

## **SECTION 6401.2. GENERAL PROVISIONS RELATING TO LARGE FAMILY DAY CARE HOMES.**

1. Large Family Day Care Permit Required for Large Family Day Care Homes. A large family day care permit shall be required for large residential day care facilities for children (family day care homes; 7-12 children), except those facilities operating under a valid use permit prior to the effective date of this section. Upon expiration of the use permit, a large family day care permit shall be required for the facility to continue operating.
2. Conditions for Approval
  - a. Outside the Coastal Zone. A large family day care permit for a large family day care facility located outside of the Coastal Zone shall be approved upon compliance with the following conditions:
    - (1) The provider shall secure a large family day care home (facility) license from the State of California Department of Social Services (Community Care Licensing Division).
    - (2) The facility shall be the principal residence of the provider and the use is clearly incidental and secondary to the residential use of the property.
    - (3) The facility is not structurally altered so as to compromise its residential appearance or deviate from the residential character of the neighborhood. Entry/exit ramps, e.g., for wheelchair or stroller access, shall not be considered to alter the character of the residence.
    - (4) The facility shall not be located within 300 feet of another operating, State-licensed large family day care home.

If a facility is proposed to be located within 300 feet of another licensed large family day care home, a discretionary use permit shall be required in accordance with the provisions of Chapter 24 of this Part, except that the application fees shall not exceed those charged for a large family day care permit.
  - (5) The facility shall provide one off-street parking space for each facility employee in possession of a valid driver license, not living in the residence during the employee's work shift at the facility.
  - (6) The facility shall provide a minimum of one unobstructed loading/unloading space (at least 18 feet long and 8.5 feet wide) for dropping off and picking up children, in either of the following locations:

An on-site space, e.g., the residential driveway, in addition to the required parking for the residence, or

- (b) An off-site space directly in front of the facility such that children shall not have to cross a street, parking lot, or other traffic area. This option shall be allowed only if: (1) the space is not located on a major arterial street as determined by the Department of Public Works, (2) the street is wide enough to include a parking lane or sufficient road shoulder within the public right-of-way to accommodate the space as determined by the Department of Public Works, and (3) the Department of Public Works approves the designation of a 10-minute loading/unloading zone, identified on the curb or street.

In either case, loading/unloading activities shall not result in vehicles blocking neighbors' driveways, sidewalks, or double parking in the street.

- (7) No more than three cars associated with loading/unloading children shall be parked at one time at the facility during operating hours.
- (8) The facility does not generate noise levels, when measured at the facility property line, that exceed the following maximum allowable noise standards established by the County Noise Ordinance:

Cumulative Number of Minutes in Any One Hour Time Period	Level (in dBA) not to be Exceeded	
	Daytime 7:00 a.m.-10:00 p.m.	Nighttime 10:00 p.m.-7:00 a.m.
30	55	50
15	60	55
5	65	60
1	70	65
0	75	70

- (9) Not more than eight (8) of the facility's children may be in the front yard at any one time during operating hours.
- (10) The facility shall provide a maximum 6-foot high solid wood fence or masonry wall around any rear and side yard areas that are accessible to children and adjacent to a residential use in a residential zoning district. The facility shall also provide a maximum 4-foot high fence, or fence/gate between any rear and side yard areas and unfenced front yard areas, unless the respective zoning district allows a higher fence.

- (11) Facility-identifying signage shall be limited to one: (a) freestanding sign, not to exceed 4 feet in height, or (b) wall-mounted sign. In either case, sign display area shall not exceed 6 square feet.
- (12) The facility shall comply with all applicable State and County laws, including a fire safety inspection as conducted and to the standards set by the Building Inspection Section.
- b. Within the Coastal Zone. A large family day care permit for a large family day care facility located within the Coastal Zone shall be approved upon compliance with the following conditions:
  - (1) The facility will comply with the required conditions specified above in Zoning Regulations, Section 6401.2(a),
  - (2) The facility will conform with the Local Coastal Program,
  - (3) The facility will comply with all conditions of the required Coastal Development Permit, as specified in Zoning Regulations Chapter 20B.

### 3. Approval Process

#### a. Outside the Coastal Zone

- (1) Applications shall be made to the County Planning and Building Division on a large family day care permit form and shall include a site plan, drawn to scale, showing all buildings on the property and the type and height of fences on or along all property boundaries.
- (2) Approval of a large family day care facility rests exclusively with the Planning Director.
- (3) Public notice prior to consideration of the requested large family day care permit is not required.
- (4) All property owners within 100 feet of the exterior limits of the property for which the facility is approved shall receive a copy of the large family day care permit.
- (5) An approved large family day care permit is not appealable to the Planning Commission or Board of Supervisors.

b. Within the Coastal Zone

- (1) Application requests shall be the same as for facilities located outside the Coastal Zone, as specified above in Zoning Regulations, Section 6401.3.a(1).
- (2) Approval of the large family day care permit rests with the decision maker required to consider the associated Coastal Development Permit, as specified in Zoning Regulations Chapter 20B, Section 6328.9.
- (3) Public notice prior to consideration of the requested large family day care permit shall be the same as that required for the associated Coastal Development Permit, as specified in Zoning Regulations, Chapter 20B, Section 6328.9, i.e., all property owners within 100 feet of the exterior limits of the property for which the facility is proposed shall be notified ten (10) calendar days prior to the specific decision date of the permit.
- (4) All property owners within 100 feet of an approved large family day care facility shall be notified the same as for facilities located outside the Coastal Zone, as specified above in Zoning Regulations, Section 6401.3.a(4).
- (5) An approved large family day care permit is appealable to the same decision body as that of the associated Coastal Development Permit, as specified in Zoning Regulations, Chapter 20B, Section 6328.16.

4. Exception Process. Exceptions may be granted to any of the conditions of approval listed in Zoning Regulations, Section 6401.2.2(a) by the Zoning Administrator, upon application by the facility operator for a use permit in accordance with the provisions of Zoning Regulations Chapter 24.

5. Status of Large Family Day Care Facilities Currently Operating with a Use Permit. All existing large family day care facilities located outside the Coastal Zone and currently operating with an approved use permit shall obtain only a large family day care permit at the time of the use permit's next renewal. All facilities located within the Coastal Zone and operating with a use permit shall obtain a large family day care permit and the necessary Coastal Development Permit.

Status of Large Family Day Care Facilities Currently Operating without a Use Permit. All existing large family day care facilities currently operating without an approved use permit shall obtain a large family day care permit and, if located within the Coastal Zone, a Coastal Development Permit immediately. Failure to

do so will result in referring the unpermitted facility to the County's Code Enforcement Section.

6. Revocation of Large Family Day Care Permit. The Planning Director may revoke a large family day care permit if: (a) the State facility license is revoked for any reason, or (b) any of the required conditions are not met.