

ORDINANCE # 2010-034

**AN ORDINANCE AMENDING THE CITY OF MOUNT AIRY
ZONING ORDINANCE**

WHEREAS, a proposal has been submitted by the Mount Airy Planning Board to amend Article VI, Section 6.4, Table of Permitted and Conditional Uses of the Mount Airy Zoning Ordinance to change the number of children allowed in a family day care home to current NCGS definitions;

WHEREAS, a proposal has been submitted by the Mount Airy Planning Board to amend the requirements of SR(3), Section 6.5, Special Requirements to the Table of Permitted and Conditional Uses, relating to Family Day Care Homes;

WHEREAS, a proposal has been submitted by the Mount Airy Planning Board to amend Article XV, General Legal Provisions; Definitions, Section 15.4 Definitions, relating to the definition of a Family Day Care Home;

WHEREAS, the Board of Commissioners of the City of Mount Airy adopted a resolution directing that a public hearing be conducted on the 20th day of May, 2010;

BE IT ORDAINED by the Board of Commissioners of the City of Mount Airy that certain sections of the Mount Airy Zoning Ordinance be amended as follows:

Part 1. That Article VI, Table of Permitted and Conditional Uses, Section 6.4 Table of Permitted Uses and Conditional Uses, Table T-1, Residential Uses be amended as follows:

By renaming the use “family daycare (5 or less persons)” to “family daycare (8 or less or per NCGS 110-86)”.

Part 2. That Article VI, Table of Permitted and Conditional Uses, Section 6.5 Special Requirements to the Table of Permitted and Conditional Uses, SR 3. Family Care Home and Family Day Care Homes, Item A be amended to read as follows:

“A family care home with six (6) or fewer persons or a family day care home with eight (8) or fewer persons may be operated as an accessory use to a principal dwelling. Number of persons to correspond with State regulations.”

Part 3. That Article XV, General Legal Provisions: Definitions, Section 15.4 Definitions, Family Day Care Home under A. General Definitions to read as follows:

“Family Day Care Home. A building used as a residence for a family which is also used to provide day care services on a temporary basis without transfer of custody for three (3) to eight (8) unrelated children, for a fee. (The keeping of 1-2 children does not require a permit.) Number of persons to correspond with State regulations.”

Part 4. That all ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Approved and adopted this the 1st day of June, 2010.