

2013 Council Study Issue

CDD 13-07 Large Family Day Care Locational Requirements**Lead Department** Community Development**History** **1 year ago** None **2 years ago** None**1. What are the key elements of the issue? What precipitated it?**

Recently, there have been a few use permit applications for large family day care (LFDC) uses located within 300 feet of an existing LFDC; in one case the Planning Commission decision was appealed to the City Council. Concern from the public is the impact LFDC's have on the surrounding neighbors and nearby area. During the City Council meeting, members of the public pointed out concerns with other LFDC sites that were not subject to the use permit requirements.

This study would consider the limitations that State law has on regulating LFDC's, specifically that LFDC's shall be treated the same as any other residential use. State law allows a city to prescribe reasonable standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, and noise control, which would be the crux of this study. One option to explore is having operational criteria for all LFDC (e.g hours of operation, parking, noise).

2. How does this relate to the General Plan or existing City Policy?

Policy LT 4.14. Support the provision of a full spectrum of public and quasi-public services (e.g., parks, day care, group living, recreation centers, religious institutions) that are appropriately located in residential, commercial and industrial neighborhoods and ensure that they have beneficial effects on the surrounding area.

Action statement LT 4.14d Encourage employers to provide on-site facilities such as usable open space, health club facilities, and child care where appropriate.

Policy LT 4.3. Support a full spectrum of conveniently located commercial, public and quasi-public uses that add to the positive image of the City.

State Law: Has determined that a family day care is a residential use and precludes cities from regulating small family care and allows limited regulations for large family care.

3. Origin of issue**Council Member(s)** Moylan, Spitaleri, Whittum**4. Staff effort required to conduct study** Moderate**Briefly explain the level of staff effort required**

Background research of State law and other cities' approaches; public outreach to the general public and day care operators, preparation of reports; and, public hearings.

5. Multiple Year Project? No **Planned Completion Year** 2013**6. Expected participation involved in the study issue process?**

Does Council need to approve a work plan?	No
Does this issue require review by a Board/Commission?	Yes
If so, which?	Planning Commission
Is a Council Study Session anticipated?	No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required 0

Explanation

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? No

Explanation

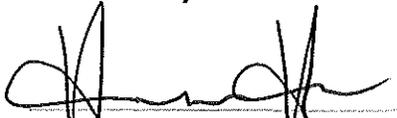
9. Staff Recommendation

Staff Recommendation Support

If 'Support', 'Drop' or 'Defer', explain

State law considers large and small family child care uses as residential uses the same as any other home. Cities can prescribe reasonable standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, and noise control. This study could provide better guidance to the community, staff and decision-makers about the location and operating requirements of LFDC's.

Reviewed by


Department Director

10/1/12
Date

Approved by


City Manager

10-4-12
Date