



City of Dallas

Development Code Amendment
**ADULT DAY CARE,
CHILD-CARE FACILITIES,
DAY HOMES
DCA223-002**

**Quality of Life Committee
December 5, 2023**

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Presentation Overview



- Code Amendment Authorization
- Background
- Current Regulations
- CPC and Staff Recommendations
- Rationale



Code Amendment Authorization



Consideration of amending Chapters 51 and 51A of the Dallas Development Code, with consideration to be given to amending Sections 51-4.204(4) and 51A-4.204(3), “**Child-Care Facility;**” 51-4.204(6) and 51A-4.204(1), “**Adult Day Care Facility;**” 51-4.217(b)(10) and 51A-4.217(b)(7.1) “**Day home;**” 51-4.407 and 51A-4.407, “Maximum lot coverage;” 51-4.408 and 51A-4.408 “Maximum building height;” 51A-13.306, “Uses;” and 51A-13.402, “Required Parking;” and related sections with consideration to be given to appropriate zoning districts and developing appropriate standards associated with adult day care facilities, child-care facilities, and day homes.



Background



- May 2, May 30, July 18, 2023, Zoning Ordinance Advisory Committee (ZOAC) recommendation
- On September 21, October 19, 2023, City Plan Commission recommendation (CPC)
- **Next step: City Council consideration on December 13, 2023**



Current Regulations



Adult day care: A facility that provides care or supervision for five or more persons 18 years of age or older who are not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit or charges for the services it offers

Child-care facility: A facility that provides care, training, education, custody, treatment, or supervision for persons under 14 years of age who are not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit or charges for the services it offers, but does not include ...



Current Regulations



Accessory Day Home: A facility that provides care or supervision for “day home attendees,” whether or not the facility is operated for profit or charges for the services it offers. For the purposes of this paragraph, “day home attendees” means persons under 14 years of age, including those related to the owner of the residence or the head of the household by blood, marriage, or adoption. A day home is incidental to the primary use of the premises as a residence and conducted on the premises by a resident of the premises who is on the premises during hours of operation.



Current Regulations



Adult Day Cares

Allowed:

- By right in retail, CS, industrial, central area, mixed use, multiple commercial, and urban corridor districts.
- As a limited use in MF-3(A), MF-4(A), and office districts.
- By SUP in all of the residential districts.



Current Regulations



Child-care facilities

Allowed

Everywhere when:

- operated by a religious organization
- 10-12 children are cared for in the operator's residence
- At a K-12 school
- Connected with and near shopping centers, businesses, or gyms



Current Regulations



Child-care facilities

Otherwise, allowed:

- By right in retail, CS, industrial, central area, mixed use, multiple commercial, and urban corridor districts.
- By SUP in residential districts
- As a limited use in MF-3(A), MF-4(A), and office districts.



CPC and Staff Recommendation Summary



1. Combine the uses of adult day care and child-care facilities into one land use “**child or adult care**”:
 - a) Allow by right in all zoning districts except that in Commercial Service (CS) and Industrial zoning districts allowed by Specific Use Permit (SUP)*,
 - b) Eliminate the minimum off-street parking requirements,
 - c) Add additional provisions for context sensitivity

2. Propose to remove the age limitation for **accessory day homes**;



CPC and Staff Recommendation



Child or adult care:

A facility that provides care, training, education, custody, treatment, or supervision for persons of any age who are not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit or charges for the services it offers.



CPC and Staff Recommendation



Districts permitted:

- **By right** in residential, retail, central area, mixed use, multiple commercial, office, and urban corridor districts.
- By SUP in CS, and industrial districts.
- *Child or adult care facility uses are permitted in CS and industrial districts, with no SUP required, when operated in connection with a hospital, medical clinic or ambulatory service center where persons in need of care are cared for during short periods while parents or persons responsible for the persons in need of care are receiving or providing inpatient or outpatient care.*



CPC and Staff Recommendation



	Single Family					Multifamily					MH		
	A (A)	R-1 ac(A)	R-1/2 ac(A)	R-16 (A)	R-13 to R-5(A)	D (A)	TH (A)	CH	MF-1 (A)	MF-2 (A)		MF-3 (A)	MF-4 (A)
51A-4.407 Maximum Lot Coverage (%)													
Residential structures	10	40	40	40	45	60	60	60	60	60	60	80	20
Nonresidential structures	25	25	25	25	25	25	25	60	25	50	60	80	25
Institutional Current	10	60	60	60	60	60	60	60	60	60	60	80	60
Child or Adult Care Proposed	10	40	40	40	45	60	60	60	60	60	60	80	20



CPC and Staff Recommendation



	Single Family					Multifamily							
	A (A)	R-1 ac(A)	R-1/2 ac(A)	R-16 (A)	R-13 to R-5(A)	D (A)	TH (A)	CH	MF-1 (A)	MF-2 (A)	MF-3 (A)	MF-4 (A)	MH
51A-4.408 Maximum Structure Height (in feet) <i>*means Residential Proximity Slope (RPS) restrictions apply</i>													
All structures	24	36	36	30	30	36	36	36*	36*	36*	90*	240*	24
Institutional Current	Any	Any	Any	Any	Any	Any	Any	Any*	Any*	Any*	Any*	Any*	Any
Child or Adult Care Proposed	Any	36	36	30	30	36	36	Any*	36*	36*	Any*	Any*	Any



CPC and Staff Recommendation



Additional regulations (current and proposed):

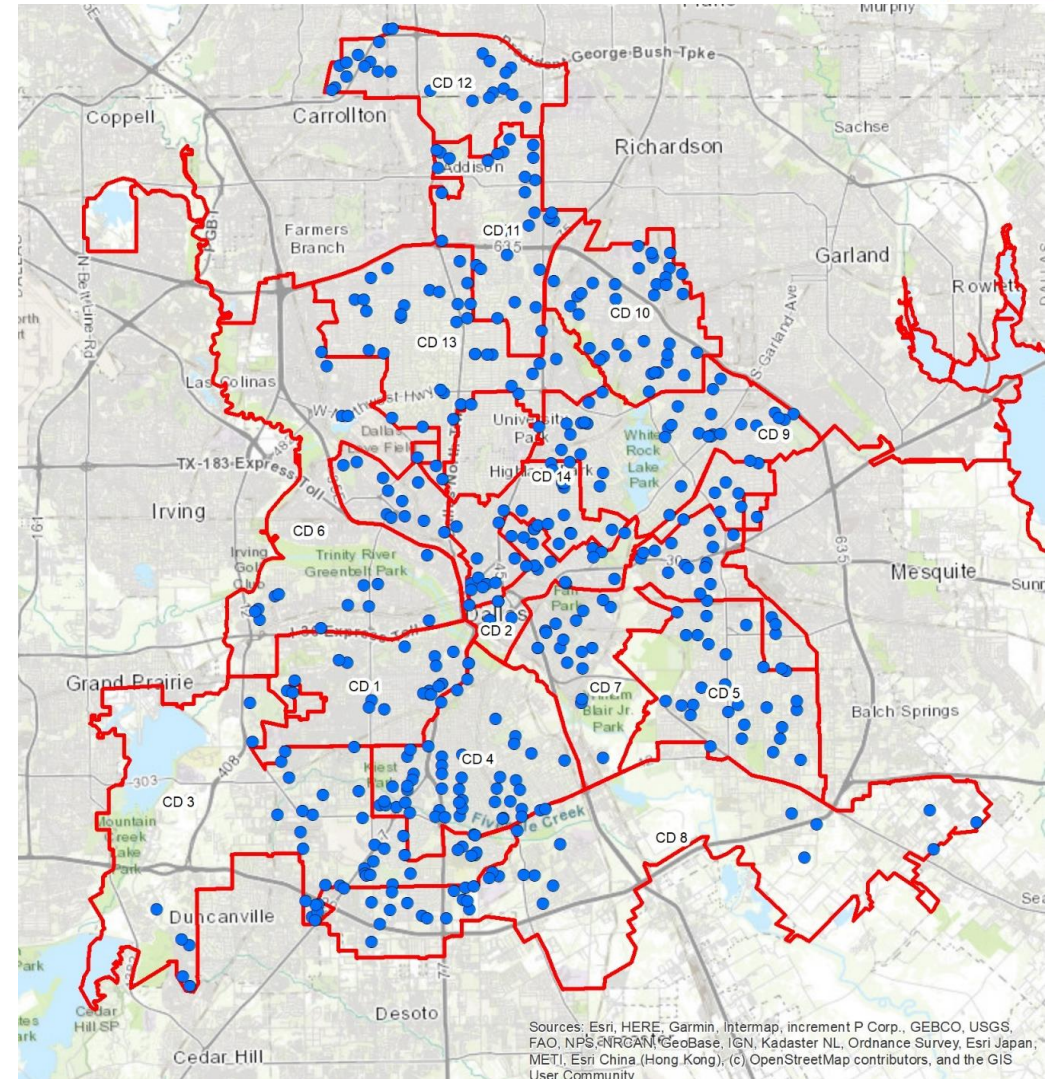
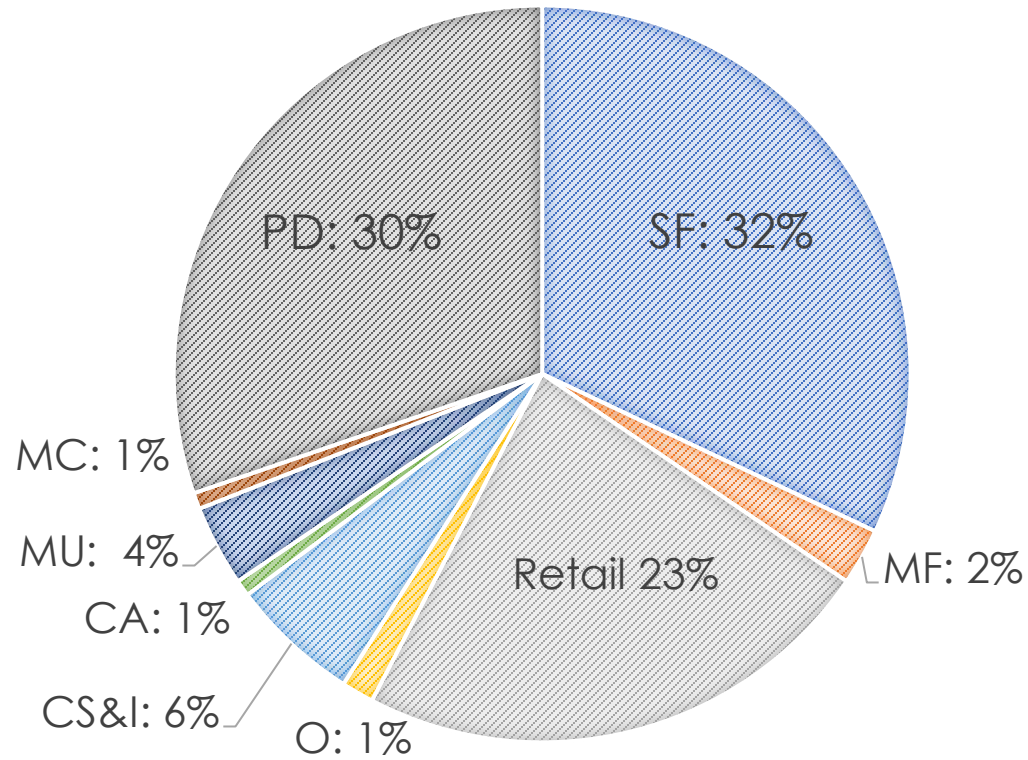
- Regular inspections by the State of Texas Health and Human Services
- No parking in the front yard or disconnected parking lots
- Screened dumpsters and parking lots to side/rear properties
- Perimeter landscape buffers
- Monument and attached signs only (no pole signs)
- Unobstructed front yards must be as deep as residential zoning
- **New** provision limits outdoor activities in residential districts between the hours of 7 a.m. and 10 p.m.
- Path to Board of Adjustment



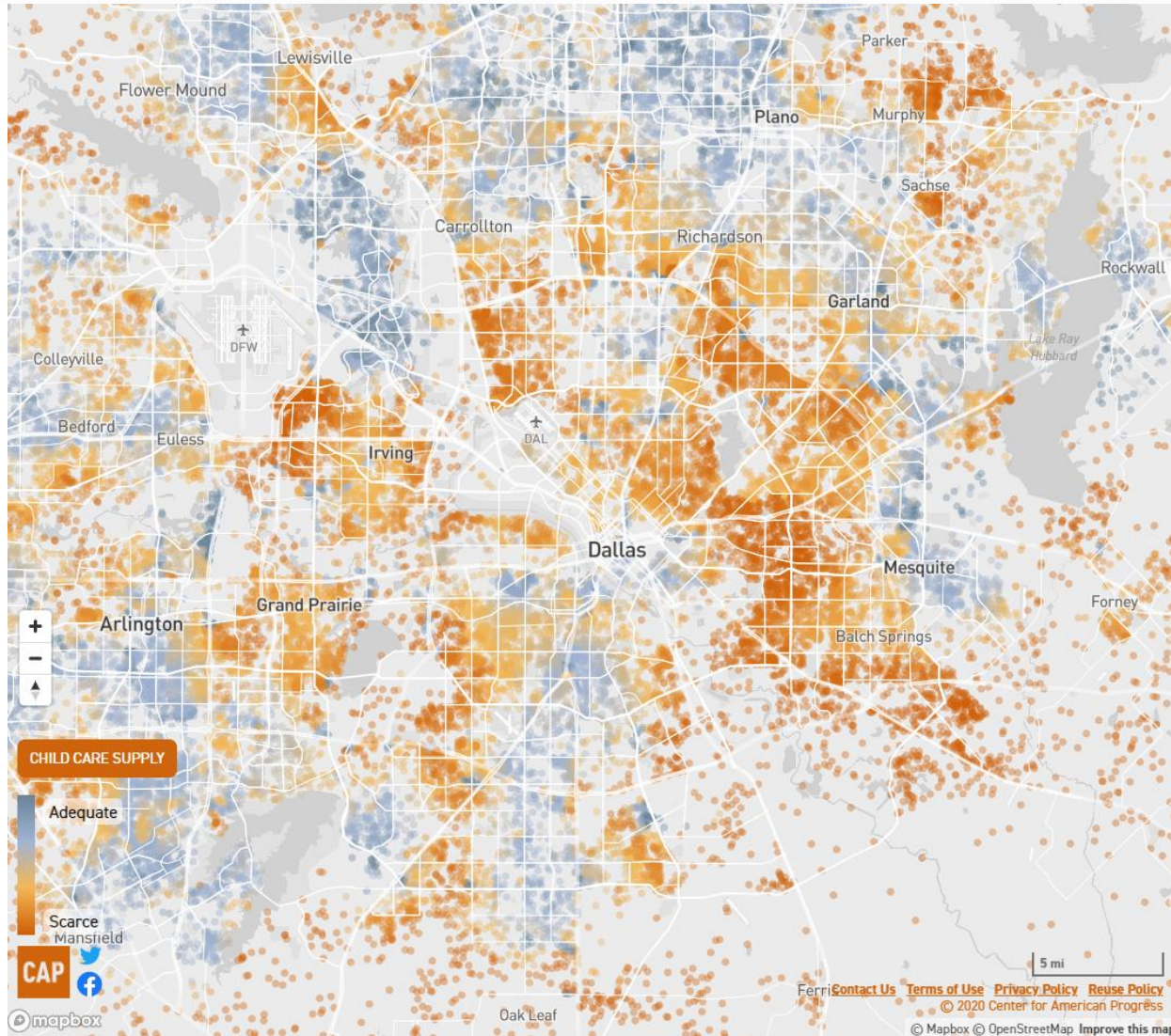
Existing HHS Child-Care Facilities



EXISTING ZONING FOR 281 HHS LICENSED CENTERS



Child-Care Needs in Dallas



According to the US Census Bureau 2022 ACS and HHS:

- Approximately 93,000 children under age five in Dallas
- Approximately 35,000 licensed child-care 'slots' (capacity for 37% of children under five, including in-home care)

Image source:
<https://childcaredeserts.org/>



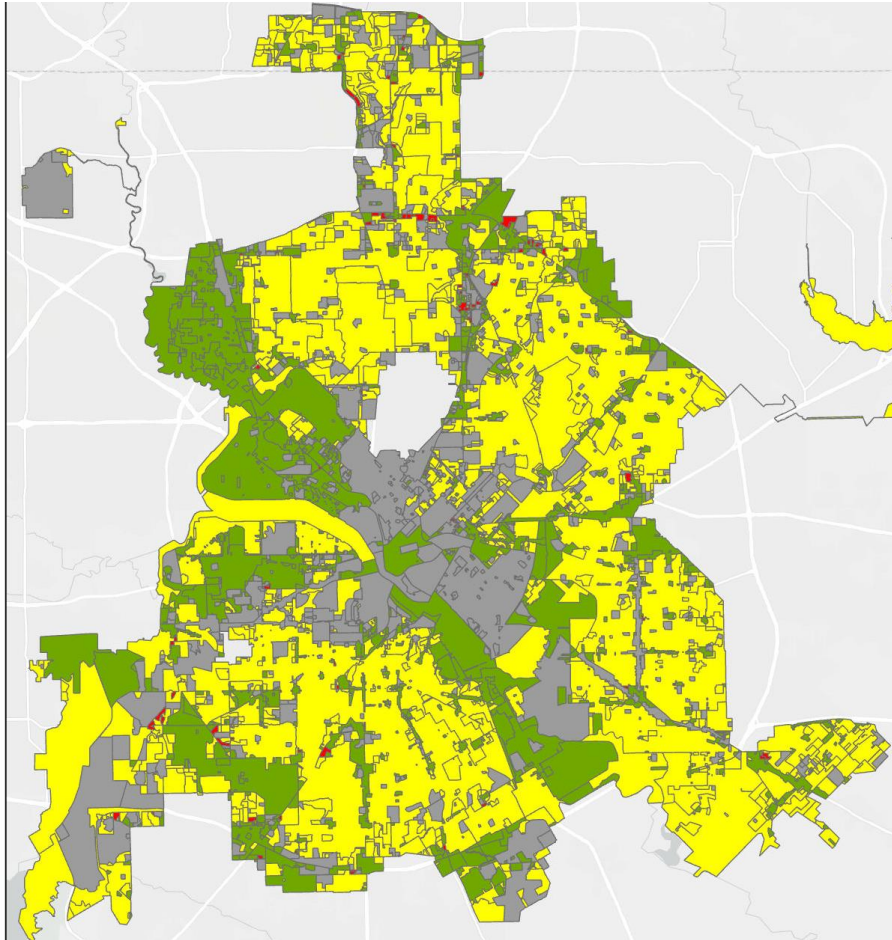
CPC and staff recommendations



Zoning Districts	Existing		Proposed
	Adult Day Cares	Child-Care Facility	Combined Use Child or Adult Care
Residential	SUP	SUP	✓
Office	Limited	Limited	✓
Retail	✓	✓	✓
Mixed Use	✓	✓	✓
Central Area	✓	✓	✓
CS and Industrial	✓	✓	SUP

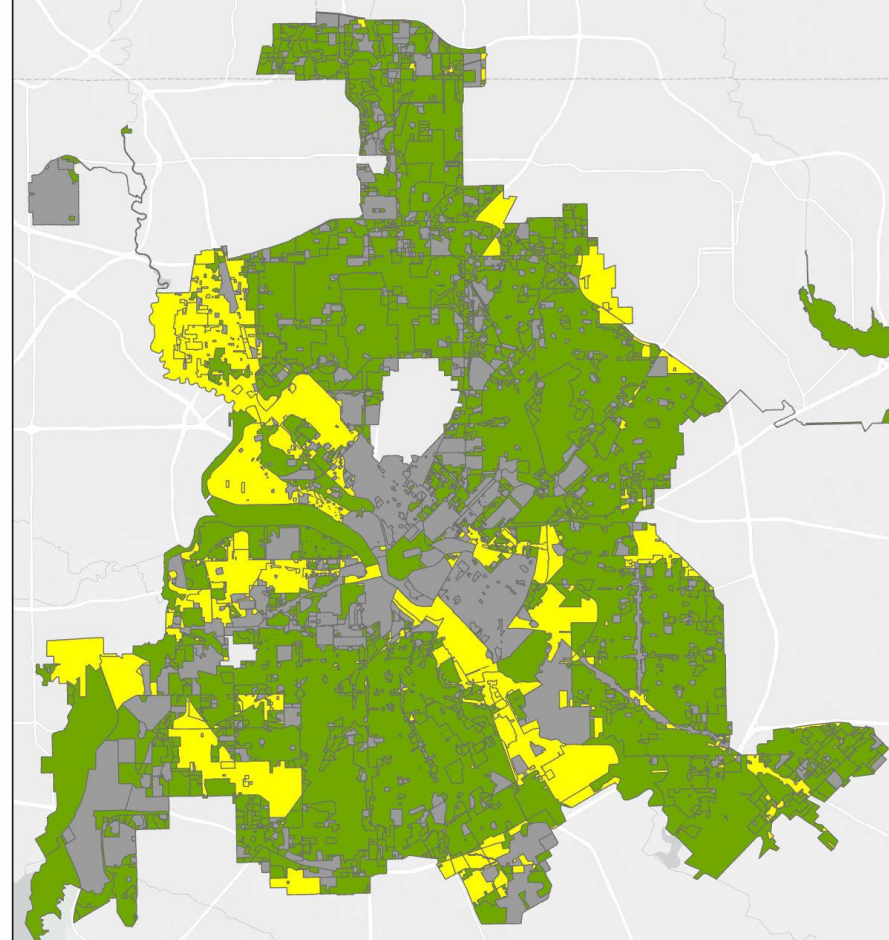


Zoning for day cares



CURRENT

Green: allowed



PROPOSED

Green: allowed





City of Dallas

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