LARGE FAMILY DAYCARE PERMIT APPLICATION

Environmental and Development Services Department
Planning Division
10890 San Pablo Avenue, El Cerrito, CA 94530
(510) 215-4330 – FAX (510) 233-5401
planning@ci.el-cerrito.ca.us

Application No:

Date Received:

Fees: $199-one-time-only, plus annual City Business License (6055)

Operator's Name: _____

Name of Facility (if different from operator): _____

Address: _____

Phone: _____ **Number of Children:** _____

Property Owner's Name (if different than operator): _____

Address: _____

Signature: _____ **Date:** _____

❶ Does a six (6) foot high, solid fence separate the outdoor play area from adjacent residential properties? ☐ Yes ☐ No

❷ Proposed hours of operation are between the hours of 4:00 a.m. and 7:00 p.m.? ☐ Yes ☐ No

❸ Outdoor play is scheduled only between the hours of 9:00 a.m. and 5:30 p.m.? ☐ Yes ☐ No

I, the operator or future operator of the subject Large Family Day Care Home, hereby state that I am a full-time resident of the dwelling unit in which the facility is located and that I understand the standards and procedures, including the review and complaint procedures which apply to the non-discretionary approval of Large Family Day Care Homes.

Signature: _____ **Date:** _____

FOR PLANNING STAFF USE:

❶ Other existing Large Family Day Care Homes are located within three hundred (300) linear feet along a street. ☐ Yes ☐ No

❷ One on-street parking space is provided for drop-off and pick-up. ☐ Yes ☐ No

❸ On the property there are at least 3 parking spaces, two covered spaces which satisfy the residential parking requirement, and a third space which is available for employee parking. The employee parking space may be uncovered and in tandem with the required residential parking. ☐ Yes ☐ No

❹ There is at least 22 feet of legally permitted street parking adjacent to the property. ☐ Yes ☐ No

❺ The street width curb-to-curb is a minimum of 30 feet. ☐ Yes ☐ No

❻ If located on a dead-end-street or cul-de-sac, turn-around diameter is a minimum of 40 feet. ☐ Yes ☐ No

❼ If the Day Care home is located on an arterial street* as designated by the General Plan Circulation Element, the drop-off and pick-up areas are located so as to prevent Vehicles from backing into the arterial roadway. ☐ Yes ☐ No

*Arterial streets are San Pablo Avenue, Fairmount Avenue, Carlson Boulevard, Central Avenue west of Richmond Street, Liberty Street between Central Avenue and Fairmont Avenue, Colusa Avenue, Ashbury Avenue south of Fairmount Avenue, Richmond Street, Moeser Lane, Potrero Avenue, Hill Street, Eastshore Boulevard, Cutting Boulevard west of Arlington Boulevard, Elm Street between Blake Street and Cutting Boulevard, Key Boulevard, Barrett Avenue, and Arlington Boulevard.

CONDITIONS OF APPROVAL:

1. All conditions stated in Zoning Ordinance Section 19.20.110 are in effect. (Zoning Ordinance Section 19.20.110 is attached.)
2. Permit will expire if operation ceases for more than 180 consecutive days, as stated in Zoning Ordinance Section 19.20.110.I.
3. Operation is subject to review as stated in Zoning Ordinance Section 19.20.110.K.
4. Operation is subject to complaint procedure as stated in Zoning Ordinance Section 19.20.110.L.

CONDITIONAL APPROVAL:

All requirements and conditions other than State licensing are satisfied, and conditional non-discretionary use permit is granted for a period not to exceed sixty (60) days.

Date:_____Staff Person:_____

All appropriate licensing from the State Department Social Services shall be granted by (Date)_____or this non-discretionary use permit shall be null and void.

FINAL APPROVAL:

Copy of State Department of Social Services license dated)_____is attached. All requirements and conditions are satisfied, and a non-discretionary use permit is hereby granted.

Date:_____Staff Person:_____

19.20.010 Large Family Day Care

Large Family Day Care homes shall be located, developed, and operated in compliance with the following standards:

A. **Location.** Large Family Day Care homes must be located at least 300 linear feet apart along the fronting street from any other Large Family Day care home. In no case shall any residential property have more than one Large Family Day Care home adjacent to its property line.

B. **Licensing.** Large Family Day Care homes shall be licensed or certified by the State of California and shall be operated according to all applicable state and local regulations.

C. **Outdoor Play Area.** A six-foot high, solid fence shall be required to separate the outdoor play area of a large family day care home from adjacent residential properties. Fence shall be provided pursuant to Chapter 19.25: Landscaping and Buffer Yards.

D. **Noise.** Noise from the operation of any Large Family Day Care may not exceed noise standards set forth in Section 19.21.050.B, while the periodic sounds of small groups of children at play shall be considered customary in residential neighborhoods during the daytime hours. Satisfaction of the noise standard herein is subject to the complaint procedure set forth in subsection L of this section.

E. **Hours of Operation.** Large Family Day Care homes shall operate only between the hours of 4:00 a.m. and 7:00 p.m.. No outdoor play is allowed before 9:00 a.m. or after 5:30 p.m.

F. **Parking and Traffic.** An operator of a Large Family Day Care home shall satisfy the following traffic control conditions:

1. At least one on-street parking space located abutting the Large Family Day Care home property is required for drop-off and pick-up of children.

2. The operator of a Large Family Day Care home shall provide at least three off-street parking spaces, which may include spaces already provided to satisfy existing residential parking requirements. One of these spaces may be uncovered and may be in tandem with required parking for the principal dwelling unit.

3. Large Family Day Care homes located on arterial streets, as designated by the General Plan Circulation Element, shall provide drop-off and pick-up areas located in areas that prevent vehicles from backing onto the arterial roadway.

4. No Large Family Day Care homes shall be located upon a lot having less than 22 feet of linear street frontage available for legally permitted on-street parking.

5. Increased traffic due to the operation of any Large Family Day Care home shall not cause traffic levels to exceed those levels customary in residential neighborhoods. However, somewhat higher traffic levels during the morning and evening commute time shall be considered customary in residential neighborhoods. Satisfaction of the traffic control standard is subject to the complaint procedure set forth in subsection L of this section.

6. Vehicles dropping off and picking up children shall not:

   a. Double-park at anytime;

   b. Block the driveways of neighboring houses; or

   c. Use driveways of neighboring houses to turn around.

7. To eliminate further potential hazards, no Large Family Day Care home may be located:

   a. Upon a lot fronting a street with a curb-to-curb width of less than thirty feet; or

   b. Fronting on a dead-end street or cul-de-sac with a bulb diameter of less than 40 feet.

G. **Residency.** The operator of a Large Family Day Care home shall be a full-time resident of the dwelling unit in which the use is located.

H. **Contact Person(s).** The current name(s) and telephone number(s) of the operator(s) shall be on file with the Planning Department at all times.

I. **Expiration of Permit.** If a Large Family Day Care home that is subject to a use permit ceases to operate for a period of greater than 180 consecutive days, its permit shall be considered to be null and void. This time period shall commence automatically when six or fewer children receive care, protection and supervision at the facility.

J. **Notification of Operating Standards.** The operator of the Large Family Day Care is shall notify the Zoning Administrator in writing of any modifications to operating standards, including hours of operation and drop off and pick up locations.

K. **Review.** The operation of all Large Family Day Care homes is subject to the following review procedures:

1. The Zoning Administrator shall review any application for a Large Family Day Care home for compliance with these requirements and may require the permit to be reviewed by the Planning Commission at a public hearing, where there is dispute as to whether the project complies with all standards.

2. A noticed public hearing to review compliance with standards is mandatory when the City receives six substantiated complaints as provided in subsection K of this section.

L. **Complaints.** Upon receiving any combination of six substantiated complaints from six different residences within 300 feet of the large family day care home within one calendar year concerning noise, hours of operation, or traffic control as specified in subsections D, E and F of this section, the Planning Commission shall review the Large Family Day Care operation at a noticed public hearing conducted in accordance with the procedures outlined in Chapter 19.32: Common Procedures of this Zoning Ordinance.

1. ***Complaint Procedures.*** Before submitting a complaint to the City pursuant to this subsection, a complainant shall first submit to the operator of the Large Family Day Care home a written complaint, signed by the complainant and setting forth the complainant's address and telephone number. If after 14 calendar days from the submittal of a complaint to the operator, the complainant remains dissatisfied with the performance of the Large Family Day Care home, the complaint may then be submitted to the Planning Department, including the original complaint letter, and documentation of any and all contact with the operator to resolve the issues identified in the original complaint. The Planning Department shall investigate complaints within 14 calendar days of receipt of the complaint to determine their validity.

2. ***Substantiated Complaint.*** A complaint shall be considered substantiated if the Zoning Administrator determines that the operator has failed to respond appropriately to a complaint concerning hours, traffic control or noise. Complaints shall be limited to alleged violations of the standards for hours, noise and traffic control, and may originate only from residences within 300 feet of the applicable large family day care home.

M. **Exceptions.** An exception for the hours of operation and number of off-street parking spaces may be granted via a conditional use permit.