

43 – DAYCARE

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43.1 Intent and Purpose

It is the intent of this section to regulate the care of children and/or senior citizens.

43.2 Daycare Defined.

DAYCARE: The term **daycare** includes any of the 4 (four) specifically defined daycare uses listed below. The following definitions conform to the daycare permit categories defined by Public Act 82-35 of the Connecticut General Statutes.

- **Child daycare center** – Any premises used for care of more than 12 children, and meeting all standards of the Connecticut Department of Health Services.
- **Group daycare home** – Any premises used for the care of not less than 7 nor more than 12 related or unrelated children, and meeting all standards of the Connecticut Department of Health Services.
- **Family daycare home** – A private family home caring for not more than 6 children, including the provider's own children not at school full time, and meeting all standards of the Connecticut Department of Health Services.
- **Special workplace daycare** – Any above-described use primarily serving employees of the immediate zoning district in which the workplace is located.

43.3 Use Controls.

Daycare is permitted as shown in **Table 39.1 Summary of Uses in Residential Districts** and **Table 39.2 Summary Table of Uses in Commercial, Mixed Use, Industrial and Other Districts**, subject to all the applicable **General Standards** of the district in which the **use** is located and the additional requirements below.

43.4 Requirements.

1. **Family Daycare Homes** shall be permitted **as-of-right** in a freestanding **single family dwelling** in any residential zoning district, provided the **daycare use** is clearly incidental and supplementary to the principal residential **use**.
2. **Group Daycare Homes, Child Daycare Centers** and **Special Workplace Daycare** may be allowed by Special Permit by the Commission, provided it meets the standards of the State of Connecticut, the Building Official and the Commission after public hearing wherein a finding of suitability in accord with §43.5 below is made, as follows:
 - b. **Group Daycare Homes** in any Residence District except in an apartment **structure** containing four (4) or more units, or in CB, LM or SPD zoning districts.
 - c. **Child Daycare Centers** in any public or private school, house of worship, community center, social club or social hall in any district, or in any commercial district, in similar **structures** or storefronts.
 - d. **Special Workplace Daycare** limited to serving children of employees only as an ancillary at any work site. Nothing herein shall prohibit any employer from establishing Special Workplace Daycare in a **building** or other **structure** apart from the principal place of employment.

43.5 Finding of Suitability

Daycare uses shall only be granted upon the Commission making a finding of suitability pursuant to Connecticut General Statutes following a public hearing where testimony shall be taken based upon the following procedure and findings:

1. The owner of the property has consented to the **use**.

2. Adequate provisions are made for the physical safety of the clients.
3. Sufficient provision is made for the discharge and pick-up of clients.
4. The **use** does not create a nuisance or hazard to the area, including any disruption to normal traffic flows.
5. The City of West Haven Building, Fire, and Health Departments letters of compliance with conditions stating that all applicable codes are or can be met.
6. The **use** has the approval of the State of Connecticut.
7. Required outdoor space is or can be fenced and screened from adjoining properties.
8. A safe drop-off/pick-up point is established that will not interfere with the free flow of traffic.
9. Each non-resident employee shall be provided with an off-street **parking space**.
10. Signage for a Family *Daycare* or Group *Daycare* Home shall be limited to one (1) **sign** of two (2) square feet and subject to Section 65-Sign requirements.
11. All **Child Daycare Centers** and **Group Day Care Homes** shall be subject to the Connecticut Fire Safety Code irrespective of the number of children attending the facility.
12. That all the enumerated conditions can and will be met without harming the integrity of the neighborhood or the district regulations intent.

43.6

Pre-Existing Daycare Uses.

Child Daycare Centers and **Group Day Care Homes** in residential districts licensed by the State prior to the effective date of these regulations may continue to exist. However, license type changes shall be considered a new **use** and shall require a public hearing and the applicant shall be required to meet all pertinent regulations then in effect.