

**Town of Trumbull
CONNECTICUT**

**Planning and Zoning
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PLANNING & ZONING COMMISSION

To: Members of the Trumbull Planning & Zoning Commission

From: Rob Librandi, Town Land Use Planner
James A. Cordone, Town Attorney

Re: Text Amendment to Revise
Article 1: Section 3 Definitions and
Article 2: Use Regulations, Section 1: Single Family Residence Zones

Date: November 1, 2023

As the Commission continues its comprehensive review of the Town's zoning regulations, this month the Commission is revising the regulations to comply with a new state law regarding a "Family Child Care Home" and "Group Child Care Home".

Summary of Revisions:

Public Act 23-142 made changes to laws on zoning for licensed family and group child care homes located in residences, requiring that:

- No zoning regulation shall treat any licensed family child care home or group child care home located in a residence in a manner different from single or multifamily dwellings; and
- Zoning regulations shall not prohibit the operation in a residential zone of any family child care home or group child care home located in a residence or require any special zoning permit or special zoning exception for such operation.

To comply with the new law, in the Definitions section, we have updated our terms for these uses to follow the language in the state statutes (copy of state statutes attached).

To comply with state law, we have updated the Single Family Residence Zone to include these two uses to be permitted uses.

PROPOSED TEXT AMENDMENT TO: ARTICLE I. SECTION 3: DEFINITIONS

Day Care Center or Facilities. A use of land or buildings which offers or provides a program of supplementary care for compensation to more than twelve (12) related or unrelated children, or any number of adults, outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week. "Day Care Center" does not include services which are (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188, (2) recreation operations such as, but not limited to, boys' and girls' clubs, church related activities, scouting, camping or community youth programs, (3) informal arrangements among neighbors or relatives in their own homes, (4) drop-in supplementary child care operations where parents are on the premises for educational or recreational purposes and the child receives such care infrequently. "Day Care Center" includes "Child ~~Day~~-Care Center" as defined in Section 19a-77 of the Connecticut General Statutes, but does not include a "Family Child Care Home" or "Group ChildDay Care Home" as defined in said Section.

Family Child Day-Care Home. ~~A dwelling in which care is provided for compensation to not more than six (6) children, including the provider's own children not in school full time, where the children are cared for not less than three (3) nor more than twelve (12) hours during a twenty four (24) hour period, and where care is given on a regularly recurring basis. "Family Day Care Home" does not include services which are (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188, (2) recreation operations such as, but not limited to, boys' and girls' clubs, church related activities, scouting, camping or community youth programs, (3) informal arrangements among neighbors or relatives in their own homes, (4) drop in supplementary child care operations where parents are on the premises for educational or recreational purposes and the child receives such care infrequently. "Family Day Care Home" includes "Family ChildDay -Care Home" is as defined in Section 19a-77 of the Connecticut General Statutes, as amended from time to time, but does not include "Group Child Day -Care Home" or "Child ~~Day~~-Care Center" as defined in said Section. See, the definition of "Home Occupation".~~

Group Child Day-Care Home. ~~A use of land or buildings which offers or provides a program of supplementary care for compensation to not less than seven (7) nor more than twelve (12) related or unrelated children outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week. "Group Day Care Home" does not include services which are: (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188; (2) recreation operations such as, but not limited to, boys' and girls' clubs, church related activities, scouting, camping or community youth programs; (3) informal arrangements among neighbors or relatives in their own homes; (4) drop in supplementary child care operations where parents are on the premises for educational or recreational purposes and the child receives such care infrequently. "Group Day Care Home" includes "Group Day Care Home" is as defined in Section 19a-77 of the Connecticut General Statutes, as amended from time to time, but does not include "Family Day Child Care Home" or "Child ~~Day~~-Care Center" as defined in said Section.~~

PROPOSED TEXT AMENDMENT TO: ARTICLE II-USE REGULATIONS. SECTION 1: SINGLE FAMILY RESIDENCE ZONES

1.1 Residence AAA (1 acre), Residence AA (1 acre) and Residence A (1/2 Acre)

1.1.1 Permitted Uses

Within the Residence AAA, AA or A Zone no Building or Structure shall be erected, altered, occupied or used, arranged or designed to be used for other than one or more of the following specified purposes:

1. One-Family Dwelling;
2. Playgrounds, parks, reservations, and recreation facilities operated by or under the control and direction of the town;
3. Farms, and horticultural and/or wild life reservations;

~~4. Family Child Day Care Home;~~

~~4.5. Group Child Care Home~~

1.1.4 Special Permit Uses

Permission to use property in a Residence AAA, AA and A Zones shall be obtained by means of Special Permits granted by the Planning and Zoning Commission in accordance with Article XV of these Regulations:

~~1. Group Day Care Homes~~

Connecticut General Statutes. Sec. 19a-77.

Defined terms:

(2) A “group child care home” which 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;

(3) A “family child care home” which consists of a private family home providing care (A) for (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, 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;