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The new Michigan Zoning Enabling Act, Public Act 110 of 2006, repeals the previous acts and replaces them with a combined law. One of the changes of the Zoning Act details the residential use of property for family or group day care homes. Prior to this amendment, family day care homes were considered a residential use of property by law. Communities could permit group day care but were not required to do so. The act now requires a community to issue a special use permit or conditional approval for group day care homes. Additional changes are designed to make it more reasonable for large daycare facilities to operate in commercial areas.

Mr. Brucker then asked for public comments in favor or in opposition to the proposed text amendment.

There being no comments, Mr. Brucker closed the public hearing portion of this proposed text amendment.

Discussion followed among the Planning Commission members.

Motion by Mr. Nolan, supported by Ms. Seaver, to recommend approval of the proposed text amendment (Z-08-01) to the Township Board.

Proposed Amendment

Add Chapter 3, Section 305 (11) as follows:

11. Group Day Care Home. Where permitted, group day care homes shall comply with the following standards:
 - a. Is located not closer than 1,500 feet to any of the following:
 - i. Another licensed group day care home
 - ii. Another adult foster care small group home or large group home licensed under the adult foster care facility license act.
 - iii. A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed under article 6 of the public health code, 1978 PA 218, MCL 400.701 to 400.737
 - iv. A community correction center, resident home, halfway house, or other similar facility, which houses an inmate population under the jurisdiction of the department of corrections.
 - b. Has installed a fence a minimum of five feet in height around the perimeter designated and approved by the State for outdoor play area(s).

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- c. The property is maintained in a manner that is consistent with the visible characteristics of the neighborhood.
- d. Does not exceed 16 hours of operation during a 24-hour period.
- e. Shall comply with the provisions of the Township's home occupation provisions.

Amend Section 1003. Uses permitted under special conditions, by adding the following:

- 8. Group Day Care Home, as provided in Chapter 3, Section 305 (11).

Amend Section 1203. Uses permitted under special conditions, by adding the following:

- 8. Group Day Care Home, as provided in Chapter 3, Section 305 (11).

Amend Section 1303. Uses permitted under special conditions, by adding the following:

- 8. Group Day Care Home, as provided in Chapter 3, Section 305 (11).

Amend Section 1903. Uses permitted under special conditions, by adding the following:

- 16. Day nurseries, subject to the standards specified in Chapter 22, Section 2209.

Amend Chapter 22, Section 2209 to read as follows:

- 1. Authorization. In order to facilitate the care of preschool children within a desirable environment, this section provides for the inclusion of nursery schools and childcare centers within designated residential districts, in religious institutions within any zone district, and within designated commercial areas. This use may be authorized by the issuance of a special use permit or as otherwise cited when all of the procedures and applicable requirements stated and the additional requirements of this section can be complied with.
- 2. Uses that may be permitted. Nursery schools, day nurseries, and childcare centers (not including dormitories) may be authorized.
- 3. Development requirements. The following requirements for site development, together with any other applicable requirements of this Ordinance, shall be complied with:
 - a. Minimum site size. Eleven thousand and fifty (11,050) square feet with 85-foot lot width at front building line.
 - b. Outdoor Play Space: If an outdoor play area is provided it shall be screened with opaque fencing. When adjacent to residential uses and/or zoning districts, the outdoor play area shall be screened with a combination of landscaping and fencing.
 - c. Meet the licensing and standard requirements from the State of Michigan.

