

ORDINANCE NO. O- 06 -168

Cathy

② AN ORDINANCE AMENDING THE CONWAY ZONING ORDINANCE REVISING REGULATIONS CONCERNING CHILD CARE FACILITIES, INCLUDING IN-HOME CHILD CARE, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

Whereas; it is desirable to increase the number of children that may be cared for by right at an in-home child care;

Whereas; it is desirable to amend the zoning districts where child care facilities may be allowed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

Section 1: That Article 301, Definitions, of the Conway Zoning Ordinance as adopted by Ordinance No. O-94-54, September 1994 be amended as follows:

Child Care Facility: Any place, home, or institution which receives six (6) or more children from more than one (1) family at the same time. The allowed number of children shall include the caregiver's own preschool children and children in the home who are not accompanied by a parent, whether pay is received for care or not. However, this definition shall not include public or private schools organized, operated or approved under the laws of this state, custody of children fixed by a court of competent jurisdiction, or to churches or other religious or public institutions caring for children within the institutional building while their parents or legal guardians are attending services or meetings or classes, or engaged in church activities. These uses include but are not limited to: Day care center, nursery school, and day nursery.

Any place, home, or institution which receives five (5) or fewer children according to the ratio outlined above, shall not be regulated by this ordinance.

Day Nursery or Day Care Center: See "Day Nursery" "Child Care Facility"

Section 2: That Section 401.4 Residential Districts, B. Use Regulations, 1. Permitted Uses, as adopted by Ordinance No. O-95-54, September 1994 is amended as follows:

USES (PERMITTED - X) (CONDITIONAL - C)	ZONING DISTRICTS								
	R-1	R-2A	R-2	SR	MF-1	MF-2	MF-3	RMH	HR

2. COMMUNITY FACILITIES RELATED USES

▪ Child Care Facilities*	C	C	C	C	C	C	C	C	C
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*See Article 601 Special Provisions Conditions Applying to Uses.

Section 3: That Section 601.10 Child Care, Ordinance No. O-95-54, September 1994 is amended as follows:

SECTION 601.10 – CHILD CARE

Child care *facilities centers*, when authorized under conditional use permits in residential districts, shall meet the following provisions:

A. The *center facility* shall be located in a single-family dwelling which is the permanent residence of the operator and shall be operated in a manner that will not change the character of the residence. This requirement regarding a single-family dwelling and residence shall not apply to churches or existing buildings, which were originally constructed for purposes other than to provide housing. The permit shall specify the maximum number of children to be cared for at each center.

Section 4: That Addendum A to the Conway Zoning Ordinance, Uses Allowed in the Various Zoning Districts, as adopted by Ordinance No. O-94-54, September 1994 is amended as follows:

Section 5: That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Allowed Uses	R-1	R-2A	R-2	SR	MF-1	MF-2	MF-3	RMH	HR	C-1	C-2	C-3	C-4	O-1	O-2	O-3	I-1	RU-1	I-3	A-1	S-1	S-2
Child care facility	C	C	C	C	C	C	C	C		X	X	X	X	X	X	C	C	C	C	C	X	X
Child care institution	C	C	C	C	C	C	C	C		X	X	X	X	X	X	C	C	C	C	C	X	X
Day nursery	C	C	C	C	C	C	C	C		X	X	X	X	X	X	C	C	C	C	C	X	X
Day nursery or Day care center	C	C	C	C	C	C	C	C		X	X	X	X	X	X	C	C	C	C	C	X	X

Section 6: That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 12th day of December, 2006

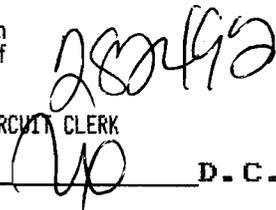
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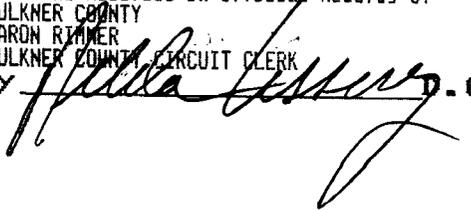


Mayor Tab Townsell

ATTEST:


Michael O. Garrett
 City Clerk/Treasurer

Doc#2006- 28924
 Date 12/27/2006
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 Filed & Recorded in
 Official Records of
 Faulkner County
 SHARON RIMMER
 FAULKNER COUNTY CIRCUIT CLERK
 Fees \$11.00
 by  D.C.

CERTIFICATE OF RECORD
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