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01/2009

Miami-Dade County provides equal access and equal opportunity in employment and services and does not discriminate on the basis of disability. "It is the policy of Miami-Dade County to comply with all of the requirements of the Americans with Disabilities Act."



ZONING INFORMATION

Child Care Requirements

Day nurseries, day care centers and kindergartens.

A Public Information
Service of Miami-Dade County
Department of Planning and Zoning

111 N.W. 1st Street, Miami, FL 33128-1974
Monday-Friday, 8am-5pm, 305-375-1808

Questions AND ANSWERS

What is a Day Nursery?

Child care for infants and children up to and including age 6.

What is a Kindergarten?

Child care and preschool programs for children ages 4 through 6.

What is After-School Care?

Child care and recreation for children above the age of 5 when no formal schooling program is conducted and where the care provided is generally after school, on weekends, school holidays and vacations.

What is a Babysitting Service for Shoppers?

Child care for limited time periods (maximum 3 hours) provided within a shopping center solely for the convenience of the patrons, and limited to not more than 40 children at any one time.

What is a Family Day Care Home?

Child care and recreation for a maximum of 5 children including the day care operator's own children. (see Section 33-199(a) for requirements).

What is a Private School?

Any private institution providing child care and/or instruction at any level from infants through the college level.

What about Sunday Schools and Sabbath Schools?

These requirements do not apply to facilities used principally for weekend or intermittent non-academic religious instruction or for the care of children whose parents or guardians are attending religious services or meetings on the premises.

The regulations contained herein are general in nature and are subject to change as deemed necessary by the Board of County Commissioners. It is advisable to contact the Department of Planning and Zoning, Information Center at (305) 375-1808 to ascertain whether more restrictive regulations may apply to specific developments.

Child Care REQUIREMENTS

Child Care Requirements

1. Day nurseries, after school care and kindergartens require a public hearing unless the property intended for such use is zoned RU-3, RU-3B, RU-3M, RU-4L, RU-4M, RU-4, RU-4A, RU-5, RU-5A, OPD, BU (Business) or IU-1 (Industrial) and meets all code requirements including setbacks for buildings of public assemblage where occupancy is for 50 persons or more, and all other code requirements.

Private schools are permitted on properties zoned RU-3, RU-3M, RU-3B, RU-4L, RU-4M, RU-4, RU-4A, AU (Agriculture), BU (Business), and IU-1 (Industrial) subject to compliance with the aforementioned requirements.

For combinations of residential and nonpublic educational uses

- a. A single-family residential use may be permitted in the same building with a nursery or kindergarten use, where the same is used only by the nursery-kindergarten operator, and only upon approval at public hearing.
- b. An existing multifamily apartment building or complex may incorporate a day nursery and/or kindergarten for the accommodation of residents only; provided, that such facility will not be contrary to any site plans previously approved at a public hearing.
- c. Nonpublic educational facilities may be incorporated into a proposed apartment building or complex, provided said uses are included in the plans submitted for approval at public hearing (in case of an apartment complex) and/or for permit (in case of an apartment building).
- d. Office developments in RU-5 and RU-5A districts that contain a platted lot of not less than 5 acres net, are approved under one site plan, are under one ownership, and include a day nursery, kindergarten or after school care may qualify for a floor area bonus (see Section 33-151.13[b]).

Physical Standards

- a. **Facilities:**

Day nursery/ kindergarten and preschool and after school care	Required outdoor area 45 square feet per child calculated in terms of half of the proposed maximum number of children in attendance at the school at any one time.
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- b. **Signs:** 6 square feet in size for the total square footage of all freestanding signs on site in any residential district; other districts must comply with Chapter 33.

- c. **Auto stacking:** Stacking space shall be provided for the pickup and delivery of children for a minimum of 2 automobiles for schools with 20 to 40 children; schools with 40 to 60 children shall provide 4 spaces; thereafter sufficient space shall be provided to stack 5 automobiles.
- d. **Parking requirements:** Parking requirements shall be as provided in Section 33-124(l).
- e. **Classroom size:** The minimum classroom space for day nursery, kindergarten, pre-school and after school care shall be determined by multiplying the maximum proposed number of pupils in attendance at any one time by 35 square feet per pupil. Kitchens, bathrooms, hallways, teacher's conference rooms, storage areas or any other interior space not used for instruction, play or similar activities are not included in this computation.
- f. **Height:** The structure height shall not exceed the height permitted for that site by the underlying zoning district.
- g. **Exemptions:** Baby-sitting services and schools in multi-family structures may be exempt from these auto stacking and outdoor area requirements (see Section 33-151.18[h]).
- h. **Safety:** Child care facilities as herein described shall be prohibited from operating on property abutting or containing a water body such as a pond, lake, canal, irrigation well, river, bay, or the ocean unless a safety barrier is provided which totally encloses or affords complete separation from such water hazards.

Swimming pools & wading pools shall be totally enclosed and separated from the balance of the property. No outdoor recreation, playground/play area shall be located abutting on a section or half-section line road (see Section 33-151.18[j]).

Required Information

When submitting plans for zoning review, the following shall be included:

- a. Site plans with zoning legend, showing outdoor playground area with a fence, parking spaces and auto stacking.
- b. Floor plans identifying classroom area(s) and dimensions (Note: for 50 or more children the plans must be sealed by an architect or engineer).
- c. Completed Child Care Checklist.
- d. Landscape plans, Landscape Legend and Certification of Compliance with Chapter 18A (Landscape Code).