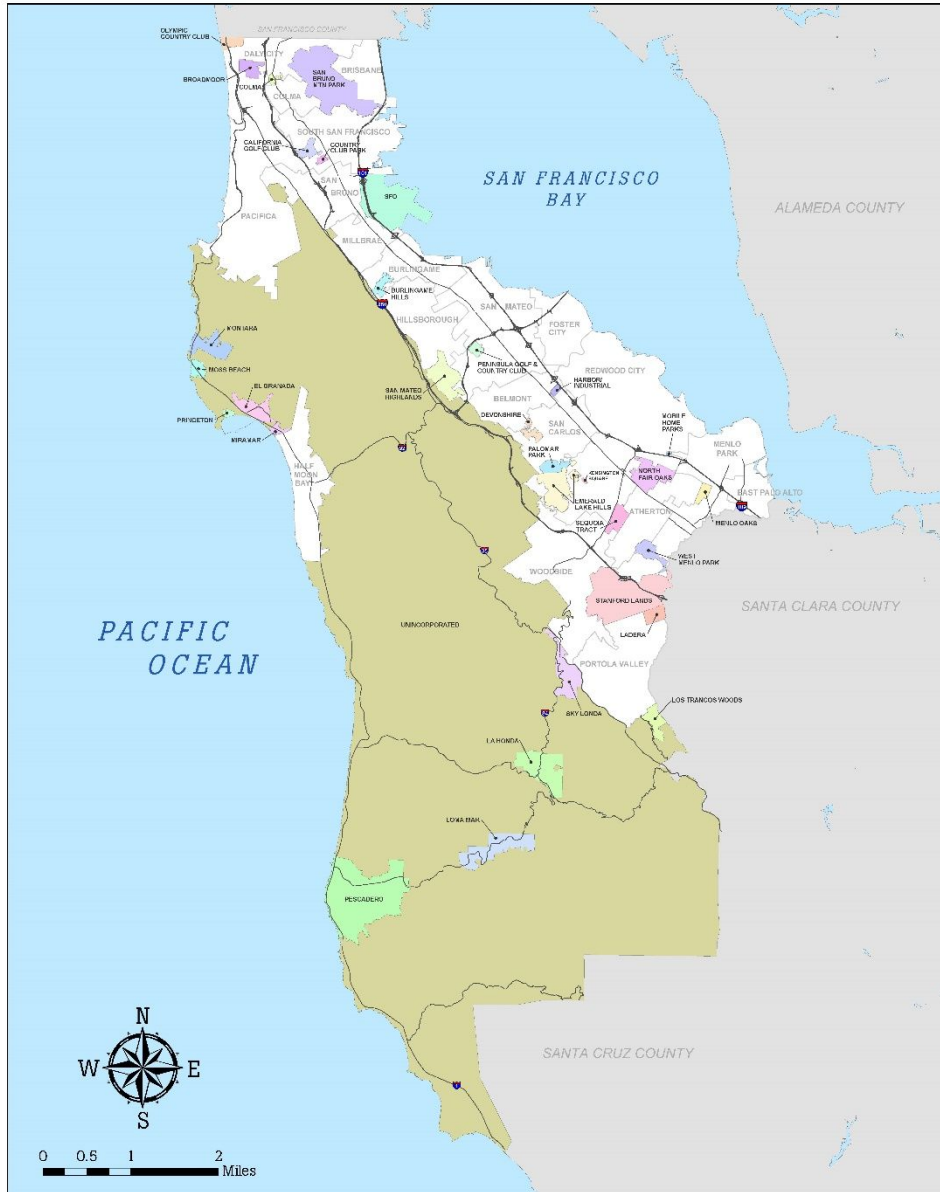


# DRAFT CHILD CARE ORDINANCE



Midcoast Community Council  
January 27, 2021  
County of San Mateo  
Camille Leung, Senior Planner



# New SMC Child Care Ordinance

Applies to area of County's Jurisdiction:  
Unincorporated Areas of San Mateo County

- Excludes areas in City Limits
- Bayside (Non- Coastal Zone)
- Coastal Zone:
  - Institutional and Commercial Areas of:
    - Midcoast
    - San Gregorio
    - Pescadero

# CURRENT REGULATION

- **Small Family Day Care Home** - No Planning permit is required.
- **Large Family Day Care Home** - Ministerial Process (Section 6401.2 of Zoning Regulations)
  - *County Requirements nullified by State Law (SB234) which permits this use outright*
- **Child Care Centers** - No County-wide Regulation
  - I/NFO, C-2/NFO, CMU-3: Use allowed in these North Fair Oaks Districts
  - Residential Zoning Districts: Use Permit required
  - Planned Colma (PC), Neighborhood Mixed Use (NMU), Commercial Mixed Use (CMU): Use Permit required

# CHALLENGES FOR CHILD CARE CENTERS WITH CURRENT REGULATIONS

- Great need in the Community
  - 2017 San Mateo County Child Care and Preschool Needs Assessment
  - On the Coast, the largest deficits for child care spaces were found in Montara, Pacifica, and Pescadero.
- Infant/Toddler Spaces
  - Pacifica - 51% of demand is met by existing services
  - Montara - 46% of demand is met by existing services
  - Pescadero - 0% of demand is met by existing services
- Preschool Spaces
  - Montara - 36% of demand is met by existing services
  - Moss Beach - 16% of demand is met by existing services
  - Pescadero - 62% of demand is met by existing services

# CHALLENGES FOR CHILD CARE CENTERS WITH CURRENT REGULATIONS

- **No County-wide Regulation - Patchwork of regulations**
- **Lack of Clear Regulation/Requirements**
- **Use Permit Process can be costly, time-consuming, and unpredictable**

The overarching goal of the Draft Child Care Ordinance is to ease and incentivize the expansion of child care services within San Mateo County

# GOALS OF NEW ORDINANCE

- **County-wide Regulation** to replace patchwork
- **Clear Regulation/Requirements**
- **Expedite Process for Child Care Centers** under Compatible Conditions
- Provide a program to **authorize existing unpermitted Child Care Facilities**
- Provide Incentives for **Child Centers in Employment Centers and Transit-Oriented Development** to encourage

# SCOPE OF NEW ORDINANCE

## **New Ministerial Permit process**

- Maintains Ministerial Permit for Small and Large Family Day Care Homes
- **Extends Ministerial Permit to Child Care Centers**
  - Based on CDP Exemptions
  - Conversion of Existing Buildings with a Similar Use in terms of purpose, intensity, and parking needs (Institutional, Commercial, Public Facility) or a portion of a building with an Existing Compatible use
  - Minor additions
- **Maintains Use Permit process for other projects**
  - Streamlines appeals process and eliminates Use Permit renewal requirement

# OUTLINE OF ORDINANCE

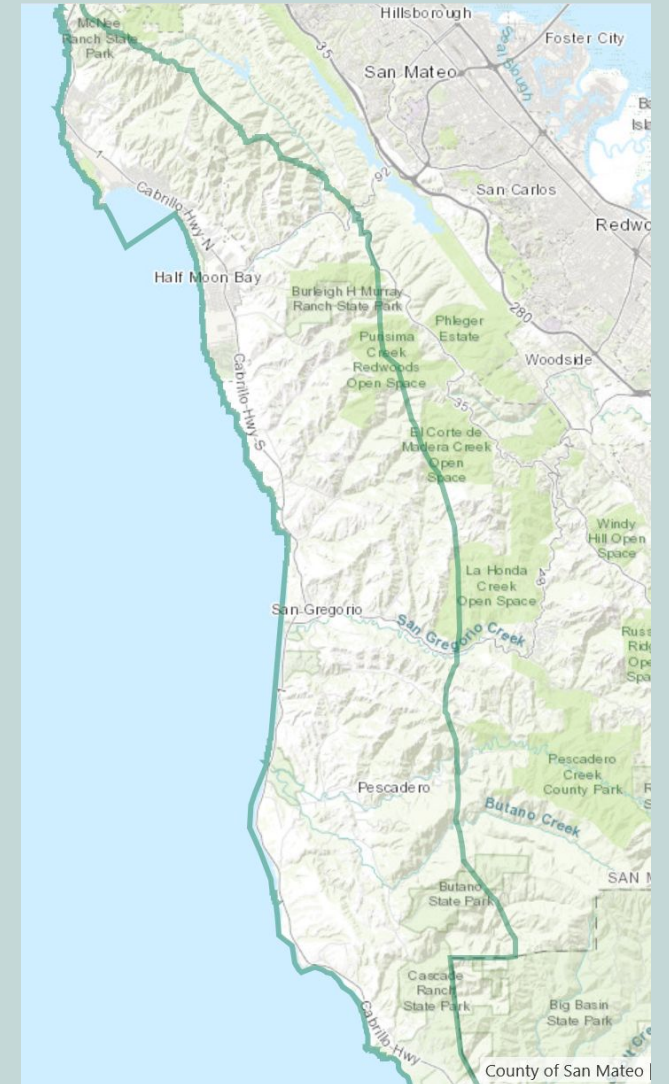


- **PURPOSE**
- **DEFINITIONS**
- **SMALL & LARGE FAMILY CARE HOMES**
  - No Planning Permit required – Permitted Use per State law
- **CHILD CARE CENTERS**
  - Ministerial Permit process
  - Use Permit
- **EXISTING UNPERMITTED FACILITIES**
- **INCENTIVES**
  - Floor Area & Parking Waiver for Eligible Employment Centers
  - Density/Floor Area & Parking Waiver for Eligible Housing Development



# COASTAL ZONE

- The adoption of the Ordinance would create a **Ministerial Permit** process for child care centers to be located in areas designated for:
  - **Commercial**
  - **Institutional**
  - **Single-Family Residential land uses**
- Properties containing **Existing Institutional Buildings or Public Facilities**, as defined by the Ordinance.





# SCOPE OF NEW ORDINANCE

- **Use Permit for Child Care Centers**
  - Standard Use Permit Process, Public Hearing
- **Types of Uses requiring a Use Permit in Coastal Zone**
  - Conversion of an existing Single Family Residence on a parcel of < 10,000 sq. ft.
  - New or replacement/reconstructed CCC building
  - CCC involving addition greater than 10% or new stories in Scenic Corridor or APJ
  - Location of a CCC in the M-1 (Industrial) Zoning District

**Table 2 - Locational Criteria for a Ministerial Permit for Child Care Centers Within the Coastal Zone**

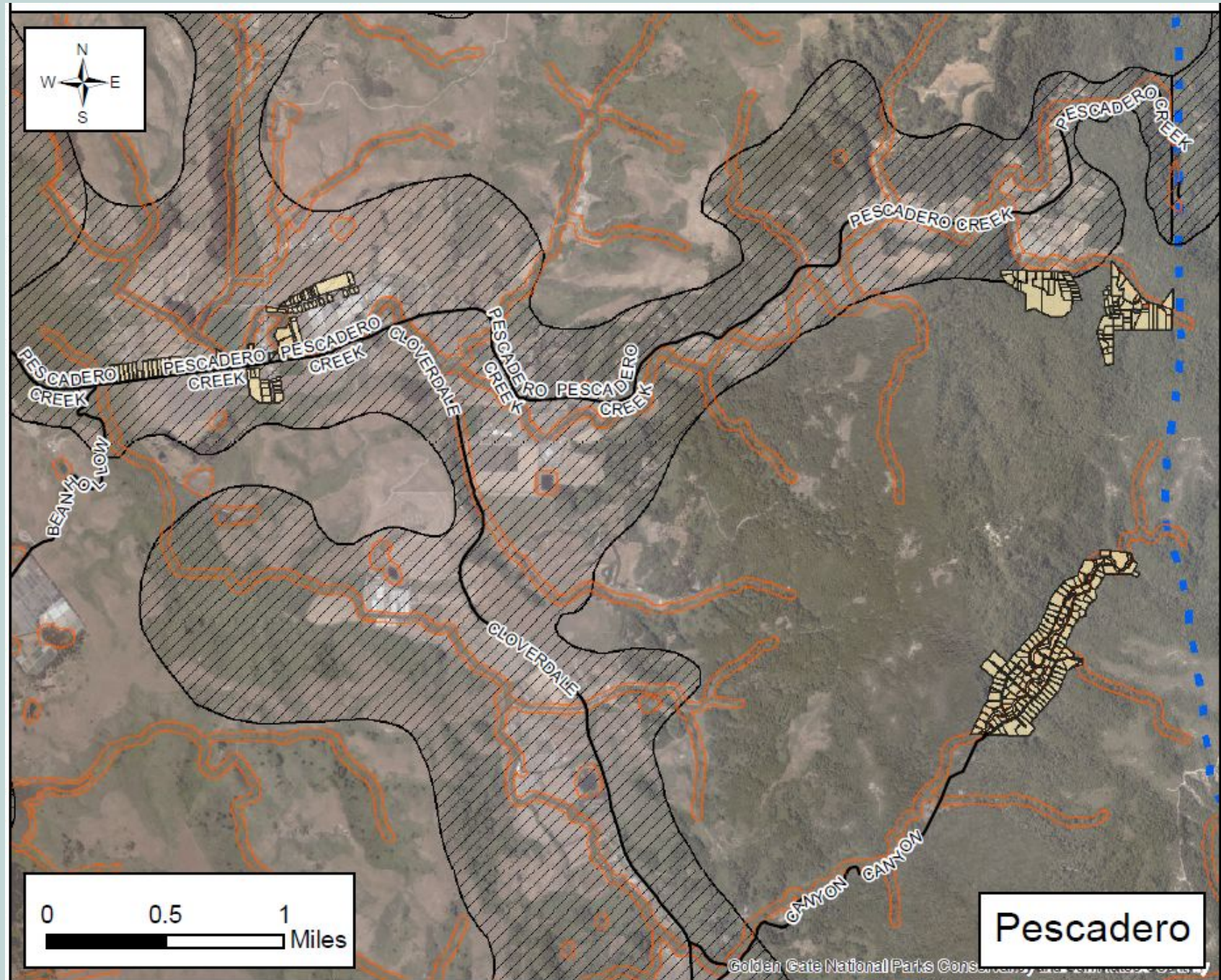
Project Types	Ministerial Permit	Use Permit and CDP
<b>2. Conversion of Single-Family Residence on Parcel <math>\geq</math> 10,000 sq. ft. in a Residential Zoning District to a CCC, including expansion</b> <i>(Source: Categories A &amp; E, CDP Exemption Worksheet)</i>		
Parking Requirement Met: 6 children enrolled for each on-site parking space	X	
Parcel size is 10,000 sf or larger and in a Residential Zoning District	X	
Design Review District: Development must comply with design review standards and permitting requirements pertaining to residences.	X	
Located in Single-Family Residence Categorical Exclusion Area (SFEX)	X	
Located outside of SFEX and involving expansion or construction of water wells or septic systems		X
Located outside of SFEX <u>and</u> in CCC APJ or Scenic Corridor, involving: a) Expansion of 10% or more of existing internal floor area; b) additional stories/loft; or c) construction or installation of significant non-attached structure(s) (excluding play structures and fences)		X
Located within a sensitive habitat or buffer zone		X
<b>3. New CCC building or replacement or reconstruction of an existing building</b>		X






# MIDCOAST R-1 PARCELS 10,000 SF OR LARGER

-  Residential Parcels  
10,000 sf or Greater
-  Scenic Corridor
-  LCP Midcoast Single-Family Exclusion Zone
-  CA Coastal Commission Appeal Jurisdiction
-  Incorporated Areas Outside of  
Ordinance Jurisdiction
-  CoastalZone



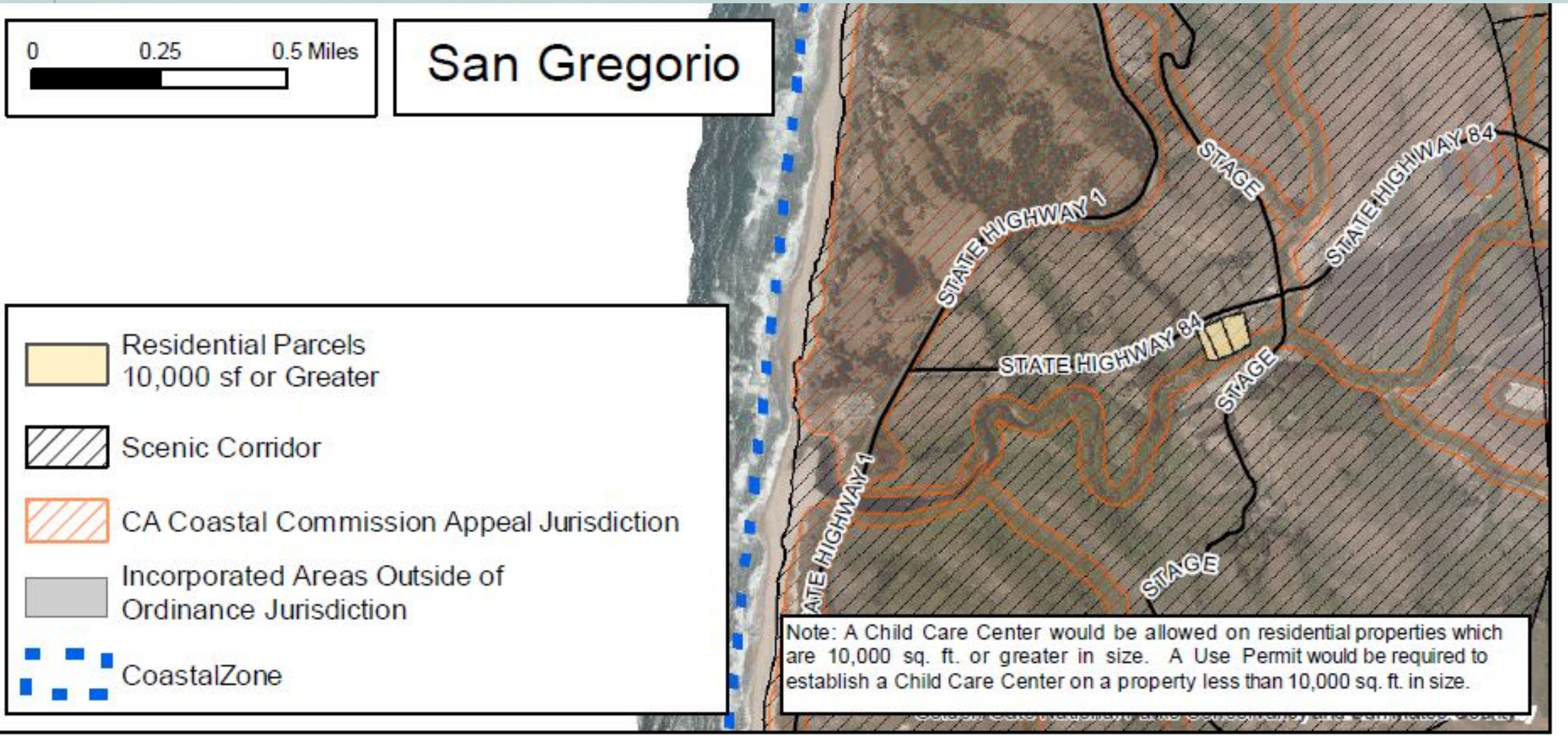
# PESCADERO R-1 PARCELS 10,000 SF OR LARGER



-  Residential Parcels  
10,000 sf or Greater
-  Scenic Corridor
-  CA Coastal Commission Appeal Jurisdiction
-  Incorporated Areas Outside of  
Ordinance Jurisdiction
-  CoastalZone

# SAN GREGORIO R-1 PARCELS

10,000 SF OR LARGER



# CENTERS LOCATED WITHIN A CONVERTED EXISTING SFD

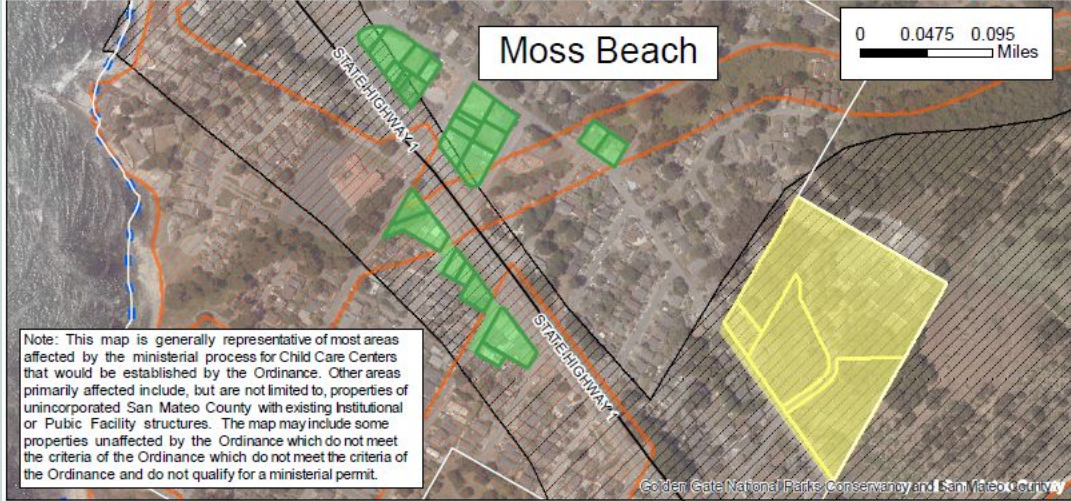
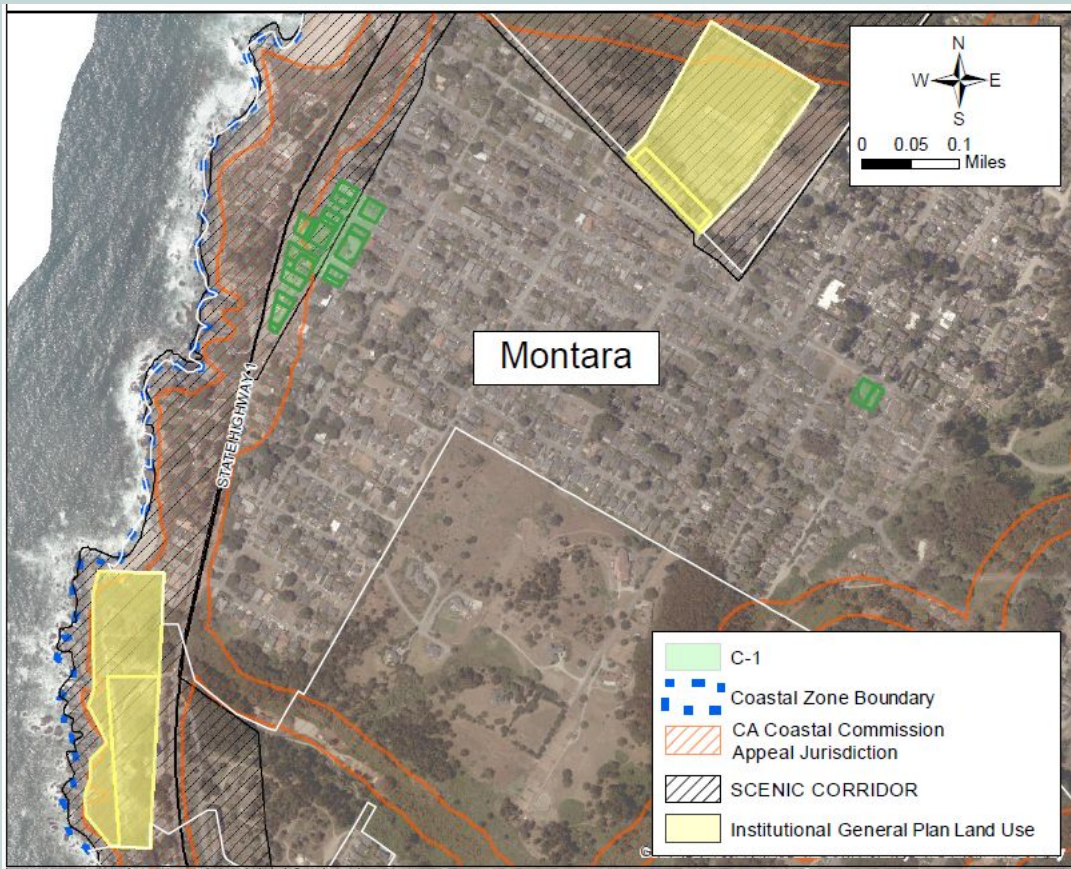
The conversion of a single-family residential use to a Child Care Center (CCC) use is not considered an intensification of use:

- A CCC use is **similar in intensity to a Large Family Child Care Home** (which allows up to 14 children) which is considered a residential use and allowed within *any residence* by State law. The Ordinance adds criteria limiting the intensity of the CCC use:
  - A CCC may enroll more children than a LFCCH, but only in proportion to on-site parking provided
  - A CCC would not support a residential use
  - Ordinance sets a 10,000 sq. ft. parcel size and limits use to Residential Zoning Districts

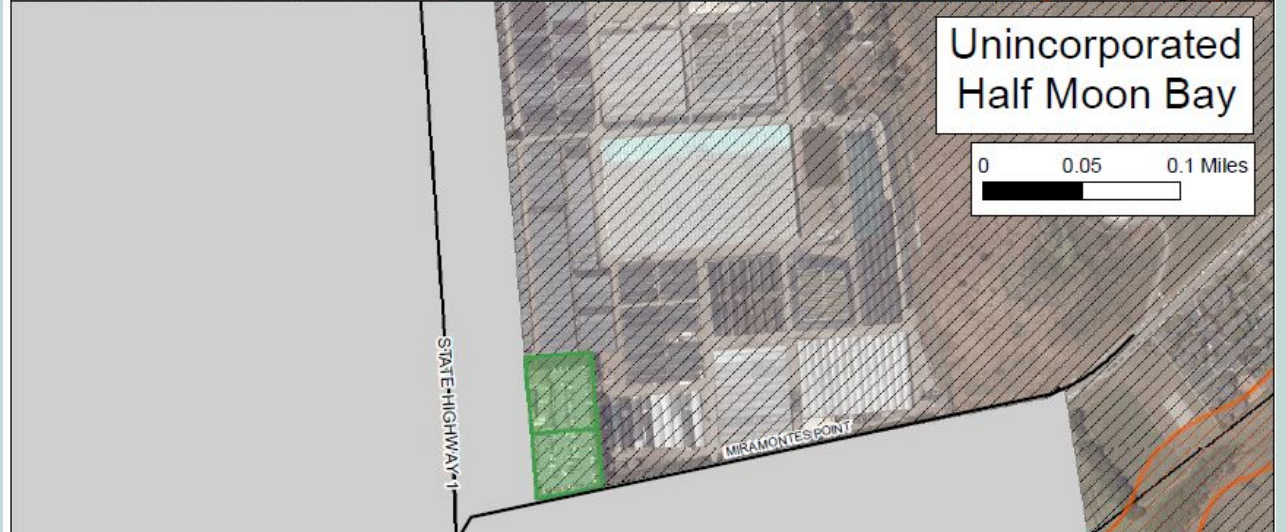
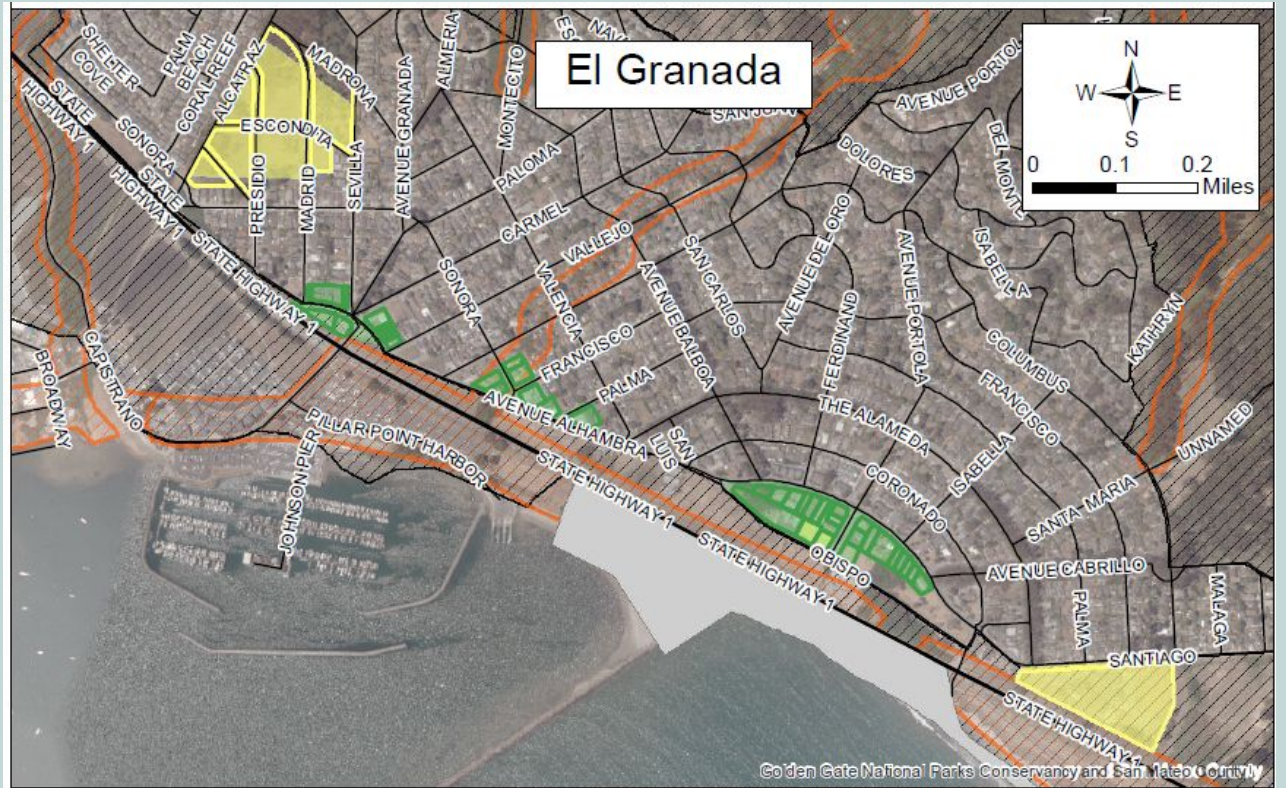
**Table 2 - Locational Criteria for a Ministerial Permit for Child Care Centers Within the Coastal Zone**

Project Types	Ministerial Permit	Use Permit and CDP
<p><b>1. Location of a CCC in an existing building in an Institutional or Commercial Zoning District or in an existing Institutional Building or Public Facility, including expansion</b></p> <p><i>(Source: Category B, CDP Exemption Worksheet)</i></p>		
Applies to sites in an Institutional or Commercial Zoning District or designated for such use by the General Plan, or in an existing Institutional Building or Public Facility	<b>X</b>	
Design Review District: Development must comply with design review standards and permitting requirements.	<b>X</b>	
Coastal Commission Appeals Jurisdiction (CCC APJ) or Scenic Corridor: Expansion of less than 10% of existing internal floor area allowed; no additional stories/loft.	<b>X</b>	
Site is served by public utilities and roads or does not involve expansion or construction of water wells or septic systems	<b>X</b>	
Conversion of a visitor-serving commercial use		<b>X</b>
Located within a sensitive habitat or buffer zone		<b>X</b>

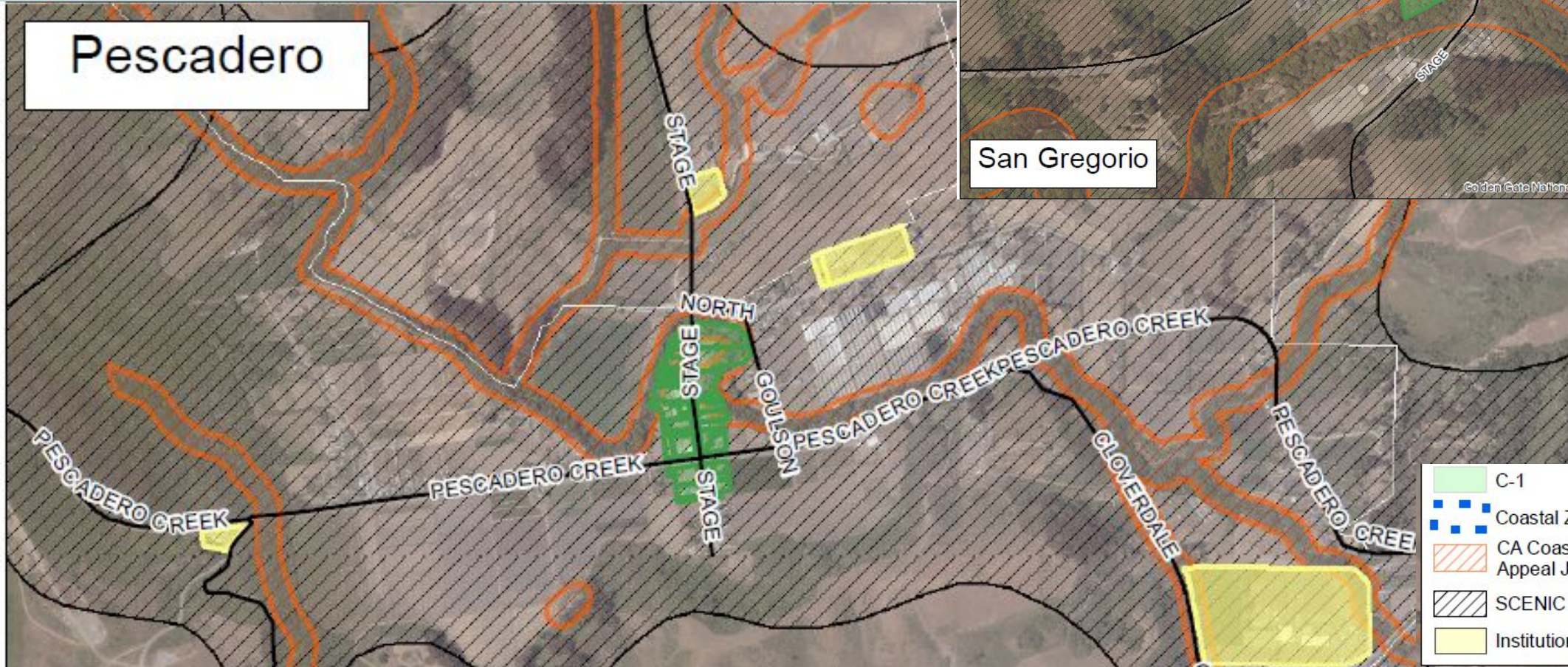




Note: This map is generally representative of most areas affected by the ministerial process for Child Care Centers that would be established by the Ordinance. Other areas primarily affected include, but are not limited to, properties of unincorporated San Mateo County with existing Institutional or Public Facility structures. The map may include some properties unaffected by the Ordinance which do not meet the criteria of the Ordinance which do not meet the criteria of the Ordinance and do not qualify for a ministerial permit.



# Pescadero



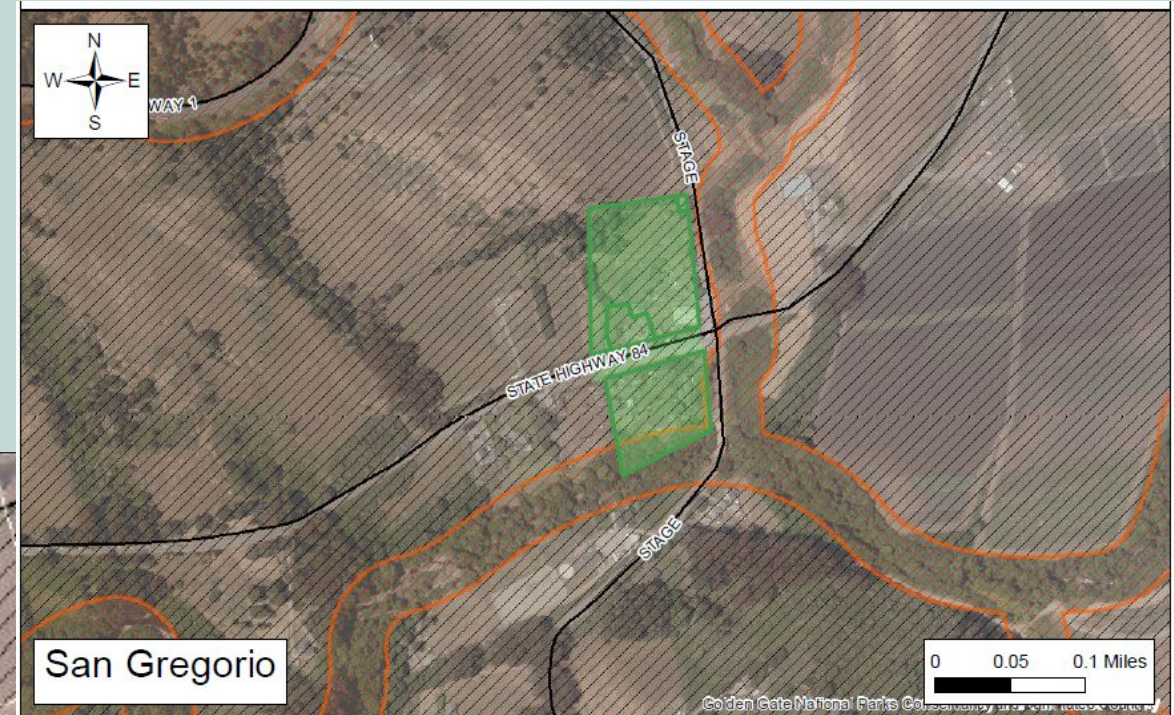
WAY 1

STATE HIGHWAY 64

STAGE

STAGE

# San Gregorio

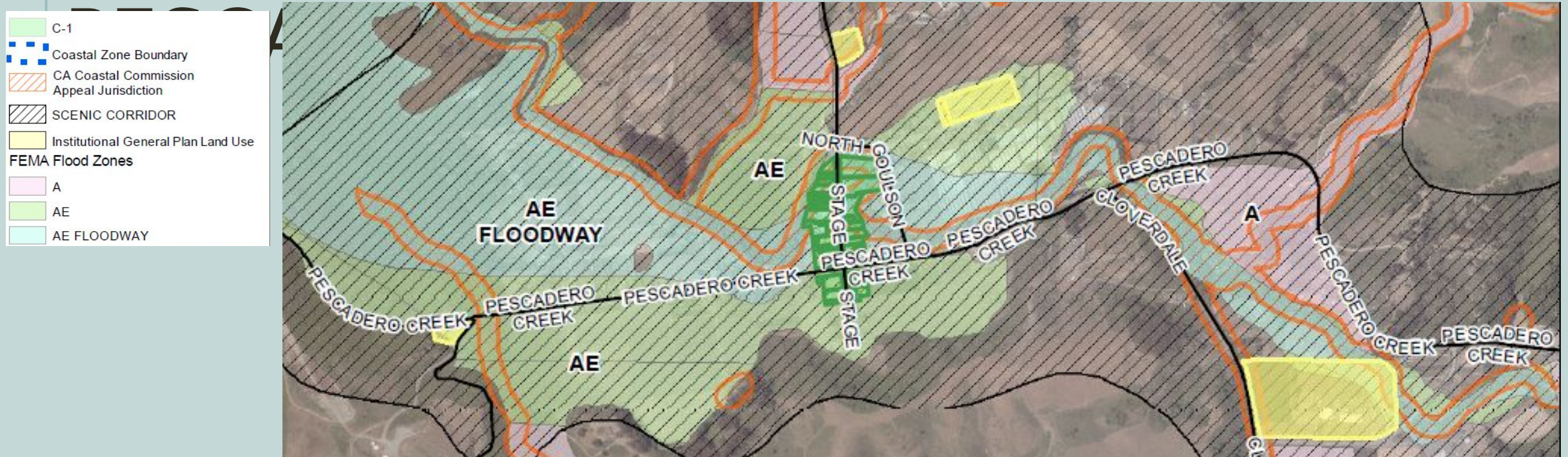


0 0.05 0.1 Miles

Golden Gate National Parks Conservancy

- C-1
- Coastal Zone Boundary
- CA Coastal Commission Appeal Jurisdiction
- SCENIC CORRIDOR
- Institutional General Plan Land Use

# BUILDINGS IN THE C-1 ZONE OF



- Buildings on subject parcels are potentially 1-3 feet below the Base Flood Elevation (BFE)
- **INTENSIFICATION OF USE:** If the project increases the intensity of the existing use, it will be considered “development”, with improvements required to raise the floor elevation to BFE
- **SUBSTANTIAL IMPROVEMENT:** If “substantial development” (over 50% valuation) threshold is proposed BFF±1 feet is required

# HIGHLIGHTS OF ORDINANCE

## ▮ **REQUIRED PARKING**

- ▮ **Non-SFD Conversion:** 1 Parking Space required per 4 Enrolled Children or 3 parking spaces for every 1,000 square feet of Gross Floor Area, whichever is lower
- ▮ **SFD Conversion:** 1 Parking Space required per 6 Enrolled Children

## ▮ **50% PARKING REDUCTION**

- ▮ **Accessory, Affiliated Use,** or located within **1/4-mile radius of a Transit Center**
- ▮ **Transit Center**
- ▮ Walking Distance defined as “1/4 mile radius”; 20 minute headways (instead of 15 min as used in State definition)

- ▮ **DESIGN REVIEW REQUIREMENTS** apply to conversion of a SFD to CCC

## ▮ **INCENTIVES**

- ▮ State Law: Density Bonus
- ▮ Floor Area & Parking Waiver for Eligible Employment Centers

# PUBLIC ENGAGEMENT



- **NEGATIVE DECLARATION**
  - Public Review Period: November 12 to December 14, 2020
- **RESPONSIBLE AGENCY: CA COASTAL COMMISSION**
  - Presentation on November 30, 2020
- **CHILD CARE PARTNERSHIP COUNCIL, San Mateo County Office of Education**
- **TRANSPORTATION WORKING GROUP, San Mateo County C/CAG**
- **MIDCOAST COMMUNITY COUNCIL**
  - Presentation on January 27, 2021

## Upcoming

- **NORTH FAIR OAKS COMMUNITY COUNCIL - January 28, 2021**
- **PLANNING COMMISSION - March/April 2021**
- **BOARD OF SUPERVISORS - April/May 2021**

# THANK YOU

- Ways to Comment:
  - MCC Letter to County
  - Review and Comment on Negative Declaration
  - Attend Planning Commission and Board of Supervisors Hearings, Coastal Commission Hearing
  - Email Comments



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