
RESIDENTIAL CHILD CARE

A GUIDE FOR SMALL AND LARGE PROVIDERS



*City of Bentonville
Community Development Department*

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CHILD CARE

The City of Bentonville believes that child care providers offer valuable services and are assets to our community. This guide is intended to provide resources and regulations for operating a residential child care within Bentonville. We hope that this information will make the establishment of your child care a success.

DEFINITIONS

Residential Child Care: a single family dwelling that regularly provides care, protection, and supervision of no more than eight (8) children, including children under the age of ten that permanently reside in the home, in the permanent residence of the operator's home, for periods of less than twenty-four (24) hours per day, while parents or guardians are away, and is either classified as a small or large residential child care.

Small Residential Child Care: a home that provides child care for up to four (4) children, including children under the age of ten that permanently reside in the home.

Large Residential Child Care: a home that provides child care for up to eight (8) children, including children under the age of ten that permanently reside in the home

Home Occupation: A non-residential use carried on within a dwelling, which is clearly subordinate to the residential use and which does not outwardly change the residential character of the use, lot or structure.

One (1) to four (4) children – Type A
Five (5) to eight (8) children – Type B

THE PROCESS

Determine which type of residential child care you are proposing.

- Small Residential Child Care
(Staff approval)
 - 4 children or less
- Large Residential Child Care
(Planning Commission approval)
 - 5 to 8 children

Small Residential Child Care Process

1. Complete the appropriate application form titled, Conditional Use Permit Application. Small residential child cares are considered a Type A Home Occupation and will receive a Certificate of Home Occupation compliance to operate within the City of Bentonville.

2. Submit the completed application form on a designated application submittal day by 12:00 noon. Please contact the Planning Department for the submittal day schedule.

3. Small residential child care applications are approved by the Planning Department staff.

4. Complete the Certification of Home Occupation Compliance form (Type A). The form must be signed, notarized and filed with the Planning Department before your small residential child care will be approved.

5. If your application is approved, a letter will be mailed to you within two (2) weeks of application submittal. You will then be ready to open your small residential child care (**all other requirements not enforced by the City of Bentonville must be met**).

6. If your application is denied, staff will call you and explain to you know why. Upon staff determination you may need to have a meeting with the Planning department so you are aware of why it was denied. At this time, staff will make you

aware of what revisions need to be made to your application in order to proceed with the process.

Large Residential Child Care Process

1. Complete the appropriate application form titled, Conditional Use Permit Application. Large residential child cares are considered a Type B Home Occupation and must receive a Planning Commission approved Conditional Use Permit to operate within the City of Bentonville.

2. A large residential child care shall provide verification of an approved Fire Department inspection **at the time of application submittal**. Please call the City of Bentonville Fire Marshall at (479) 271-3151 and the City of Bentonville Chief Building Inspector at (479) 271-3125 to arrange an inspection.

3. Submit the completed application form on a designated application submittal day by 12:00 noon. Please contact the Planning Department for the submittal day schedule.

4. Attend the Planning Commission Technical Review meeting and the Planning Commission meeting. All meetings are held in the Planning Commission Chambers of the Community Development Building located at 305 SW "A" Street at 5:00 p.m. Please contact the Planning Department for the Planning Commission meeting schedule.

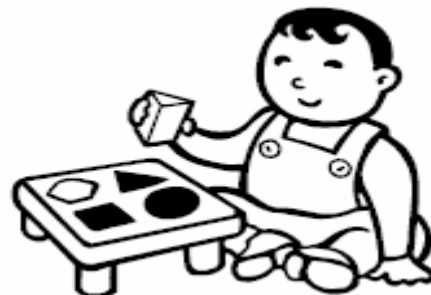
5. Planning Commission grants approval of a Conditional Use Permit to operate your large residential child care.

6. Complete the Certification of Home Occupation Compliance form (Type B). The form must be signed, notarized and filed with the Planning Department before your Conditional Use Permit will be approved and issued.

7. A letter of approval signifying the issuance of a Conditional Use Permit will be mailed to you within two (2) weeks of the

Planning Commission meeting. You will then be ready to open your large residential child care (**all other requirements not enforced by the City of Bentonville must be met**).

8. If Planning Commission denies your request for a Conditional Use Permit to operate your large residential child care, you must wait a minimum of six (6) months from the date of denial to reapply or appeal to the City Council within thirty (30) days of the Planning Commission meeting in which your application was denied. To appeal a decision by the Planning Commission please call the City Clerk's office at (479) 271-5966.



REQUIREMENTS

Small and large residential child cares can only be located within residential zoning designations and must be issued a Conditional Use Permit by either the Planning staff (small residential child cares) or the Planning Commission (large residential child cares). A Certificate of Home Occupation Compliance must also be completed after the Conditional Use permit has been approved.

Conditional Use permits and a Certificate of Home Occupation Compliance are required in order to operate a small or large residential child care due to the potential conflicting nature of a business that encompasses a commercial use, such as a child care, may create within a residential neighborhood. For this reason, it requires a careful review of its locations, design, configuration, and spatial impact to determine the desirability of allowing it on a particular site.

Small Residential Child Care – 4 children or less

A small residential child care shall not care for more than four (4) children at any given time, including the children under the age of ten residing in the home or the number approved by the state's licensing board, whichever is fewer.

- The dwelling shall meet all City, County and State Health Department requirements as to safety, design, facilities, equipment, and other features and the center shall be operated in a manner that will not adversely affect other properties and uses in the area.
- Small residential child cares shall be located in a single-family dwelling, which is the permanent residence of the operator(s) and shall be operated in a manner that will not change the character of the residence.
- The licensee must obtain the written consent of the property owner when the

residential child care is operated in a single family dwelling that is leased or rented.

- The dwelling shall be located on a lot having not less than four thousand (4,000) square feet of area.
- There shall be at least thirty-five (35) square feet of usable indoor space for each child in the home. This area shall not include the kitchen(s), bathroom(s), hallway(s) or closet(s).
- The outdoor play area shall be enclosed with an opaque fence not less than six (6) feet in height, provide at least seventy five (75) square feet of area per child present on the playground at any time, and shall provide an outside exit.
- The area shall be well drained.
- For residences with frontage on or access from a four (4) lane street, at least one (1) paved area designed with on-site parking and maneuvering shall be provided. This allows vehicles to drop off/pick up children and exit the site without backing out onto the street. The location and design of the paved area shall be approved by the Planning Department and Engineering Department staff.

Large Residential Child Care – 5 to 8 children

A large residential child care shall not care for more than eight (8) children including the number of children under the age of ten that reside in the home, or the number of children approved by the state's licensing board, whichever is fewer.

A large residential child care shall meet all of the provisions of a small residential child care and the additional following provision:

- A large residential child care shall provide verification of a Fire Department inspection at the time of application submittal for a Conditional Use permit.

Small and Large Residential Child Care Review & Approval Process

