

**GUIDE TO VILLAGE REQUIREMENTS CONCERNING
CHILD DAY CARE HOMES**

A special use is required if a day care provider receives more than three children into a home. The Zoning Ordinance allows child day care homes only in single-family detached residences.

Attached is a zoning petition form and the following sections of the Buffalo Grove Zoning Ordinance:

17.12.141 - Child Day Care Homes

17.28.040 - Criteria for Special Use

17.28.060 - Special Use for Child Day Care Homes

To proceed with applying for a special use, please fill out the applicable sections of the petition form (applicable sections are checked-marked).

The completed petition, a plat of survey of the property, a list with the names and addresses of all persons who own property within 250 feet of the day care home and a filing fee of \$100.00 should be returned to Robert E. Pfeil, Village Planner, 50 Raupp Boulevard, Buffalo Grove, IL.

When the required information has been submitted, a public hearing will be scheduled by the Village Plan Commission to consider the petition for a special use. Persons who own property within 250 feet of the day care home will be notified of the public hearing.

Prior to the Plan Commission hearing, the day care provider will need to verify that she or he is licensed by the Illinois Department of Children and Family Services (DCFS), and the Village will conduct an inspection of the day care home premises.

After the Plan Commission has completed the public hearing, the Commission will make a recommendation to the Village Board to approve or deny the special use. The Village Board will then take final action. If the special use is approved, the Board will pass an ordinance.

After approval of the special use, the day care provider will need to obtain a Village business license.

Questions concerning the Village's home day care requirements should be directed to:

Robert E. Pfeil, Village Planner
(847) 459-2518
E-mail: rpfeil@vbg.org

Prepared by: Village of Buffalo Grove, Division of Planning Services, 6/22/10

17.28.040 Criteria for special use.

A. All special uses shall meet the following criteria:

1. The special use will serve the public convenience at the location of the subject property; or the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
2. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with said special use, the size of the subject property in relation to such special use, and the location of the site with respect to streets giving access to it shall be such that it will be in harmony with the appropriate, orderly development of the district in which it is located;
3. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity of the subject property for the purposes already permitted in such zoning district, nor substantially diminish and impair other property valuations with the neighborhood;
4. The nature, location and size of the buildings or structures involved with the establishment of the special use will not impede, substantially hinder or discourage the development and use of adjacent land and buildings in accord with the zoning district within which they lie;
5. Adequate utilities, access roads, drainage, and/or other necessary facilities have been or will be provided;
6. Parking areas shall be of adequate size for the particular special use, which areas shall be properly located and suitably screened from adjoining residential uses, and the entrance and exit driveways to and from these parking areas shall be designed so as to prevent traffic hazards, eliminate nuisance and minimize traffic congestion in the public streets.

B. The special use shall in all other respects conform to the applicable regulations of the zoning district in which it is located, except as such regulations may be varied. Notwithstanding the foregoing, business planned unit developments shall conform with Section 17.44.040D of this Title unless varied.

C. The Plan Commission may recommend and the Corporate Authorities may impose such conditions and restrictions upon the subject property, the location, the construction and design of buildings and use of the property benefited by such special use as may be necessary or appropriate to comply with the foregoing criteria.

D. Notwithstanding Chapter 17.52 of this Title, the Plan Commission may recommend and the Corporate Authorities may vary the regulations of the zoning district in which the special use is located subject to meeting the criteria of Section 17.52.070(A)(1) through 17.52.070(A)(3), except for planned unit developments which shall meet the general objectives of Section 17.28.050(A)(1) through 17.28.050(A)(7). (Ord. 2004-100 § 2, 2004).

17.28.060 Special use for child day care homes.

- A. Procedure. A special use may be authorized by passage of an ordinance by the Corporate Authorities after a public hearing and recommendation by the Plan Commission in accordance with Section 17.28.030.
- B. Conditions for Approval. The Plan Commission shall review a special use application for compliance with the following criteria and standards:
 - 1. A special use for a child day care home shall meet the requirements of Section 17.28.040.
 - 2. Verification that the day care provider is a full-time resident of the home.
 - 3. Verification that the home is licensed by the Illinois Department of Children and Family Services, and that applicable requirements of the Illinois Department of Public Health will be met.
 - 4. Inspection by the Village Department of Building and Zoning, Health Officer and Fire Department to determine that all life-safety, health and other applicable codes will be met.
 - 5. That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
 - 6. The following standards shall be met:
 - a. Provision of child care shall be limited each day to the hours of 6:00 a.m. to 8:00 p.m. Outdoor play shall not be allowed before 8:00 a.m.
 - b. Adequate space shall be provided on the driveway of the property for parking while children are being dropped off or picked up at the home.
 - c. Traffic congestion or safety hazards shall not be created in the adjacent neighborhood.
 - d. A play area shall be provided in the rear yard of the property. Said area shall be enclosed by a fence at least four feet in height to ensure the safety of the children. The fenced play area shall be secured with a self-closing and self-latching gate(s) as approved by the Village. Said play area shall be screened from adjacent properties with fencing or landscaping.
 - e. The day care activities shall not create undue noise or other nuisances for adjacent properties. There shall be no outdoor sound amplification devices which produce distinctly and loudly audible sounds beyond the boundary of the property from which the sound originates.
 - f. Employees who are not residents of the day care home may be employed by the

day care provider, if it is determined by the Plan Commission that this would not be detrimental to the neighborhood. Parking shall be provided on the property for any employee driving to the home.

- g. An approved day care home shall be subject to periodic inspection by the Village in accordance with Village procedures for inspections concerning health, life-safety and other applicable regulations.
 - h. The Plan Commission and Corporate Authorities may impose conditions and restrictions as may be necessary or appropriate to comply with the foregoing criteria and standards. The foregoing standards may be modified as deemed reasonable in specific cases.
 - i. The Plan Commission shall consider the number and location of other child day care homes so as to avoid congestion and other negative impacts.
- C. The special use is valid for a period of two years. A day care provider must re-apply for special use authorization pursuant to the requirements of this section. The Village shall review the performance of the day care provider in determining if the special use shall be re-authorized for another two-year period. The Village may require a public hearing and recommendation by the Village Plan Commission prior to determining if the re-authorization shall be granted.
- D. Any special use granted pursuant to this section shall be automatically revoked if the license issued by the Illinois Department of Children and Family Services (DCFS) is revoked. Any special use granted pursuant to this section shall be automatically suspended if the license issued by the Illinois DCFS is suspended.
- E. A day care provider granted a special use shall obtain a Village business license.
- F. The Plan Commission may recommend reduction of the maximum number of children allowed in a child day care home upon its review of all conditions and standards set forth herein.

17.12.141. Child day care home (definition)

A family home, operated by a full-time resident of the home, which receives more than three children up to a maximum of eight children for less than twenty-four hours per day. There shall be no more than twelve children in any twenty-four hour day, and no more than eight children at any one time. The maximum number of children includes the family's natural or adopted children and all other persons under the age of fourteen.

To fill out the Petition Form, click [here](#).