



# Town of Glastonbury

## Community Development

TO: Town Plan & Zoning Commission

PREPARED BY: Shelley Caltagirone, Director of Community Development

DATE: September 27, 2024

RE: **Draft Child Care Home Regulations Text Amendment**

### Background

The State requires that towns update their codes to comply with Public Act 23-142 regarding child care homes. In September 2023, the Town Manager's office informed the Office of Policy and Management that Glastonbury would update the code by the end of 2024. The Community Development office has drafted a text amendment for Council consideration with support from the Town Attorney.

### Proposal

The following text amendments are proposed to bring the Building-Zone Regulations into compliance with state statutes.

#### TEXT REVISIONS

- Under Section 2 Definitions, Sub-Section 2.48 Supervised Group Quarters

A dwelling housing a group of persons during a period in which such persons are undertaking a program of vocational training, counseling, social rehabilitation or other similar programs, such as 24-hour care children's homes and group homes. Supervised group quarters shall not be considered a rooming house, boarding house, ~~or~~ lodging house, or daycare.

- Replace "day care" with "daycare" throughout the code
- Under Section 4.16.4.a for Uses Permitted by Special Permit in accordance with Section 12 within the Village Residential (VR) Zone

~~Day care~~Daycare center (~~family, group~~)

#### NEW TEXT

- Under Section 2 Definitions, inserting new definitions in alphabetical order
  - Daycare Center: A facility providing a program of supplementary care to more than twelve related or unrelated children/adults outside their own home on a regular basis for three to twelve hours a day, which may be an accessory facility to exclusively serve employees of a commercial facility

- o Daycare Home, Family: A private family home providing a program of supplementary care to not more than six children/adults, including the provider's own children/relatives, where the children/adults are cared for on a regular basis for three to twelve hours a day, and where the principal provider of the services resides on the premises. Family daycare homes shall not be regulated differently from a single-family home.
- o Daycare Home, Group: A private family home providing a program of supplementary care to seven to twelve related or unrelated children/adults on a regular basis for three to twelve hours a day, and where the principal provider of the services resides on the premises. Group daycare homes shall not be regulated differently from a single-family home.

Recommendation

If the Commission supports the text amendment, then the following motion is offered for consideration:

*“BE IT RESOLVED, that the Glastonbury Town Plan & Zoning Commission hereby recommends adoption of the draft text amendment of the Building-Zone Regulations regarding child care homes to the Town Council, as described in a report by the Director of Community Development dated September 27, 2024, as the amendment will bring the Town code into compliance with Public Act 23-142.”*

Attachments:

Letter from the Office of Policy and Management, dated September 12, 2023



# STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

*Intergovernmental Policy and Planning Division*

September 12, 2023

To: Chief Executive Officers

From: Martin L. Heft, Undersecretary

RE: **Compliance with PA 23-142 by December 1, 2023**

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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 family child care home or group child care home, located in a residence and licensed by the Office of Early Childhood pursuant to chapter 368a, in a manner different from single or multifamily dwellings.
- 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.

Pursuant to Subsection (b) of Section 1 of PA 23-142, each municipality shall submit to the Secretary of the Office of Policy and Management, not later than December 1, 2023, and annually thereafter, a sworn statement from the chief executive officer of the municipality, stating either that the municipality's zoning regulations are in compliance with the above requirements, or the specific time frame within which the municipality will bring its zoning ordinances into compliance.

A sample of an appropriate sworn statement is attached for your guidance.

Statements should be saved in PDF format and sent electronically only to Justine Phillips-Gallucci of my staff ([justine.phillips-gallucci@ct.gov](mailto:justine.phillips-gallucci@ct.gov)) by December 1, 2023.