



CITY OF SANTA MONICA

SMALL & LARGE FAMILY DAY CARE PLANNING GUIDE

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Human Services Division

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Santa Monica, CA 90401

Phone: 310.458.8701

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HumanServices.Mailbox@SMGOV.NET

HOW TO USE THIS GUIDE

We are delighted you are interested in opening up a family day care home in Santa Monica!

Since 1991, with the development of the Child Care Master Plan, and update of the 2015 Zoning Ordinance, the Santa Monica City Council has held a strong commitment toward promoting and facilitating the development of quality, licensed child care options to families. This Planning Guide is part of the City's long-standing effort to help remove barriers for developing family child care. It provides key information about local and state requirements regarding licensing, property use, facility requirements, parking, health, fire, safety, and access issues.

As you study this Planning Guide, you will discover that providing quality child care may require learning a new language. It also requires interacting with a number of State and City departments and agencies that regulate child care programs. This Guide is intended to help you clarify which regulations govern which types of day care homes and where you can find assistance as you move through the process.

-  **Section 1:** Describes how you can develop a business plan.
-  **Section 2:** Reviews the California State licensing procedure.
-  **Section 3:** Summarizes the City's permit process for family day care homes in Santa Monica and provides a brief overview of the types of City permits related to operating and/or renovating your home for family child care.
-  **Sections 4 & 5:** Explains the City's building and safety requirements and provides a brief summary about what is required to obtain a City business license.
-  **Section 6:** Provides information about insurance.
-  **Sections 7 and beyond:** Provides additional helpful information on navigating the day care home development process, including a checklist, frequently asked questions, a glossary of common used terms, and a City directory.

Every effort has been made to provide you with the most current information on opening a family day care home in Santa Monica. However, regulations and their interpretations do change. Please use this only as a guide and be sure to research all topic areas before making any financial or construction decisions.

Determining if your home is appropriate for your family day care is probably one of the most challenging steps in the process.

Consider the following questions before you decide to open, expand, or remodel a facility at your home:

- ✚ What is the child care need in Santa Monica?
- ✚ How much space do you have in your home, inside and outside, for quality care? How many children will you be able to serve with that space?
- ✚ How will you finance any necessary renovation to your home?
- ✚ What are the costs of startup and operation? What are the legal requirements?
- ✚ Do you have the support of your neighbors and/or surrounding businesses?
- ✚ What training requirements are necessary before you begin providing care?
- ✚ What training is required for continuing professional development?
- ✚ Do you have a well-conceived business plan?

If, after reading this guide, you would like to further discuss your specific project, please feel free to contact the City's Early Childhood Analyst in the Human Services Division at (310) 458-8701, and the City Planning Division's Designated Child Care Project Planner at (310) 458-8341.

These two staff members are specifically assigned to be available to support you through the process and assist you in coordinating across various City divisions and departments.

SECTION 1:

DEVELOPING A BUSINESS PLAN

Creating a business plan to guide you through the start-up, growth phase, or any endeavor your small business undertakes is an important first step.

When starting a child care program in your home, you want it to be successful. A business plan will make you think about your goals, the resources you may need, and help you anticipate problems that might otherwise come up by surprise. Some things to consider when developing your business plan include:

- ✚ **Goals.** Setting short and long term goals will help guide the development of your business.
- ✚ **Setting fees.** The fees that you charge will provide the financial base for your business and your income. [Connections for Children](#), a nonprofit resource and referral agency, can help you determine fair, competitive fees, and provide information about serving low-income and other families through the child care subsidy system.
- ✚ **Recordkeeping.** Identify and organize the records you must keep such as attendance, medical and payment records, and emergency contact information. Be sure to find out what other information may be required by State Regulations. These records are essential when filing your State and Federal income tax returns.
- ✚ **Contracts.** Contracts help mitigate any possible misunderstandings between you and the families in your program. Contracts clarify the rights and responsibilities of each party, payment, policies, hours that you provide care, and other important details.
- ✚ **Taxes.** Accurate and complete records are essential for receiving full benefit of deductions associated with operating a home-based business.
- ✚ **Liability Insurance.** Section 6 covers issues related to insurance. Keep in mind that homeowners' insurance does not cover a family child care business, but additional liability insurance can be purchased.
- ✚ **Marketing.** As part of your initial business plan, you should begin developing your marketing plan and begin implementation at least three months prior to your program's scheduled opening. The marketing plan will outline your plan to "sell" your business and its services to the community. This will describe your strategy on initial and continuous enrollment, as well as operation of your child care home. As soon as you are ready to open, contact Connections for Children to let them know about your program. Spread the word about your new business through ads in local newspapers, flyers, schools, and your neighbors!

Note: Any and all advertising for your child care home must include a licensing number. If the license is in process with Community Care Licensing Division (CCLD), it must be stated on materials that your child care home license is pending and is not currently licensed according to Title 22 Regulations.

 **Accreditation.** Once you are established (18 months experience in operating a family child care center), you may want to consider accreditation through the National Association for Family Child Care (NAFCC). Accreditation helps parents identify quality child care by ensuring your business meets quality standards in the following areas: relationships, environment, activities, developmental learning goals, safety and health, professional and business practices.

Connections for Children

Connections for Children is a nonprofit resource and referral agency providing technical assistance to family Day Care providers.

[Connections for Children](#) may also be able to assist you in developing your business plan and identifying potential funding opportunities. In addition to Connections for Children, there are also several national organizations, such as the [National Association for Family Day Care](#), that produce materials on many of the above topics.

Connections for Children

2701 Ocean Park Boulevard, Suite 253

Santa Monica, CA 90405

(310) 452-3202 / (310) 452-3984 (fax)

info@cfc-ca.org

www.cfc-ca.org

SECTION 2: STATE LICENSING

What is Family Child Care?

In the State of California, the Community Care Licensing Division (CCLD) a division of the Department of Social Services (CDSS) regulates and licenses small and large family child care homes, also known as small and large family day care homes. You may obtain a copy of the regulations through the Community Care Licensing Division's website (<http://cclid.ca.gov>).

The State of California Department of Social Services (CDSS) defines family child care as regularly provided care, protection, and supervision of children in the caregiver's own home for periods of less than 24 hours per day while parents or guardians are away. Note: State regulations supersede local ordinances.

What is Small Family Child Care?

California Health and Safety Code

Small family child care is a child care facility within the provider's home, in which the provider is a full-time resident, that provides family day care for up to six children, including children who reside in the home and are under the age of 10, or up to eight children in accordance with [California Health and Safety Code Section 1597.44](#), for periods less than 24 hours per day.

Federal Building and Safety Code

It is important to note, per Federal Building and Safety Code, homes up to 6 children have an occupancy classification as Single Family Residential (R-3) and homes over 6 children have a designated occupancy classification of Educational (E), which triggers commercial use requirements.

Staffing Ratio and Capacity Requirements for Small Child Care

California Code of Regulations, Title 22, Division 12, Chapter 3, Section 102416.5 outline that the age groupings permissible in a small family child care home are one of the following:

1. Four infants only (note: infants are children under 2 years old); or
2. Six children, no more than three of whom may be infants.
3. If a small family child care home provider desires to offer care to more than six children and up to eight children without additional staff, then the following conditions must be met:

- a. At least one child is enrolled in and attending kindergarten or elementary school and a second child is at least six years of age;
- b. No more than two infants are cared for during any time when more than six children are cared for;
- c. The licensee notifies each parent that the facility is caring for two additional school age children and that there may be up to seven or eight children in the home at one time; and
- d. The licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented.

California's [Health and Safety Code Sec. 1597.43](#) requires that all small family childcare homes be allowed "by right" in all residential districts and considered a residential use of property. Thus, a small family child care home is not required to secure a City business license, and no additional zoning requirements are imposed on small family child care homes.

It is possible to operate a small family child care home in single family or multi-family residential buildings. Child care homes have legal obligations under the Americans with Disability Act.

What is Large Family Child Care?

California Health and Safety Code

Large Family Child Care, also known as a large family day care home, is a child care facility within the provider's home, in which the provider is a full-time resident, that provides family child care for up to 12 children, including children under the age of 10 years who reside at the home, or up to 14 children in accordance with [California Health and Safety Code Section 1597.465](#), for periods less than 24 hours per day.

Federal Building and Safety Code

The provider of a large family child care home is to have successfully operated a small family child care home for one year prior to applying for large family care home status. It is important to note, per Federal Building and Safety Code, large day care homes are designated as Educational (E) occupancy and subject to commercial use requirements.

Staffing Ratio and Capacity Requirements for Large Family Child Care

A large family child care home is required to have two caregivers whenever more than eight children are present. All assistants must be fingerprint cleared and completed CPR and First Aid training. Per [Title 22 Regulations, Division 12, Chapter 3, Section 102416.5 \(e\)](#), when assistant is not present, the large family child care home must operate at a small child care home capacity.

[Title 22 Regulations, Division 12, Chapter 3, Section 102416.5](#) outline that the age groups permissible in a large family child care home for more than 12 children and up to and including fourteen children are one of the following:

- ✚ At least one child is enrolled in and attending kindergarten or elementary school and a second child is at least six years of age.
- ✚ No more than three infants are cared for during any time when more than 12 children are being cared for.
- ✚ The licensee notifies a parent that the facility is caring for two additional schoolage children and that there may be up to 13 or 14 children in the home at one time.
- ✚ The maximum number of children must include the caregiver's own children under age 10.
- ✚ The licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented.

When is a State License Not Required for a Small or Large Family Child Care Home?

In certain instances, a **[license is not required](#)** for a small or large family child care home. Please visit the **[State Community Care Licensing Division website \(http://www.cdss.ca.gov/\)](http://www.cdss.ca.gov/)** for more detail. **Some examples include, but are not limited to:**

- ✚ The children being cared for are related by blood or marriage to the Day Care provider.
- ✚ The children being cared for are all from the same family (in addition to the child care provider's own children).
- ✚ There is a cooperative arrangement between parents for the care of their children by one or more of the parents, where no payment for the care is involved. Be aware that strict requirements govern cooperative parent Day Care situations. Please contact the Community Care Licensing Division for a copy of these regulations.

Obtaining a State License

The following information outlines the steps you need to take in order to obtain a license from the State of California Community Care Licensing Division (CCLD):

1. ***Schedule and attend a Child Care Licensing Application Orientation meeting.***
You must complete the State Department of Social Services, Community Care

Licensing Division orientation prior to applying for your family child care license. You can complete the [orientation online](#) or attend an in-person orientation. The orientation is also available in Spanish.

2. There is a fee to attend the orientation so be sure to call the office and ask about the cost. The Community Care Licensing Division Office for Santa Monica may be contacted at:

Culver City Day Care Regional Office

6167 Bristol Parkway, Suite 400

Culver City, CA 90230

Phone Number: (310) 337-4335

Fax: (310) 337-4360

Website Address: <http://cclld.ca.gov>

3. ***Initiate the application process.*** Complete and return the license application form with the required fee amount, as well as additional supporting documentation. The fee is non-refundable or transferable.

You will be asked to provide application information such as:

- ✚ Name, address, telephone number, and confirmation that the applicant is 18 years of age or over.
- ✚ Type of license (small home or large home), ages to be served, number of children to whom care will be provided, and days and hours of operation.
- ✚ Name and address of every person in the household.
- ✚ Statement that the applicant will comply with all the regulations and laws governing family child care homes.

Please be prepared to provide additional documentation such as:

- ✚ Tuberculosis clearance and immunization record for every adult in the household.
- ✚ A completed Emergency Care and Disaster Plan form.
- ✚ Criminal record statement is required for every family member 18 years and older. A criminal background check is also required. Applicants are encouraged to submit their prints through Live Scan. The Live Scan service may be accessed by appointment at the local Community Care Licensing Office in Culver City. There is a fee for the service.

- ✚ Proof of completion of the 16-hour home health practices, child CPR, and pediatrics First Aid courses.
- ✚ Proof of ownership or, if renting, landlord notification.
- ✚ Application fee. Please check with the local State Licensing office in Culver City for current licensing fee amounts.

When a complete application is received, a State Licensing Program Analyst (LPA) from the Culver City Regional Office will be assigned to assist you through the rest of the process. The State LPA will schedule a site visit to your home to ensure that it meets basic health and safety standards (based on Title 22 of the California Code of Regulations).

4. ***Some Types of Additional State Licensing Requirements to Keep in Mind:***

- ✚ Home is clean and orderly, properly heated and ventilated.
- ✚ Furnishings and accommodations are safe and comfortable.
- ✚ A fire extinguisher (2A10BC minimum) is available and smoke alarms are properly installed.
- ✚ All bodies of water must be fenced or inaccessible. Swimming pool fences must be five (5) feet high and have a self-locking gate.
- ✚ Poisons, medicines and other hazardous substances are in locked storage.
- ✚ Firearms and/or weapons are in locked cabinets.
- ✚ Stairwells in a multi-story home are safely secured.
- ✚ Fireplaces and open face heaters are properly screened.
- ✚ Outdoor play area is fenced and/or well supervised.
- ✚ Home must have telephone service.
- ✚ Toys, play equipment and materials are safe and age appropriate.

CCLD will schedule the pre-licensing visit upon fingerprint clearance of all adults in the home, as well as obtaining approved fire clearance.

SECTION 3:

CITY PERMITTING PROCESS

Both small and large family day care homes are regulated by the City of Santa Monica Zoning Ordinance and the Building Code.

Large Family Day Care Home

The establishment of a small or large family day care home does not require City Planning Division approval; however, a large day care home is subject to the requirements identified in Section 9.31.140 of the Zoning Ordinance (outlined below). Additionally, any proposed building additions, improvements, or modifications will require the approval of the City Planning and Building & Safety Divisions for the issuance of building permits prior to initiating proposed work.

Small Family Day Care Home

Planning Division approval is not required for small family day care. However, the home must meet minimum safety standards (see Section 2 of this guide) and submit for Building and Safety permits if any additions or improvements are planned. Please direct inquiries to:

City Planning Counter/ Designated Child Care Project Planner

City Hall, Room 111 (310) 458-8341

Building and Safety Plan Check Staff

City Hall, Room 111 (310) 458-8355

Check counter hours on the web at:

<http://www.smgov.net/Departments/PCD/About-Us/Public-Counter-Services-and-Hours/>

Municipal Codes

Large family day care homes must comply with the following standards required in SMMC 9.31.140 (Zoning Ordinance). It is important that you determine from the outset whether your large family day care might be precluded due to an existing nearby use that may lead to a concentration of uses (see sub-section J, below).

9.31.140 Family Day Care, Large

The purpose of these standards is to ensure that Large Family Day Cares in Residential Districts do not adversely impact the adjacent neighborhoods. While Large Family Day Cares are needed by residents of the City, especially in close proximity to their homes in residential neighborhoods, the potential traffic, noise and safety impacts of this use should be regulated in the interest of nearby residents and the children in the day care facility. It is also the intent of this Section to

allow Large Family Day Cares in residential surroundings to give children a home environment that is conducive to healthy and safe development. The following standards shall apply to Large Family Day Cares.

A. **Structures.** A Large Family Day Care shall conform to all property development standards of the Zoning District in which it is located unless otherwise provided in this Section.

B. **Noise.** The operation of a Large Family Day Care shall comply with noise standards contained in Chapter [4.12](#), Noise, of the Municipal Code. Noise from the operation of any Large Family Day Care may not exceed that which is customary in residential neighborhoods during daytime hours. Prolonged and abnormally loud noises shall not be considered customary, while the periodic sounds of small groups of children at play shall be considered customary in residential neighborhoods from 8:00 a.m. until 9:00 p.m.

C. **Hours of Operation.** Large Family Day Cares shall not be limited in hours or days of operation. No outdoor play is allowed before 8:00 a.m. or after 8:00 p.m. or sunset, whichever comes first, on weekdays and 9:00 a.m. to 8:00 p.m. or sunset, whichever comes first, on weekends.

D. **On-Site Parking.** On-site parking for Large Family Day Cares shall not be required except for that required for the residential building in accordance with Chapter [9.28](#), Parking, Loading, and Circulation.

E. **Passenger Loading.** Curbside loading shall be presumed adequate for drop-off and pick-up of children. A passenger loading plan shall be required in accordance with Section [9.28.080](#)(C) subject to the approval of the Director.

F. **Lighting.** Lighting must conform to Section [9.21.080](#), Lighting. In addition, passenger loading areas may be illuminated. If a passenger loading area is illuminated, the lighting shall be directed away from adjacent properties and of an intensity compatible with the residential neighborhood.

G. **Screening of Outdoor Play Areas.** A solid fence at least 4 feet in height shall be provided to screen rear setback outdoor play areas of a Large Family Day Care from adjacent residential properties. Fences shall comply with Section [9.21.050](#), Fences, Walls, and Hedges.

H. **Residency.** The operator of a Large Family Day Care must be a full-time resident of the dwelling unit in which the day care is located.

I. **State and Other Licensing.** All Large Family Day Cares shall be State licensed and operated according to all applicable State and local regulations.

J. **Concentration of Uses.** No more than one Large Family Day Care shall be permitted within 300 linear feet of the property line of any existing Large Family Day Care. (Added by Ord. No. 2486CCS §§ 1, 2, adopted June 23, 2015)

When all required documentation has been submitted to the City's Planning Division, a Planning staff member will be assigned as your Project Planner to assist you through the remainder of the City's permitting process.

Proposed exterior modifications may require Architectural Review Board (ARB) approval prior to the issuance of any building permits. Please consult with the City Planning Division to see if this is necessary for your proposal.

Neighborhood Notification

The City of Santa Monica encourages applicants to contact neighbors and relevant community groups as early as possible in the application process, generally before the plan check. To the maximum extent possible, applicants should ascertain community concerns and address them in the design of proposed projects.

It is important to operate your child care business in a manner that is compatible with your neighbors. Personal outreach and contact with your closest neighbors or neighborhood groups may go a long way toward establishing goodwill. See Section 9 for Good Neighbor Tips.

Landlord Notice

Prospective providers who live in a rented or leased property must provide written notice to the landlord or owner of the property that they intend to operate a family child-care home on the rented or leased premises. [California Health and Safety Code Section 1597.40](#) requires this notification of property use.

Operating Classes Outside Operations Plan

Additional classes traditionally known as parent – child classes operating from your family day care home for an additional fee are not permitted under your Operations Plan. Prior to considering offering these classes, it is important to apply for a home occupancy permit and for a separate business license for your family day care. Check with Planning about the requirements for a home occupancy permit.

Child Care and Zoning

There are separate zoning districts in Santa Monica. Large and Small Family Day Care Homes are allowed in every district except in the Conservation Arts Center zoning district, where a Conditional Use Permit (CUP) is required. Additionally, Large and Small Family Day Care Homes

are not permitted in the Conservation Creative Sector. To find out what zone your property is located in, please call the Planning Division at (310) 458-8341 or check the [City's web site](#) .

SECTION 4: BUILDING AND SAFETY INSPECTION REQUIREMENTS & FIRE CLEARANCE

Building and Safety Requirements

A large family day care home must conform to all property development standards of the zoning district in which it is located. The issuance of a building permit is required prior to any building additions or improvements on the property. Prior to authorizing any additions, building improvements, or allowing occupancy, an operations plan will need to be submitted to City Planning as part of the plan check process for review of compliance with the Standards of Section 9.31.140 of the Zoning Ordinance. A plan check, coordinated by the Building & Safety Division, is the City of Santa Monica's process of reviewing and approving all drawings, and specifications for improvements to verify compliance with building, zoning, and fire codes. Special building and safety codes apply to large family child care homes located in multifamily housing.

The plan check process is complementary to the permit process and may include over-the-counter plan check for certain projects, in which your permit application is reviewed during counter hours at City Hall. It is strongly recommended that you contact the City's Early Childhood Analyst and Child Care Planner early in the process to discuss your project.

With few exceptions, State law requires that a licensed architect prepare plans for the construction or alteration of a child care home. For information about hiring an architect, you may contact:

California Architects Board

400 R Street, Suite 4000

Sacramento, CA 95814

Phone: (916) 445-3393

Fax: (916) 445-8524

You may want to obtain a copy of the "Consumer's Guide to Hiring an Architect", available online at <http://www.cab.ca.gov>.

There are some important building code requirements applicable to new child care homes undergoing improvements or construction to consider. A pre-inspection by your architect, known as a due diligence survey, is advised to determine if existing construction has any violations.

Occupancy classification by a licensed architect will dictate which building code requirements are

applicable to your project. Large family child care homes are designated as Educational (E)/Institutional (I-4), while small family day care homes are designated as Single Family Residential (R-3). All non-residential occupancy classifications are subject to ADA regulations as enforced by the local building codes.

Please note the submittal of a Passenger Loading Plan shall be required as part of the plan check process for review and approval by the City's Mobility Division (For more information, refer to Municipal Code Section 9.28.080.C).

Additional information about the plan check process is available at the [Planning & Community Development Website](#).

Fire Clearance/Annual Operating Permit

Large Family Day Care homes are required to have a city issued Fire Permit from the Santa Monica Fire Department prior to operating and checked annually.

Additional city safety requirements are:

- ✚ **Fire alarm devices** – The home shall be provided with at least one manual device at a location approved by the Authority having Jurisdiction. A manually operated fire alarm signal must be heard throughout the entire dwelling at a minimum level of 15 decibels (db) above ambient noise level. They do not need to be interconnected to any other fire alarm system nor have a control panel or be electronically supervised. They do need to be attached to the structure and distinctive in tone.
- ✚ **Single station residential-type smoke alarms** are mandatory in adequate number and location, especially in areas that are used for sleeping purposes.
- ✚ **Accessible and portable fire extinguishers** must be present and have a minimum 2A10BC rating. The fire extinguisher shall be mounted no more than five feet high, measured at base of floor to top of fire extinguisher. Travel to the extinguisher must not exceed 75 feet.
- ✚ **Emergency Exit Plan** – All homes must have two exits or exit ways, which lead directly to the outside.
- ✚ **Fire Drill** – While a monthly fire drill is not required, it is highly recommended that a safety plan is in place and all employees are familiar with the plan.

Annual Operating Permit

Obtain a Fire Department Operating Permit. This permit must be reissued each year as a condition to operate.

SECTION 5: OBTAINING A CITY BUSINESS LICENSE

Large family day care homes are required to obtain a City Business License.

Business License applications will also go to City Planning for approval. To obtain a City Business License, you may apply in person, by fax or online.

For more information, please call the Business License office at (310) 458-8745.

The Business License office is located at:

1717 4th Street, Suite 150
Santa Monica, CA 90401

Counter Hours

Monday-Thursday, 8:00am-5:00pm
Alternate Fridays, 8:30am-4:30pm

Businesses must apply and procure a business license before commencing operations. The business license tax is based upon gross receipts. All business licenses must be renewed by July 1st of each year.

Further information is available on the City of Santa Monica's [website](#).

SECTION 6:

DO I NEED INSURANCE?

[Title 22 Regulations, Division 12, Chapter 3, Section 102417\(m\)](#) standards state that family day care homes shall acquire liability insurance, a bond, or affidavits from each parent with an enrolled child stating that they have been informed that the home does not carry liability insurance or a bond according to standards established by the state.

The greatest risk a provider of child care faces is injury to one of the children in the provider's care. It is in the best interest of the care provider to carry insurance and get the necessary protection. Medical or accident insurance will pay for doctor and hospital bills.

If a lawsuit occurs, liability policies will usually pay for damages awarded by the court. It is important to research the insurance company that is right for you. Evaluate all options carefully before making any decisions. Ask the same questions about each policy and write down the answers so you can evaluate the policy after discussing it with each insurance agent.

Here are some questions you may want to ask prospective agents or brokers:

- ✚ What is your experience in developing an insurance program for a family day care home?
- ✚ What are the best interests for my particular business?
- ✚ What is and is not covered by the policy, such as accidents that occur while transporting children, serving food, employees, or physical and sexual abuse?
- ✚ How does the company limit its risks, such as by the number of children cared for by the provider?
- ✚ What are the premiums? Are there deductibles?
- ✚ What are the liability and medical payments limits?
- ✚ Is the policy an occurrence form or claims made form?
- ✚ How long have you been in business? What is the company's reputation?
- ✚ Who will handle my claims? Is the agent knowledgeable and helpful?
- ✚ How has the company been rated in its ability to pay claims promptly and completely?

✚ Can you provide references of Family Day Care homes you currently insure?

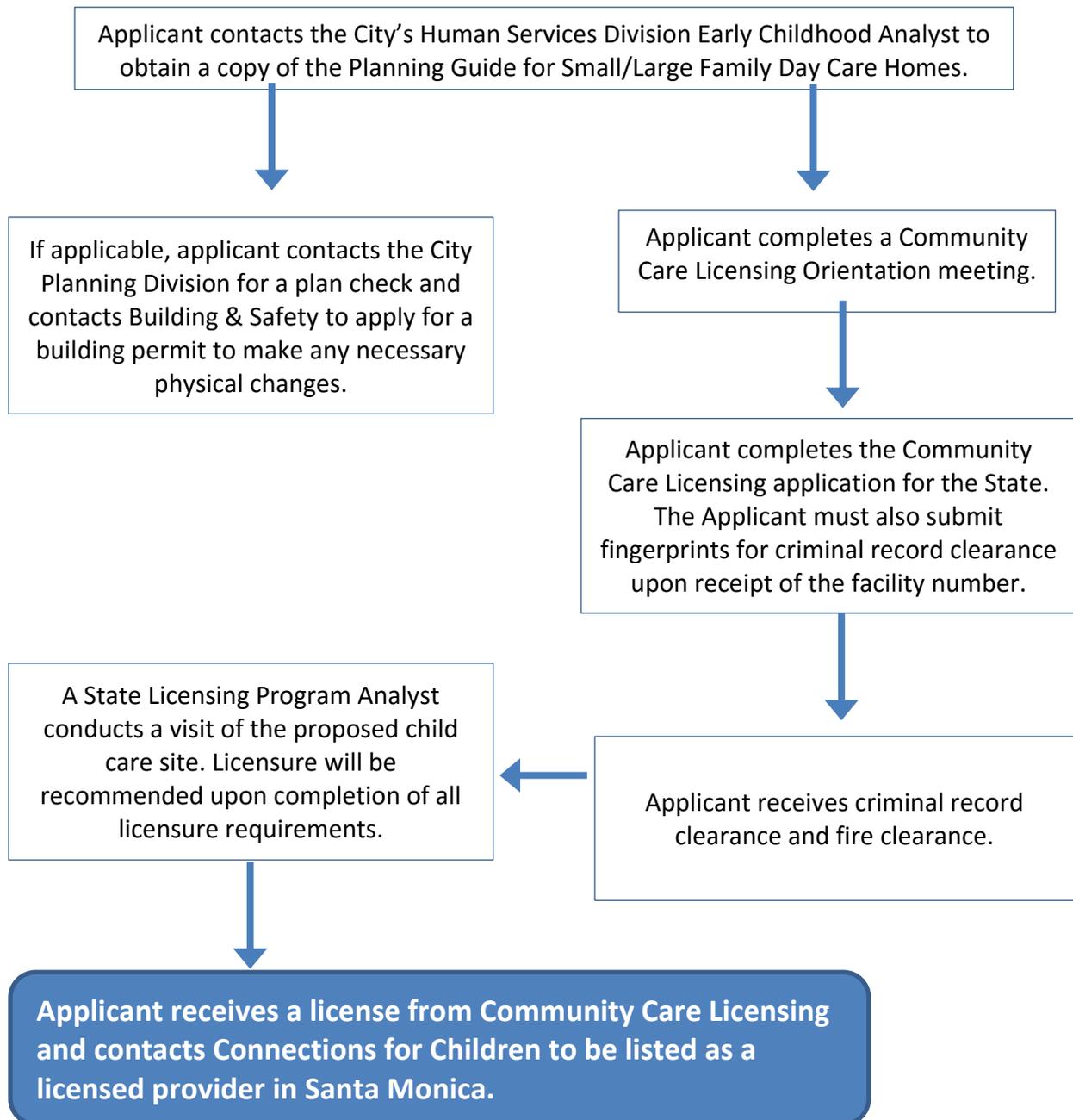
For more information about obtaining insurance, there are several websites such as the National Child Care Information Center (<http://www.nccic.org>), and Child Care Law Center (<http://www.childcarelaw.org>) that produce materials on this topic.

[Connections for Children](#) is also available to provide technical assistance to family day care homes.

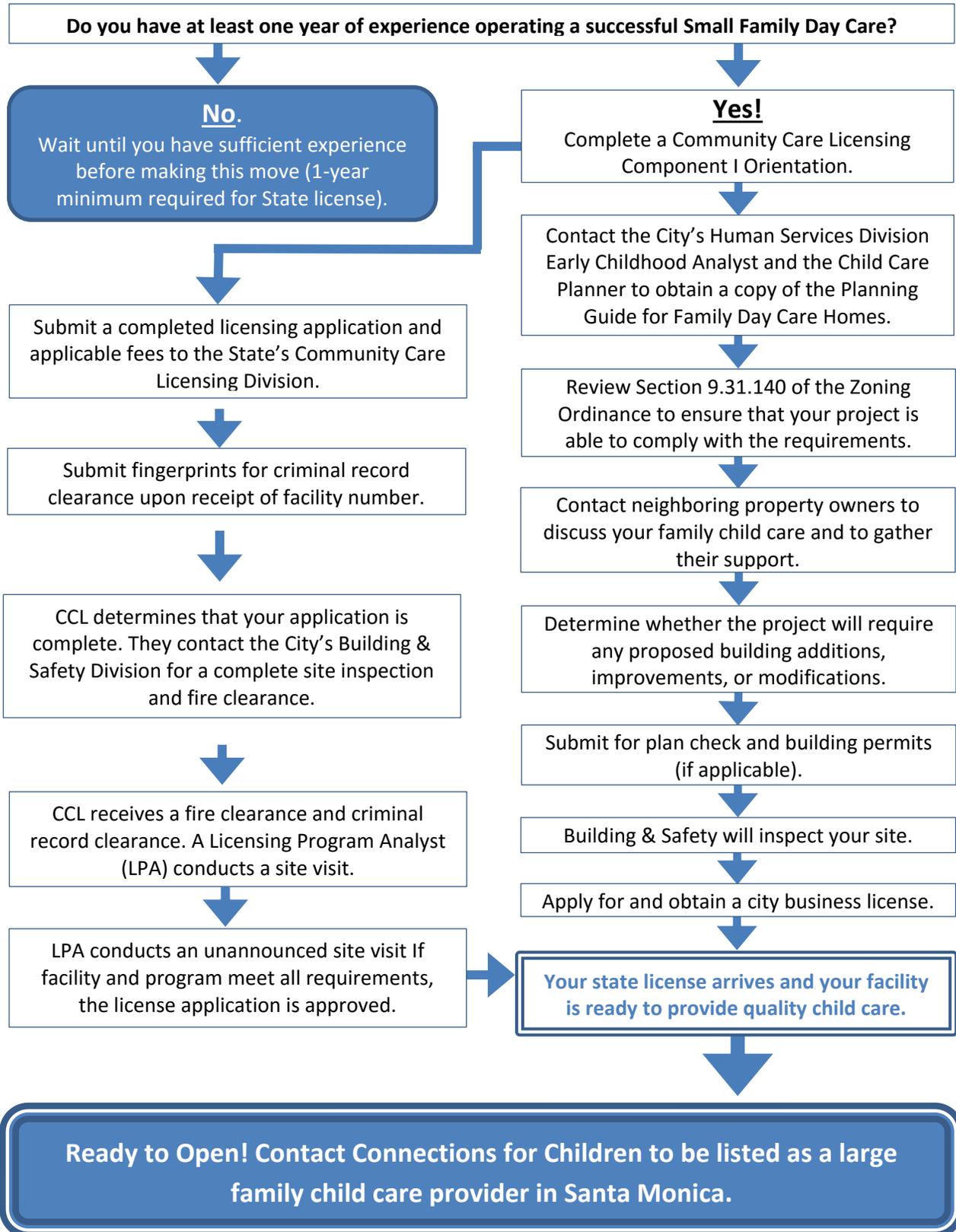
In some cases, when a family child care provider rents its home, a landlord may ask to be listed on the insurance policy or bond. For more information, please consult [Title 22 Regulations, Section 102417\(n\)](#) and [Section 1597.531 of the Health and Safety Code](#).

SECTION 7: FAMILY DAY CARE DEVELOPMENT PROCESS

Small Family Day Care Process



Large Family Day Care Process



SECTION 8: BEING A GOOD NEIGHBOR

Tips for Family Child Care Providers

Family child care homes are a very important resource in any community. They provide an intimate, home- like setting for children being cared for away from their own homes. For this reason, California law offers certain protections for family day care.

However, it is important for Family Day Care Homes to understand that they are operating a business within a residential neighborhood and minimize negative impacts that can result from their operation. Providers need to be sensitive to neighbors' concerns about traffic, parking and noise, and to be proactive, along with parents, in preventing problems.

The following are some suggestions for measures that can help to create and maintain good relations.

- ✚ Take the time to get to know your neighbors, to explain your hours of operation, routine, including indoor and outdoor time, ages, and number of children cared for in your home.
- ✚ Invite them to visit your program. They may end up being a wonderful resource for volunteers.
- ✚ Encourage them to talk to you first if they have a concern or complaint. Be willing to compromise. Use a mediation service to help resolve issues, if necessary.
- ✚ Providing clear written instructions to parents, and sharing those with neighbors, can demonstrate your will to be a good neighbor and to ensure children's safety.

Parking, Traffic and Safety

- ✚ Ask parents of children you care for to be considerate of neighbors. Give them instructions such as:
 - Do not block, turn around in or park in neighbors' driveways.
 - Do not double park when dropping off or picking up children.
- ✚ Supervise children carefully between vehicles and your home, to keep them from running into the street or across neighbors' yards. If parents park across the street, they must be even more careful when they escort their children to your home.

- ✚ Do not allow children to cross or play on neighbors' property without their permission.
- ✚ Set up your schedule in a way that allows parents to come and go over a period of time, to reduce the parking impact.
- ✚ Minimize pick-up and drop-off times as much as possible.

Noise

- ✚ When children are playing outside, be aware of the noise level. Children who are having difficulty with shouting or arguments should be taken indoors until they are able to calm down.
- ✚ Normal noise of children's play is generally not a problem for neighbors, unless their homes are very close to your yard or they need to sleep. In extreme cases, it is possible to construct fencing in a way that provides a good sound barrier. Vegetation, like tall hedges (within city code), can also help.
- ✚ Limit outdoor play time to hours of the day when neighbors are least likely to be disturbed – after 9:00am and before 5:00pm. Be sure there are periods during the day when all children are indoors. If you have a neighbor who works nights and sleeps during the day, or works from home, discuss a schedule that would be least disruptive.

SECTION 9: FREQUENTLY ASKED QUESTIONS AND RESPONSES

What kind of parking do I need?

The site should have and maintain parking based upon the use of the site. Typically, a single family home must maintain a two-car garage and multifamily buildings should have covered or uncovered spaces based upon the number of parking spaces required when the building was constructed.

Do I need a loading zone for drop-off of the children?

Yes. Please work with the City's Mobility Division to determine if a driveway, street curb or parking space will serve as the loading zone.

What permits do I need to operate a small family child care home?

Planning approval and permits are not required for small family child care homes. However, building permits are still required for any additions or improvements and the home must meet minimum safety standards (See Section 2).

Is there a fee to process the Operations Plan?

No. Planning fees are waived for large and small family child care homes.

I live in an apartment building and want to operate a large family child care home. Is that okay?

There are special zoning regulations and building and safety codes that apply to large family child care homes located in multi-family housing. Dependent upon the size of your apartment, please carefully consider the quality of care that can be provided for a large number of children in your apartment.

What do I do if my landlord will not allow me to operate a family child care home out of the home that I am living in and renting?

Contact Public Counsel. This organization will provide you with free legal assistance and let you know your rights to operate a family child care home facility while renting or leasing.

What are the items that will contribute to the cost of my remodel to accommodate a family day care?

Close attention must be paid to the project budget and construction costs. Costs for your individual project may include the costs of architects, child care consultants, equipment, and furnishings. Costs may also include outdoor play area design and construction, retrofit of an existing building, and any construction to ensure compliance with state building code.

Do I need to hire an architect?

If you plan to do any construction, you will most likely need a licensed architect to prepare the construction drawings to obtain a building permit. Architects can also assist with obtaining planning approvals, providing cost estimates, hiring contractors, and advising on building code concerns or violations in existing facilities. Most people find the services of an architect essential to timely completion of the process.

Is there financial help?

There are different types of financial resources available for the development of child care facilities. Some banks provide loans for real estate acquisition, working capital, and equipment financing through their Community Development programs. The California Department of Housing and Community Development have developed a Child Care Facilities Financing Program. Some may provide grants or help with financing of child care centers.

Do I need insurance?

While there are no City or State regulations that require family child care homes to carry insurance, most family child care homes are insured. Please see Section 6 for more information.

May I also offer a parent-child program for a different group of children?

Any program that offers a program in a home with parents remaining on the same premises does not require a license from State Department of Social Services Community Care Licensing. It would trigger a different City Code for a Home Occupancy Permit. Check with Planning about the requirements for a Home Occupancy Permit.

APPENDIX A: CITY DIRECTORY

Building and Safety	<p>Phone: (310) 458-8355 Email: BuildingandSafety@SMGOV.NET Counter Hours*: 8:00 AM to 5:00 PM daily (Closed alternate Fridays)</p>
Business Licenses	<p>Phone: (310) 458-8745 Email: Business.License@smgov.net Counter Hours*: Monday-Thursday, 8:00am-5:00pm Alternate Fridays, 8:30am-4:30pm</p> <p>Application available online at https://finance.smgov.net/doing-business/business-license</p>
Civil Engineering	<p>Phone: (310) 458-8721 Email: sm.engineering@smgov.net Counter Hours*: 8:00 AM to 5:00 PM daily (Closed alternate Fridays)</p>
City Planning	<p>Phone: (310) 458-8341 Email: Planning@smgov.net Counter Hours*: 8:00 AM to 5:00 PM daily (Closed alternate Fridays)</p> <p>Please to speak with the designated child care planner.</p>
Public Works (Resource, Recovery & Recycling)	<p>Phone: (310) 458-8221 Email: Public.Works@SMGOV.NET Counter Hours*: Monday - Thursday 8:00 AM - 5:00 PM, Fridays 8:00 AM-5:00 PM (Closed alternate Fridays)</p>
Fire Department	<p>Phone: (310) 458-8652 Email: Fire@smgov.net</p>
Human Service Division Early Childhood Analyst	<p>Phone: (310) 458-8701 Email: HumanServices.Mailbox@smgov.net</p>
Mobility Division	<p>Phone: (310) 458-8341 Email: Transportation.Planning@SMGOV.NET Counter Hours*: 8:00 AM to 5:00 PM daily (Closed alternate Fridays)</p>
Rent Control	<p>Phone: (310) 458-8751 Email: RentControl.Mailbox@smgov.net</p>

*City counters operate on a first-come, first-served basis.

APPENDIX B: GLOSSARY OF TERMS

Building & Safety Division

The Building and Safety Division ensures the safe occupancy of buildings by verifying construction compliance with regulated building and fire codes, and construction that is built in accordance with approved planning entitlements. Safety of building occupancy, compliance with entitlements through the public process, and customer service are the main focuses of the Division. Building and Safety operations include public counter permitting operations, plan check review and building inspection.

California Environmental Quality Act (CEQA)

This State law requires the governing agency with authority over a proposed development to analyze any environmental impacts that a proposed development may cause, and how to reduce or remove those impacts.

Child Care Facility

The Santa Monica Municipal Code defines a child day care facility as any facility providing non-medical care to children less than eighteen years of age in need of personal service, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual. Child care facility includes day care centers and family day care homes.

Early Childhood Task Force

The Santa Monica Early Childhood Task Force addresses child care issues within the City of Santa Monica. The Task Force typically meets on the third Wednesday of each month. The primary objectives of Task Force are as follows:

- ✚ Address urgent and long-range public policy issues;
- ✚ Bring together child care and early education providers with government agencies and other interested parties to share information, ideas, and issues related to child care and early education; and
- ✚ Support continuous improvement in the quality, accessibility, and affordability of child care, early education, and after school programs. *For more information, contact Human Services Division at (310) 458-8701 and ask for the Task Force liaison.*

Commercial District

A Commercial District is designated by the letter C, and either followed by a letter or number to further describe the zoning requirement. Commercial districts consist of predominately commercial uses (although residential use is often permitted).

Conditional Use Permit (CUP)

A discretionary permit reviewed and approved by the Planning Commission that allows land use, physical or operational, provided the developer meets certain conditions.

Child Care Center

Any child care facility other than a family day care home, and includes infant centers, preschools, and extended child care facilities.

Density

The maximum number of dwelling units or floor area permitted on a site. The minimum number of square feet of lot area required for each dwelling unit or building square feet regulates density.

Family Day Care Homes or Child Care Homes

Small family child care home regularly provides early care and education of children in the provider's own home for periods of less than 24 hours per day to a maximum of eight children, including the provider's own children under the age of ten.

Large family child care home regularly provides care and early education in the provider's own home for periods of less than 24 hours per day to a maximum of fourteen children, including the provider's own children under the age of 1.

Human Services Division

The City division that oversees the planning, research, and evaluation of the City's human and community service needs. In carrying out the City's Child Care Policy, the Human Services Division is charged with providing the leadership that will enable the City to meet its child care needs. The City's Human Services Division Early Childhood Analyst advises and makes policy recommendations, and is involved in a wide-range of activities that focus on building capacity, improving quality and increasing child care access for families.

Nonprofit

A nonprofit organization in California is a 501-c3 tax exempt organization or operation.

Plan Check Process

Plan Check is the City of Santa Monica’s process of reviewing and approving all drawings, and specifications for improvements to verify compliance with building, zoning, and fire codes. The plan check process is complementary to the permit process and may include over-the-counter plan check for certain projects. The process is overseen by the Building & Safety Division.

Planning Commission

Volunteer regulatory commission appointed by the City Council to review major planning projects and zoning law changes.

Planning Division

The City division that oversees land use issues and controls zoning changes, zoning variances, and Conditional Use Permits.

Residential District

A residential district is an area of the City that may be developed with some type of housing. They are indicated by the code R or OP (for Ocean Park) followed by a number further describing the zoning requirement. A Day Care center is permissible in some residential districts.

Zoning

Developmental regulations used by cities and counties to determine where residential, commercial, industrial, or other uses may be located. These regulations also control the size and types of such uses.

Zoning Variance

A waiver granted by the City to certain standard zoning requirements, for example, a reduction on the number of required parking spaces. Zoning Variances generally require community notification and a public hearing.

APPENDIX C: SMALL OR LARGE FAMILY DAY CARE

PLANNING CHECKLIST

This list will help you track your progress and remember what still needs to be done.

Have I...

- Contacted the City's Human Services Early Childhood Analyst and City Child Care Planner?
- Contacted City Planning to determine City's zoning of the proposed home/facility?
- Determined a need for remodeling, renovation, or new construction?
- Determined the type of permit(s) needed from City Planning?
- Determined if it is necessary to hire an architect, engineer, or other building professional?
- Obtained approval from City's Mobility Division for parking circulation layout and other loading/unloading areas?
- Called State of California Community Care Licensing Division (CCLD) to obtain a Day Care center orientation meeting schedule?
- Attended CCLD orientation, received a certificate of attendance, and obtained a license application and current fee information?
- Completed CCLD application forms and submitted them?
- Submitted required application materials for a Conditional Use Permit (CUP) City Planning, including:
- Received neighborhood notification materials including a certified list of property owners and tenants?
- Determined if I need to complete Environmental Information form?

- Submitted two sets of plot plans, exterior elevations, floor plans, cross-sections and photos?
- Submitted Rent Control Status form?
- Submitted Demolition Permit application, if applicable?
- Submitted plans for a plan check, if new construction is planned?
- Applied for a Building Permit?
- Contacted Connections for Children?
- Obtained a clearance from the Fire Department and an Annual Operating Permit?
- Scheduled site visit with a State Licensing Program Analyst?
- Received fingerprint clearances for all staff?