



# CHILD CARE FACILITIES

Sunnyvale welcomes and strongly supports the establishment of child care facilities. This brochure explains the various codes and processes related to establishing a child care facility.

## THE ZONING CODE (SMC TITLE 19) CLASSIFIES CHILD CARE FACILITIES INTO TWO BASIC TYPES:

- Family child care homes, which are operated within a provider’s residence; and
- Child care centers, which are operated in a non-residential space or a residence which is not the provider’s residence.

There are several approvals that are needed from both the City of Sunnyvale and the State of California depending on the type of facility proposed. For more information, contact the Sunnyvale Youth & Family Resources Office (see sidebar).

## FAMILY CHILD CARE HOMES

*Family child care homes regularly provide care and supervision for 14 or fewer children in the provider’s own home. The children must be less than 18 years of age and the care is for less than a 24 hour period.* Family child care homes are allowed in any permitted residence provided they meet the requirements below. See SMC 19.58 (Family Child Care Homes) for more information.

### SMALL FAMILY CHILD CARE HOME

*A small family child care home provides care for 8 or fewer children, as determined by the State of California license.* The following items are required to operate a small family child care home in any permitted residence:

- A valid State of California child care license; and
- Fire clearance with the Fire Prevention Division (see sidebar).

### LARGE FAMILY CHILD CARE HOME (LFCCH)

*A large family child care home provides care for 9-14 children, as determined by the State of California license.* LFCCHs must be reviewed by the Planning Division before starting operations.

**DISTANCE REQUIREMENT:** The City requires all LFCCHs be at least 300 feet apart, as measured from the property lines. A waiver from this distance requirement may be requested through a Planning Commission Use Permit.

The following items are required to operate a large family child care home:

- Planning Division Approval. Contact the on-duty Planner for application requirements.

**STAFF-LEVEL REVIEW:** Proposed LFCCHs that meet the distance requirement and located in a single-family home in a residential zoning district can be reviewed and approved by a Planner at the One-Stop Permit Center.

**PLANNING COMMISSION USE PERMIT:** Proposed LFCCHs located in a duplex, multifamily complex (i.e. apartment, townhome, or mobile home in a mobile home community) or any home in a nonresidential zoning district and requests for a waiver of the distance requirement are required to obtain a Planning Commission Use Permit;

- Orientation meeting with the Sunnyvale Youth & Family Resources Office (see sidebar);
- Compliance with the City’s operational standards (see SMC 19.58);
- Valid State of California child care license;
- Fire clearance with the Fire Prevention Division (see sidebar); and
- Business license with the City of Sunnyvale.

### SUNNYVALE YOUTH & FAMILY RESOURCES OFFICE

785 Morse Avenue  
Sunnyvale, CA 94085  
PHONE(408) 730-7800

[ChildCare.InSunnyvale.com](http://ChildCare.InSunnyvale.com)

### FIRE CLEARANCES

*The Fire Prevention Division of Public Safety is required to inspect all family child care homes and child care centers to ensure compliance with State fire safety codes. For more information, call (408) 730-7212.*

### HOME REMODELS

*Planning or building permits will be required if any remodeling or addition is planned for the home. For more information, call (408) 730-7444 or visit the One-Stop Permit Center.*

### PLANNING COMMISSION USE PERMIT FOR LARGE FAMILY CHILD CARE HOMES

*A Planning Commission public hearing is an opportunity for the project applicants and community members to be heard in a public forum prior to a decision being made. This process typically takes 8-10 weeks to complete.*

## CHILD CARE CENTERS

There are two types of child care centers: business-sponsored and commercial. If you are considering opening a child care center, the City strongly recommends that you hire a professional architect early in your project planning stage. The building and fire codes can be complicated and difficult to understand, and a professional architect can help determine appropriate buildings and facilities for the center. Additionally, submitting professionally-prepared plans may significantly reduce your application review time.

### WHERE CHILD CARE CENTERS ARE PERMITTED

Zoning District	Planning Permit Required	
Residential	R-0, R-1, R-2, R-3, R-4 and R-5	UP/SDP
Mobile Home Parks	R-MH	No planning permit required if for use by mobile home park occupants only
Neighborhood Commercial and Public Facilities	C-1 and P-F	MPP if 30 or fewer children UP/SDP if 31 or more children
Other Commercial and Office	C-2, C-3, C-4, O	UP/SDP
Downtown Specific Plan	DSP	SDP
Industrial	M-S, M-3, MP-I and MP-TOD	Business-sponsored only. MPP is required for 14 or fewer children (small business-sponsored). UP required for 15-30 children (large business-sponsored).
Moffett Park Commercial	MP-C	Prohibited

### BUSINESS-SPONSORED CHILD CARE CENTER

Business-sponsored child care is for the exclusive care of on-site employees' children. It must be conducted for the benefit of one business only and be located on the same site as the business. Business-sponsored child care is limited to a maximum of 30 children.

Business-sponsored child care must be at least 1,000 ft. away from another industrial property. If it is not, the owners of properties within 1,000 feet must record an agreement with the County of Santa Clara stating they will not use acutely hazardous materials. A complete list of qualifying hazardous materials is listed with the California Accidental Release Prevention Program (CalARP). [www.oes.ca.gov](http://www.oes.ca.gov)

### REQUIREMENTS FOR ALL CHILD CARE CENTERS

The following items are required to operate a child care center in Sunnyvale:

- Valid State of California child care license;
- Planning permit with the Planning Division;
- Building permits with the Building Division;
- Fire clearance with the Fire Prevention Division; and
- Business license with the City of Sunnyvale.

**RESIDENTIAL ZONES** include R-0, R-1, R-2, R-3, R-4 and R-5.

#### PERMIT TYPES

A *Miscellaneous Plan Permit (MPP)* is a staff-level permit. No public hearing is required.

A *Use Permit (UP)* requires a public hearing. Use Permits allow the City to review the proposed use or development and determine whether the location is appropriate for that type of activity.

*Special Development Permits (SDP)* also require a public hearing and have similar goals but are used to review use or development design within any zoning district that has a unique combining district such as *Planned Development (PD)* or *El Camino Real (ECR)*.

## PERMIT PROCESS

### STATE OF CALIFORNIA CHILD CARE LICENSE

1. State licensing and processes are separate from City permit requirements. Contact the State prior to submitting for City permits to get more information and a list of licensing requirements.

### PLANNING DIVISION REVIEW

2. Submit for Planning review, if required. An approval for a large family child care home that does not require a public hearing can be reviewed over the counter in one day. MPPs for child care centers take at least 2 weeks to review.
3. Use Permit/Special Development Permits, which require a public hearing, usually take 6-10 weeks to process, depending on the complexity of the application. If someone challenges the decision with an appeal, the process, which requires a public hearing, usually takes an additional 6-8 weeks.

### BUILDING PERMIT REVIEW

4. Once your planning permit has been approved, submit for a building permit if required.
5. Building permits are reviewed between 8:00 a.m. and 12:00 noon, Monday through Friday.
6. After a building permit is issued, a building inspector will inspect the property at different stages of construction to verify compliance with permit and code requirements.

### FIRE CLEARANCE

7. Fire clearances are conducted by the Fire Prevention Division. The State of California's Community Care Licensing Division sends the applicable information to the City. No application materials are required. If you have questions, please call (408) 730-7212, TDD (408) 730-7501. Child care centers and large family child care homes are subject to annual fire inspections.

### BUSINESS LICENSE

8. Business licenses are required for any child care facility except small family child care homes. Large family child care home business license applications are reviewed by the Planning Division at the One-Stop Permit Center. Review of all other business licenses may take 2-4 weeks. If your application is approved, the business license will be mailed to the business mailing address.

## STATE LICENSING REQUIREMENTS

Community Care Licensing  
San Jose Regional Office  
2580 North First Street Suite 300  
San Jose, CA 95131  
(408) 324-2148  
[www.cclcd.ca.gov](http://www.cclcd.ca.gov)

### PLANNING REVIEW APPLICATION REQUIREMENTS

*Consult with the on-duty Planner at the One-Stop Permit Center for required application materials. This list may vary substantially from project to project.*

### BUILDING PERMIT APPLICATION REQUIREMENTS (3 copies of each item)

- Plans designed by a licensed professional and bearing the stamp and signature of the professional
- Letter explaining the use of the building or space
- Site plan showing all buildings on site, setbacks from property lines and distances between buildings.
- Floor plan of the building showing all occupancy types (defined by the Building Code) and rooms/areas within the building
- For child care centers, show the occupancy type as determined by the State of California license and the construction type of the building.
- Additional information may be required depending on the specifics of the project. Contact the Building Division for more information.
- Fee \_\_\_\_\_

### BUSINESS LICENSE APPLICATION REQUIREMENTS

- Application signed by the business owner.
- Fee \_\_\_\_\_