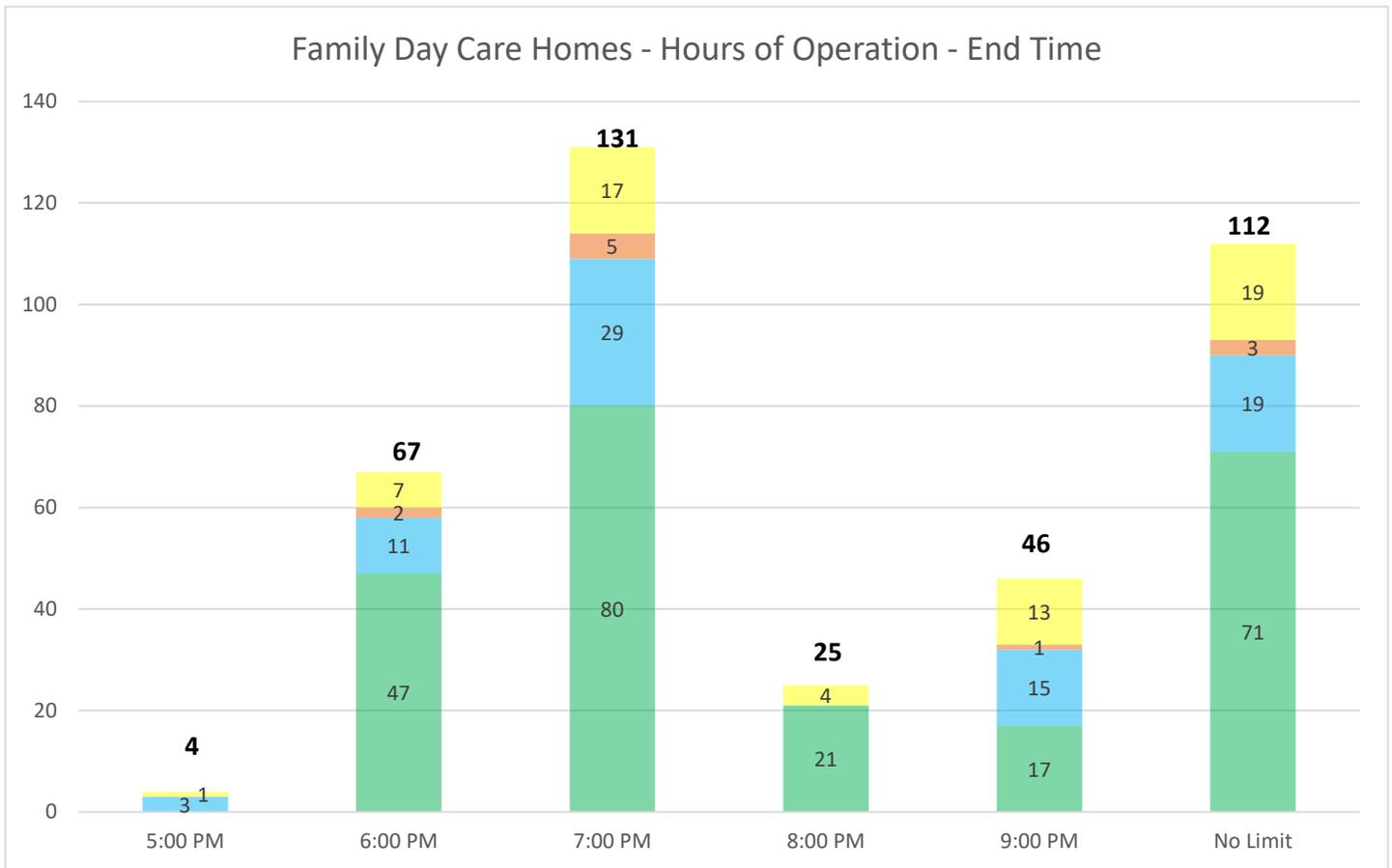


Note: The majority of “other” responses (n=11) were outside of the scope of use standards. The remaining “other” responses touched upon parking (n=6), location (n=1), emergency evacuation location (n=1), minimum square footage per child (n=1), and noise (n=1).

Family Day Care Homes – Hours of Operation

More specifically regarding hours of operation, below are five (5) possible start times and five (5) possible end times, which were presented to meeting attendees and survey respondents. As a result of feedback received at the in-person meetings, online survey respondents were also given the option of choosing no start time and/or no end time. The distribution of preferences by attendee/respondent type is presented in the two charts below.





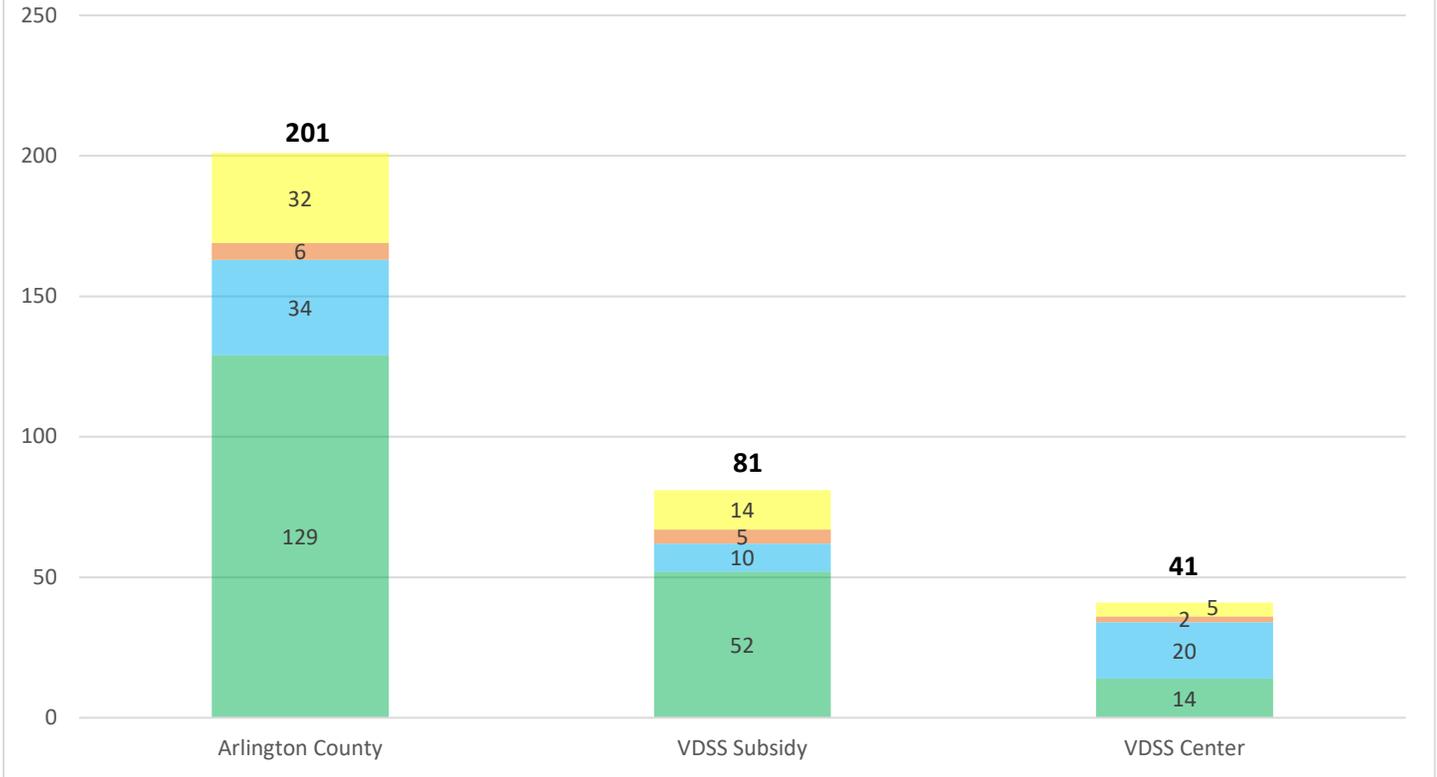
Child Care Centers – Group Sizes

In center-based child care programs, group size refers to the maximum number of children allowed in a group per classroom, as determined by age.

The Virginia Department of Social Services (VDSS) Standards for Licensed Child Day Centers do not include group size requirements for center-based child care programs, while Chapter 52 of the Arlington County Code does. In addition, programs participating in the VDSS Child Care Subsidy Program are subject to group size requirements, but the group sizes are generally larger than those set forth in Chapter 52. The VDSS Standards for Licensed Child Day Centers are in the process of being revised, however, and the advertised possible changes included proposed group size requirements identical to those currently in place for the VDSS Child Care Subsidy Program.

Below are two alternatives to the existing local requirements, as well as a third option of retaining the existing local requirements. Attendees/respondents were asked to choose one option related to group sizes. The distribution of preferences by attendee/respondent type is presented in the chart below.

Center-Based Child Care Programs - Group Sizes



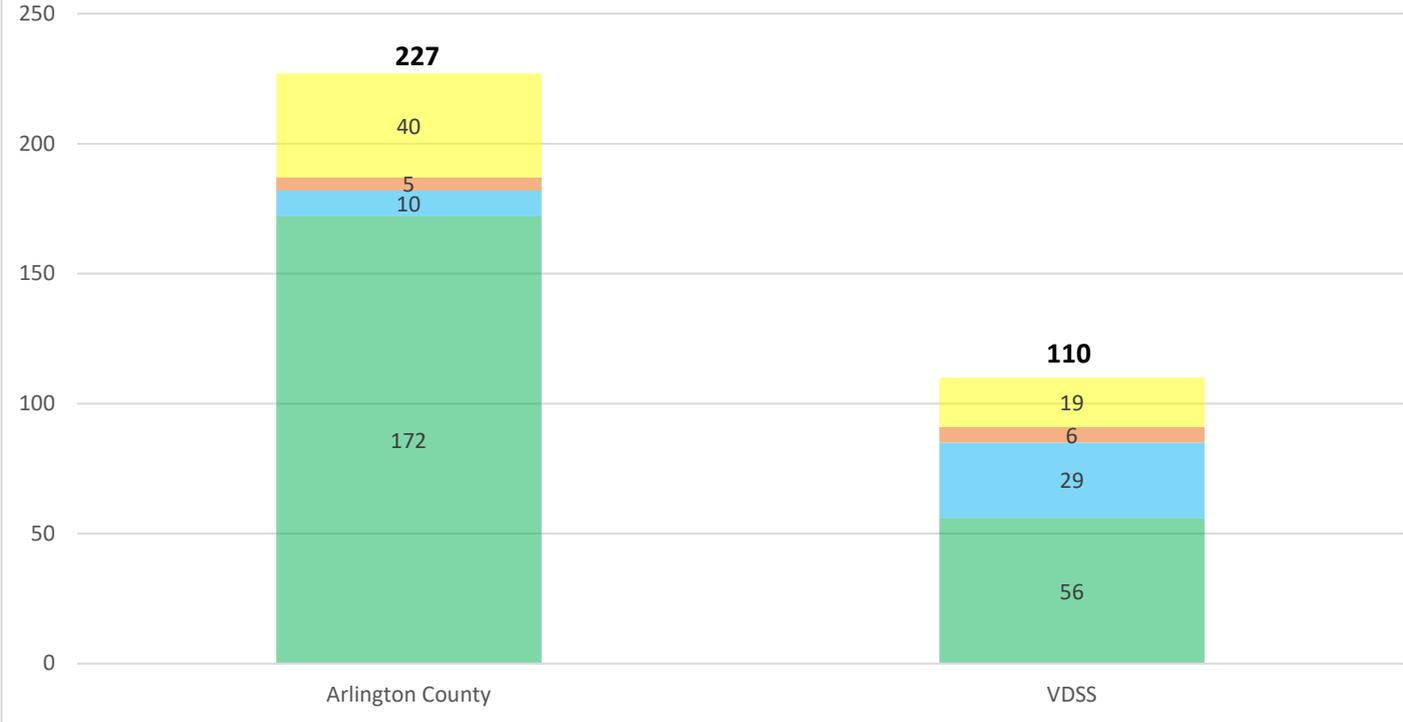
Teacher-to-Child Ratios

Teacher-to-child ratios are a measure of the maximum number of children for whom a caregiver may be responsible. In center-based child care programs, these are typically stated in numerical terms, while in family-based child care programs, these are often expressed in terms of points.

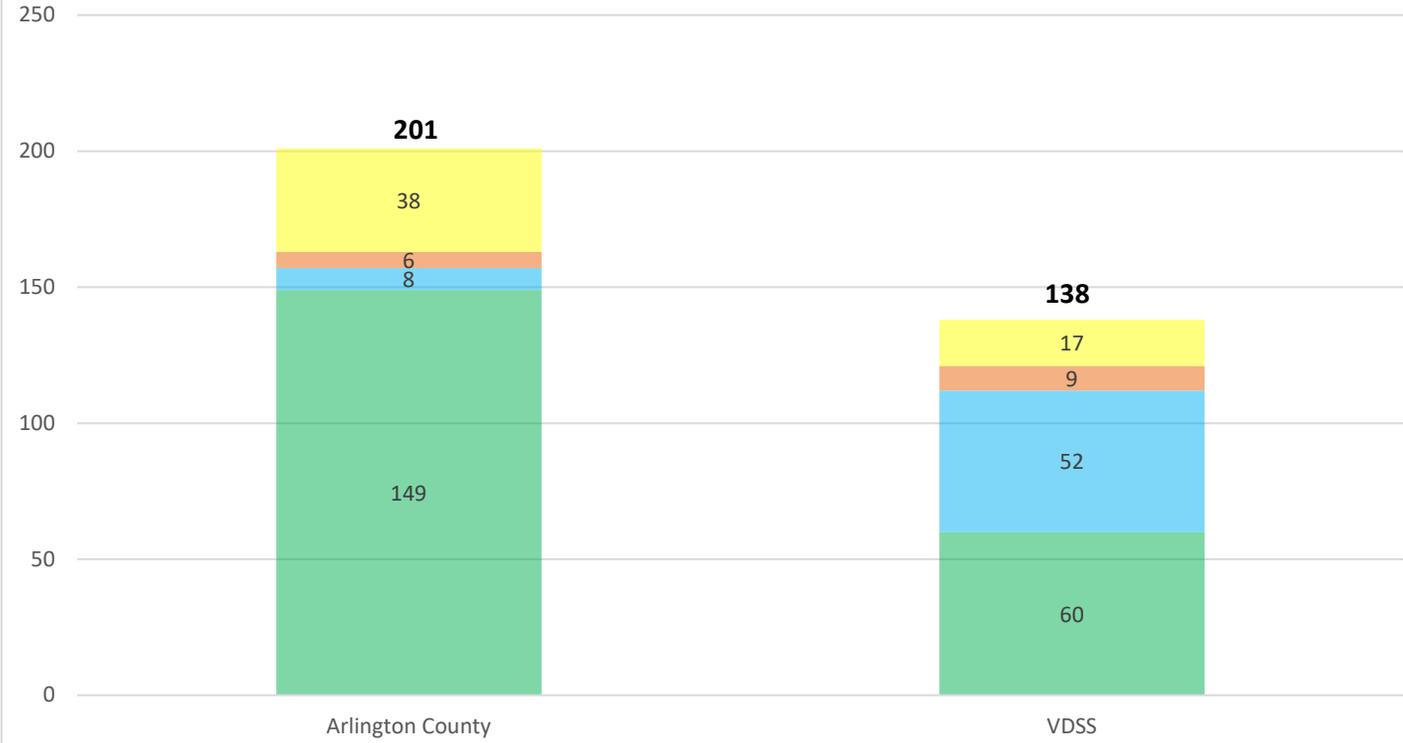
Both the VDSS Standards for Licensed Child Day Centers and Chapter 52 include teacher-to-child ratios, and the VDSS Standards for Licensed Family Day Homes and Chapter 59 include maximum point totals by provider. The Arlington teacher-to-child ratios/point totals, however, are more stringent than those set forth by their VDSS counterpart.

Below are two alternatives to the existing local requirements (one for center-based child care programs, and one for family-based child care programs). Attendees/respondents were asked to choose one option related to teacher-to-child ratios for center-based child care programs, as well as one option for family-based child care programs. The distribution of preferences by attendee/respondent type is presented in the chart below.

Center-Based Child Care Programs - Teacher-to-Child Ratios



Family Day Care Homes - Teacher-to-Child Ratios



Child Care Centers – Lead Teacher Qualifications

For center-based child care programs, Chapter 52 requires that lead teachers have two (2) years of college, including 15 credit hours of child development and/or early childhood education coursework. VDSS requires that lead teachers have a high school diploma (or equivalent), six (6) months of supervised programmatic experience, and 24 hours of training related to the care of children. The VDSS Standards for Licensed Child Day Centers are in the process of being revised, however, and the advertised possible changes included additional VDSS-sponsored training that covered such topics as medication administration, emergency preparedness, and safe sleep practices.

Below are two alternatives to the existing local requirements, including adopting the VDSS requirements, as well as establishing new requirements that include the Child Development Associate (CDA) Credential, which is the most widely recognized credential in early childhood education in the United States. Retaining the existing local requirements was also offered as a third option. Attendees/respondents were asked to choose one option related to lead teacher qualifications. The distribution of preferences by attendee/respondent type is presented in the chart below.

