

# DRAFT approval resolution for consideration

## RESOLUTION REG # 24-409

February 26, 2024

**WHEREAS**, the Wilton Planning and Zoning Commission submitted application Reg #**24-409**, requesting revisions to come into compliance with the State of Connecticut Public Act 23-142 regarding certain protections for Group and Family Child Care Homes by revising the Zoning Regulations of the Town of Wilton, Connecticut.

**WHEREAS**, the Planning and Zoning Commission conducted a public hearing on February 26, 2024 to receive comment and testimony from the public; and the Commission fully discussed and considered all submitted evidence at this hearing of February 26, 2024.

**WHEREAS**, the proposed regulation amendment was referred to the Western Connecticut Council of Governments (WestCOG) for review and comment and those comments (“...that the proposal is of local interest and with minimal intermunicipal impact”) were taken into consideration.

**WHEREAS**, following debate, deliberation and due consideration, the Commission has made the findings herein and is of the opinion that the requested regulation changes advance these stated goals and has determined that the proposed regulation amendments are appropriate.

**NOW THEREFORE BE IT RESOLVED** that the Wilton Planning and Zoning Commission **APPROVES** amendment **Reg #24-409 Group and Family Child Day Care**, effective March 1, 2024, as follows:

## Reg # 24-409 - REGULATION AMENDMENTS

Amend Sections 29-2.B.54 and Section 29-2.B.74 of the Wilton Zoning Regulations to read as follows: (New Language is shown **bold and underlined**, ~~strikethrough~~ is being eliminated))

### Amend Section 29-2.B.54 as follows:

54. FAMILY **CHILD** DAY CARE HOME: A private family home caring for not more than six children, including the providers own children not in school full-time, where the children are cared for not less than three nor more than 12 hours during a 24 hour period, where care is given on a regularly recurring basis, and where the principle provider of the service resides on the premises. During the regular school year, a maximum of three additional children who are in school full-time, including the provider’s own children, shall be permitted, except that if the provider has more than three children who are in school full-time, all of the providers children shall be permitted.

A private family home providing care for:

(A)

(i) not more than six children, including the provider's own children not in school full time, without the presence or assistance of an assistant or substitute staff member approved by the Commissioner of Early Childhood, pursuant to § Section 19a-87b of the Connecticut General Statutes, present and assisting the provider, or

(ii) not more than nine children, including the provider's own children, with the presence and assistance of such approved assistant or substitute staff member, and

(B)

for not less than three or more than twelve hours during a twenty-four-hour period and where care is given on a regularly recurring basis except that care may be provided in excess of twelve hours but not more than seventy-two consecutive hours to accommodate a need for extended care or intermittent short-term overnight care. During the regular school year, for providers described in subparagraph (A)(i) of this subdivision, a maximum of three additional children who are in school full time, including such provider's own children, shall be permitted, except that if such provider has more than three children who are such provider's own children and in school full time, all of such provider's own children shall be permitted. During the summer months when regular school is not in session, for providers described in subparagraph (A)(i) of this subdivision, a maximum of three additional children who are otherwise enrolled in school full time shall be permitted if there is such an approved assistant or substitute staff member present and assisting such provider, except that

(i) if such provider has more than three such additional children who are such provider's own children, all of such provider's own children shall be permitted, and

(ii) such approved assistant or substitute staff member shall not be required if all of such additional children are such provider's own children;

A Family Child Care Home shall be licensed by the State and comply with Sections 19a-77 to 19a-79a or Sections 19a-82 to 19a-87a, of the Connecticut General Statutes, as amended.

**Amend Section 29-2.B.74 as follows:**

74. Group Child Day Care Home: ~~An establishment that offers or provides a program of supplemental care to less than seven or more than 12 related or unrelated children on a regular basis for a part of the 24 hours in one or more days of the week~~

An establishment that offers or provides a program of supplementary care :

(A) To Not less than seven or more than twelve related or unrelated children on a regular basis; or

**(B) That meets the definition of a Family Child Care Home except that it operates in a facility other than a private family home.**

**A Group Child Care Home shall be licensed by the State and comply with sections 19a-77 to 19a-79a or sections 19a-82 to 19a-87a, of the Connecticut General Statutes.**

## **Amend Section 29-5.A.2, 29-5.A.3.m and 29-5.A.4.f**

### **A. SINGLE-FAMILY RESIDENTIAL DISTRICTS (R-2A AND R-1A)**

1. Purpose: The single-family residential districts are intended to provide suitable areas for residential development appropriate to the environmental characteristics of the land and the character of the neighborhood. The districts are also intended to accommodate certain nonresidential uses which are compatible with residential uses while preserving neighborhood character and property values.
2. Permitted Uses: The following principal uses shall be permitted in all single-family residential districts as a matter of right:
  - a. Single-family detached dwellings.
  - b. Farms, provided that any greenhouse or similar structure shall be located at least 100 feet from any property line.
  - c. Open space, both public and private and public parks.
  - d. Family Child Care Homes or Group Child Care Homes, provided that any Family Child Care Home or Group Child Care Home is located in a residence and licensed by the Office of Early Childhood pursuant to Chapter 368a of the Connecticut General Statutes.**
3. Special Permit Uses: The following principal uses shall be permitted in all single-family residential districts, except as noted, subject to Special Permit and Site Plan approvals in accordance with 29-10 and 29-11:
  - m. ~~Group day care home.~~ **Vacant...**
4. Permitted Accessory Uses: The following accessory uses shall be permitted in all single-family residential districts:
  - f. ~~Family day care homes.~~ **Vacant...**