

---

# CITY OF OCALA PLANNING & ZONING COMMISSION REPORT

---

Meeting Date: 6/12/2023

Subject: Code amendment regarding Play Areas for Daycare Facilities

Submitted By: Emily W. Johnson, AICP

City Council Date: July 18, 2023 (Introduction) and August 1, 2023 (Second & final reading)

---

**STAFF RECOMMENDATION** (Motion Ready): Approve an ordinance to amend the supplementary regulations for day care facility play areas, to accommodate indoor play areas for licensed urban child care facilities.

---

## **OCALA'S RELEVANT STRATEGIC GOALS: Economic Hub & Innovative Environment**

---

**BACKGROUND:** Staff has received a query from a local business owner regarding indoor play areas for day care facilities. Upon further research, it was identified that the State has adopted new guidelines for urban child care facilities licensed under s. 65C-22.001 F.A.C, which allow for such a facility to utilize additional indoor play area space in lieu of an outdoor play area, when outdoor play space is deemed not available.

In order to be classified as an urban day care facility under s. 65C-22.001 F.A.C, a prospective licensee must obtain written documentation from the local governing body that confirms the geographical area has been declared urban; the City is classified as an urban area by the U.S. Census Bureau. Additionally, a prospective licensee must consult with the licensing authority to verify that the required outdoor play space, required by Section 3.4.4(B) of the Child Care Facility Handbook does not exist or cannot be made available; availability of outdoor play space is defined and determined by the state licensing authority.

### **FINDINGS AND CONCLUSIONS:**

The proposed ordinance was drafted by staff and is consistent with comparable ordinances concerning similar types of uses. The proposed amendment is consistent with the City's code of ordinances, and with state and local health and safety regulations.

**LEGAL REVIEW:** The ordinance is pending review by the City Attorney, William E. Sexton.

### **ALTERNATIVE:**

- Approve
- Approve with changes
- Deny
- Table

### **SUPPORT MATERIALS:**

- Proposed ordinance