

AR 09-137: Proposed Amendment to the Zoning Regulations

9.18 Adult Day Care Facilities

(Added July 1, 2003)

9.18.1 **Purpose:** Adult Day Care Facilities constitute an important part of the continuum of care for our seniors, filling a growing niche between independent living and nursing home placement. By utilizing the cost-effective, high-quality professional care (not overnight care) provided by Adult Day Care Facilities, seniors can often be maintained at home for a longer period of time.

9.18.2 **Qualifications:** *A Special Exception for an Adult Day Care Facility may be granted provided that:*

(a) No zoning violation exists on the property as of the time of application. The applicant shall submit a current Certificate of Zoning Compliance as part of the application.

9.18.3 **Standards and Requirements:** *A Special Exception may be granted provided that the following criteria are met in addition to the standards, criteria and conditions stated in Section 9:*

(b) The design of the facility shall take into account the special needs of frail and mobility impaired participants and shall include the following in order to facilitate the participants' movement throughout the center and involvement in activities and services.

(b) The facility shall have at least two clearly identified exits with battery operated emergency exit lights at exit doors.

(c) *The maximum number of ~~participants~~ patrons permitted shall not exceed one client for every ~~forty~~ sixty (60) square feet of activity space, not including offices, bathrooms, kitchens, quiet rooms, closets and vestibules. The facility shall have ~~sixty square feet (60 sq. ft.)~~ of activity space per person not including offices, bathrooms, kitchen, closets and vestibules.*

(d) Locked storage space shall be provided for medications. All controlled substances shall be double locked.

(e) Shielded outside lighting must be supplied to provide safe lightening levels at all entrances and exits.

- (f) The facility shall meet all applicable federal, state and local requirements including licensing, sanitation, fire, building and safety requirements.
- (g) If the Adult Day Care Facility is located in a residential structure, the following standards must be applied in addition to those stated above:
 - (i) The facility shall have its own separate identifiable space from the residential/office area and designated bathrooms located within the space utilized for the facility.
 - (ii) The facility shall provide private office space for use by the facility.

9.18.4 ***Procedures: The applicant shall follow the procedures set forth in Sections 8 and 9 4 of these Regulations, in addition to the following:***

(a) The applicant shall submit a letter from the Fire Marshal stating that the plans are in compliance with the Fire Codes.

(b) The applicant shall submit a letter from the Director of Health approving the design of the subsurface disposal system.

~~(b)~~(c) The applicant shall submit a copy of their state license to operate an adult day care facility.

24.1.15 Day care facilities for:

- (a) No more than nine (9) children (prohibited in all residential zones)
- (b) More than nine (9) children (Special Exception in all residential zones)
- (c) ~~No more than fifteen (15) a~~ ***No more than thirty (30) a***Adults (Special Exception in R-120, R-80, R-60, R-40, R-30, R-20; Prohibited in R-15 and R-10)

24.2.15 Day care facilities for:

- (a) No more than nine (9) children (Zoning Permit in VZ; Prohibited in all other Non-Residential Zones)

- (b) More than (9) children (Site Plan in VZ; Special Exception in all other Non-Residential Zones)
- (c) ~~No more than fifteen (15) a~~ No more than thirty (30) aAdults (Special Exception in VZ, B-2, B-3; Prohibited in all other Non-Residential Zones)

29.3.24 **Adult Day Care Facilities: One (1) parking space for each employee on the largest shift, and one (1) loading space for the arrivals and departures of the participants.**