

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: March 10, 2021

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of an ordinance creating a new Chapter 22.2, "Child Care Centers" of the Zoning Regulations, repealing Section 6401.2. (General Provisions Relating to Large Family Day Care Homes), and adopting related text amendments to the County Zoning Regulations for various zoning districts to reconcile those regulations with the new ordinance. The new ordinance will regulate the land use aspects of child care centers in the unincorporated areas of San Mateo County.

County File Number: PLN 2020-00014

PROPOSAL

In a County-wide child care needs assessment conducted in 2017, the San Mateo County Office of Education identified a significant shortage of child care services, estimating a total of 39,528 existing child care and preschool spaces in the County, where a total of 59,252 child care spaces are needed, by both County residents and non-residents working in the County. Permitting requirements and associated cost have been identified by child care operators, child care planning organizations, and advocacy groups as barriers to expanding and establishing new child care centers. The County's proposed Child Care Facilities Ordinance aims to address these deficits by reducing the permitting requirements and costs for child care providers within the unincorporated areas of the County. The goals of the Ordinance are listed below:

1. Establish consistent County regulations throughout the unincorporated County to replace patchwork regulations;
2. Establish clear regulations and requirements;
3. Expedite the process for child care centers to be established or expanded under compatible conditions, such as a child care center locating within an existing building of similar use in terms of purpose, intensity, and parking needs or compatible use.
4. Provide a program to authorize existing unpermitted child care facilities; and

5. Provide incentives for the development of child care centers in Employment Centers and Transit-Oriented Development areas to encourage co-location with compatible uses to reduce traffic and parking.

RECOMMENDATION

That the Planning Commission recommend that the Board of Supervisors adopt a resolution adopting the Initial Study/Negative Declaration; adopt an ordinance adding the new Chapter 22.2, "Child Care Centers" of the Zoning Regulations, repealing Section 6401.2. (General Provisions Relating to Large Family Day Care Homes), and amending the text of the County Zoning Regulations for various zoning districts, as listed in Attachment C of the staff report; and adopt a resolution directing staff to submit the Ordinance to the Coastal Commission.

SUMMARY

Ministerial Process for Child Care Centers in Compatible Conditions: The adoption of the Ordinance would ease and streamline permitting requirements for child care centers by creating a ministerial approval process.¹ In contrast, under the County's existing regulations, a use permit would be required for most child care centers; the use permit process requires notice and a public hearing adding substantial cost and time to the process of opening a child care center.² The Ordinance would allow child care centers in the following circumstances with a ministerial permit:

- Within existing buildings, allowing for limited expansion, in areas zoned or designated by the General Plan for Commercial or Institutional, or Commercial/ Residential Mixed Use land uses. In urban areas outside of the Coastal Zone, new buildings up to 10,000 sq. ft. may be allowed subject to further criteria.
- Within converted single-family residences on parcels of conforming size which are zoned for Single-Family Residential land uses. In the Coastal Zone, residential parcels must be 10,000 sq. ft. or larger.
- Within existing or expanded institutional buildings or public facilities, as defined by the Ordinance.

Child care centers that do not meet the criteria of the Ordinance would require a Use Permit, as well as a Coastal Development Permit in the Coastal Zone, subject to compliance with applicable policies of the Local Coastal Program.

¹ A ministerial permit involves an application to the Planning Section, review of application materials by staff for compliance with requirements, and a letter of decision. No public noticing is performed prior to a decision, the decision would not be appealable, and no permit renewal would be required.

² A use permit would be required for most child care centers pursuant to the regulations for each zoning district and Section 6161(k)1 of the County's Zoning Regulations which allows "schools" with a use permit in the R-1, R-2 and R-3 residential zoning districts.

General Plan: Through various policies, the General Plan encourages the establishment of a mix of land uses, such as child care services, in order to support both residential and non-residential uses within existing urban and rural neighborhoods and communities. Policies of the North Fair Oaks Community Plan promote creation of new childcare space in and around larger residential, mixed-use, commercial and other larger developments, and as part of transit stations and transit-oriented development projects; and direct the County to streamline and facilitate creation of new childcare facilities, particularly neighborhood-based large family childcare facilities, through changes to County code, changes to permitting processes, fee waivers, exemption from permitting requirements, and other incentives.

Local Coastal Program: Policy 3.15.d of the County's Local Coastal Program encourages the provision of day care centers at designated affordable housing sites and other appropriate sites. The Ordinance creates a ministerial permit process for the location of child care centers in suitable urban and rural locations, applying Local Coastal Program coastal development permit exemption criteria within the Coastal Zone. Established exemption criteria would restrict building expansion for child care centers within a scenic corridor or within 300 feet of a beach or within 100 feet of a creek or wetland. Planning staff has added additional criteria for a ministerial permit in the Coastal Zone to protect visitor-serving uses and set specific parcel size and parking requirements to limit enrollment to a level proportional to the size of the parcel and available on-site parking.

Related Zoning Text Amendments: In addition to adding a new chapter of the Zoning Regulations pertaining to child care centers, this Ordinance includes zoning text amendments to clean up chapters of the Zoning Regulations that contain outdated permit requirements for Small and Large Day Care Homes, separate definitions for child care facility types including centers, and separate permit requirements for child care centers. Language in I/NFO, C-2/NFO, and CMU-3 zoning districts would be retained which allow child care centers by right.

Environmental Review: The project, as it pertains to the California Environmental Quality Act (CEQA), is the Ordinance's establishment of the new ministerial permit process, whereby child care centers that would have had to obtain a Use Permit through a discretionary permit process subject to CEQA, would only require a ministerial permit which is exempt from CEQA. The Initial Study/Negative Declaration (IS/ND) focuses on the potential environmental impacts of child care projects that would qualify for the ministerial permit process. An IS/ND was prepared and released for public review from November 12, 2020 to December 14, 2020. As measures have been incorporated into the Ordinance to avoid or minimize impacts to the environment, no mitigation measures are needed.

CML:cmc – CMLFF0524_WCU.DOCX

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: March 10, 2021

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Consideration of an ordinance creating a new Chapter 22.2, “Child Care Centers” of the Zoning Regulations, repealing Section 6401.2. (General Provisions Relating to Large Family Day Care Homes), and adopting related text amendments to the County Zoning Regulations for various zoning districts to reconcile those regulations with the new ordinance. The new ordinance will regulate the land use aspects of child care centers in the unincorporated areas of San Mateo County.

County File Number: PLN 2020-00014

PROPOSAL

The overarching goal of the Child Care Facilities Ordinance (Attachment B) is to ease and incentivize the expansion of child care services within San Mateo County. In a County-wide child care needs assessment conducted in 2017 (2017 San Mateo County Child Care and Preschool Needs Assessment (“2017 Needs Assessment”), prepared by Sarah Kinahan Consulting¹), the San Mateo County Office of Education identified a significant shortage of child care services. The 2017 Needs Assessment estimates there are 39,528 existing child care and preschool spaces in the County, among residence-based family child care centers and child care centers. It estimates that a total of 59,252 child care spaces are needed, by both County residents and non-residents working in the County. The 2017 Needs Assessment also found that among the child care centers surveyed, 54 percent were open to the idea of expanding their operation. The largest deficits for child care spaces were found in the areas of Burlingame, Redwood City, Daly City, Menlo Park, Montara, and Pacifica. Specifically, the 2017 Needs Assessment identified the following significant deficiencies:

Infant/Toddler Spaces

- Menlo Park – 37% of demand is met by existing services
- 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

¹ The San Mateo County Child Care and Preschool Needs Assessment is available at: <https://www.smcoe.org/about/child-care-partnership-council/needs-assessment.html>

Preschool Spaces

- Redwood City – 47% of demand is met by existing services
- Menlo Park – 77% of demand is met by existing services
- 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

Permitting requirements and associated cost have been identified by child care operators, child care planning organizations, and advocacy groups as barriers to expanding and establishing new child care centers. The County's proposed Child Care Facilities Ordinance aims to address these deficits by reducing the permitting requirements and costs for child care providers within the unincorporated areas of the County. The goals of the Child Care Facilities Ordinance are listed below:

1. Establish consistent County regulations throughout the unincorporated County to replace patchwork regulations;
2. Establish clear regulations and requirements;
3. Expedite the process for child care centers to be established or expanded under compatible conditions;
4. Provide a program to authorize existing unpermitted child care facilities; and
5. Provide incentives for the development of child care centers in Employment Centers and Transit-Oriented Development areas to encourage co-location with compatible uses to reduce traffic and parking.

The adoption of the Child Care Facilities Ordinance would ease and streamline permitting requirements for child care centers by creating a ministerial approval process. A ministerial permit involves an application to the Planning Section, review of application materials by staff for compliance with requirements, and a letter of decision. No public noticing is performed prior to a decision, the decision would not be appealable, and no permit renewal would be required. In contrast, under the County's existing regulations, a use permit would be required for most child care centers (pursuant to the regulations for each zoning district and Section 6161(k)1 of the County's Zoning Regulations which allows "schools" with a use permit in the R-1, R-2 and R-3 residential zoning districts). Obtaining a use permit for a child care center would require notice and a public hearing, adding substantial cost and time to the process of opening a child care center.

The Child Care Facilities Ordinance would also establish specific permitting requirements for child care centers, where specific requirements currently only apply to Large Family Day Care Homes (Section 6401.2 of the Zoning Regulations). Large Family Day Care Homes (referred to as Large Family Child Care Homes in the

Ordinance) are State-licensed, residence-based care facilities for up to 14 children. The adoption of the Ordinance would repeal Section 6401.2 and create a new Chapter 22.2 (Child Care Facilities) of the Zoning Regulations. The Ordinance would not regulate Small or Large Family Child Care Homes as these uses are allowed by right by State law. Small Family Child Care Homes are State-licensed, residence-based care facilities for up to 8 children.²

In general, the Ordinance would ease restrictions for a child care center to locate within an existing building of similar use in terms of purpose, intensity, and parking needs (such as commercial and institutional buildings) or compatible use (such as single- and multiple-family residential). It would also allow for expansion of such buildings according to environmental and locational criteria. Child care centers in the following circumstances would be allowed with a ministerial permit:

- Within existing buildings, allowing for limited expansion, in areas zoned or designated by the General Plan for Commercial or Institutional, or Commercial/ Residential Mixed Use land uses. In urban areas outside of the Coastal Zone, new buildings up to 10,000 sq. ft. may be allowed subject to further criteria.
- Within converted single-family residences on parcels of conforming size which are zoned for Single-Family Residential land uses. In the Coastal Zone, residential parcels must be 10,000 sq. ft. or larger.
- Within existing or expanded institutional buildings or public facilities, as defined by the Ordinance.

The Child Care Facilities Ordinance would also:

- provide a streamlined use permit process, with a reduced appeal process and no requirement for use permit renewal, for child care centers not meeting the ministerial permit criteria;
- Create an amnesty program for existing, unpermitted child care centers that have been in continuous operation at a specified location for a minimum of 3 years prior to the effective date of this Ordinance, as confirmed by State license documentation; and
- Provide developers a Floor Area Ratio (FAR) Bonus and a Parking Waiver as incentives to incorporate a child care center as a part of an employment center (those employing 50 or more employees and meeting additional criteria) or Transit-Oriented Development (TOD) located within 1/4-mile radius of a Transit Center, as defined by the Ordinance.

² Section 6401.2 defines Large Family Day Care Homes (LFDCH) as serving between 7-12 children. Subsequently, State law allows LFDCH to serve up to 14 children. Similarly, the Zoning Regulations define Small Family Day Care Homes (SFDCH) as serving between 1-6 children. Subsequently, State law allows SFDCH to serve up to 8 children.

RECOMMENDATION

That the Planning Commission recommend that the Board of Supervisors adopt a resolution adopting the Initial Study/Negative Declaration; adopt an ordinance adding the new Chapter 22.2, “Child Care Centers” of the Zoning Regulations, repealing Section 6401.2. (General Provisions Relating to Large Family Day Care Homes), and amending the text of the County Zoning Regulations for various zoning districts, as listed in Attachment C; and adopt a resolution directing staff to submit the Ordinance to the Coastal Commission.

BACKGROUND

Report Prepared By: Camille Leung, Senior Planner

Applicant: San Mateo County Planning and Building Department

Location: Unincorporated County areas

APN(s): Various

Existing Zoning:

- Outside of the Coastal Zone: Commercial, Institutional, Residential (Single- and Multiple-Family), and Commercial/ Residential Mixed Use zoning districts, in urban and rural areas.
- Inside the Coastal Zone, Commercial, Institutional, and Single-Family Residential zoning districts, in urban and rural areas.

General Plan Designation:

- Outside of the Coastal Zone: Areas designated for Commercial, Institutional, Residential (Single- and Multiple-Family), or Commercial/ Residential Mixed Use land uses, in urban and rural areas.
- Inside the Coastal Zone: Areas designated for Commercial, Institutional, or Single-Family Residential land uses, in urban and rural areas.

Existing Land Use: Existing commercial, institutional, residential, or commercial/ residential mixed-use buildings; and public facilities.

Environmental Evaluation: An Initial Study/Negative Declaration (IS/ND) was prepared in compliance with the California Environmental Quality Act (“CEQA”), with a public comment period from November 12, 2020 to December 14, 2020. The IS/ND was distributed by the State Clearinghouse to applicable State agencies (SCH 2020110224).

Chronology:

<u>Date</u>	<u>Action</u>
October 21, 1997	- Section 6401.2 (General Provisions Relating to Large Family Day Care Homes) is added by County Ordinance No. 3791, requiring a large family day care permit for large residential day care facilities (serving between 7-12 children). A small family daycare home (serving between 1-6 children) is treated as a residential use of property for purposes of all local ordinances.
November 2017	- County-wide child care needs assessment is conducted by Sarah Kinahan Consulting for the San Mateo County Office of Education, which identifies a significant shortage of child care services in San Mateo County.
May 21, 2018	- Presentation of Draft Ordinance to the Child Care Partnership Council; Staff revises Draft Ordinance to address comments received.
August 14, 2018	- Presentation of Draft Ordinance to the Facilities Committee of the Child Care Partnership Council; Staff revises Draft Ordinance to address comments received.
September 5, 2019	- Senate Bill 234 (SB234) is approved by the Governor. SB234 requires a large family daycare home to be treated as a residential use of property for purposes of all local ordinances.
July 1, 2020	- Presentation of Draft Ordinance to the C/CAG Transportation Working Group to collect feedback regarding reasonable walking distance for affiliated employment centers, parking requirements, and definition of transit center; Staff revises Draft Ordinance to address comments received.
November 12, 2020 to December 14, 2020	- Release of Initial Study/Negative Declaration and public comment period.
November 30, 2020	- Presentation of Draft Ordinance to California Coastal Commission staff; Staff revises Draft Ordinance to address comments received.

- January 27, 2021 - Planning staff presented the Draft Ordinance as an informational item at the Midcoast Community Council (MCC) public meeting, where public comment was provided.
- January 28, 2021 - At its public meeting, the North Fair Oaks Community Council (NFOCC) recommends the approval of the Ordinance to the Planning Commission and the Board of Supervisors.
- March 10, 2021 - Planning Commission public hearing.
- April/May 2021 - Board of Supervisors public hearing (date to be determined)

DISCUSSION

A. COMPLIANCE WITH COUNTY GENERAL PLAN

1. County Unincorporated Areas

Through various policies, the General Plan encourages the establishment of a mix of land uses, such as child care services, in order to support both residential and non-residential uses within existing urban and rural neighborhoods and communities, such as those listed below:

- Policy 7.2 (*Local Economies*): Designate land uses in order to support and strengthen existing local economies (i.e., jobs, incomes and housing to support local populations).
- Policy 7.7 (*Land Use Patterns*): Distribute the designation of land uses in order to achieve orderly, understandable, coherent and workable land use patterns.
- Policy 8.5 (*Definition of Urban Community*): Define Urban Communities as those large, populated unincorporated areas which contain a wide range of residential land use densities and a mix of land uses which provide services to surrounding areas and meet, in part, the internal shopping, employment and recreational needs of the community residents.
- Policy 9.5 (*Rural Service Centers*): Define Rural Service Centers as small rural communities having a combination of land uses which provide services to surrounding rural areas.
- Policy 27.2 of the County's Housing Element calls for the County to incentivize and support affordable housing opportunities for Large Family and Single-Parent Households and specifically encourages affordable housing development linked to child care services.

Currently, the Department treats child care centers as similar to a school use, which is institutional in nature. The General Plan defines “Institutional use” as cultural and educational and public service uses including but not limited to schools, libraries, hospitals, and churches. In the unincorporated areas of the County, institutional land uses are allowed in both urban and rural areas, subject to the following locational criteria: (1) Developed with existing educational facilities, government facilities or other public facilities; (2) Owned by public agencies; and (3) Suitable for development for institutional uses. The Ordinance would allow a child care center in areas zoned or designated by the General Plan for Institutional land uses and also within existing or expanded institutional buildings or public facilities. The Ordinance would also allow child care centers in areas zoned or designated for Commercial or Commercial/ Residential Mixed Use land uses as the child care center use would serve both commercial and multiple-family residential uses and has similar traffic and parking needs to those uses.

Policy 7.6 (*Natural and Man-Made Hazards*) designates land uses in order to minimize the danger of natural and manmade hazards to life and property. The construction of a building or conversion/alteration of an existing building for a child care center are subject to building codes and the County’s Zoning Regulations, which regulate development in geological hazard areas, special flood hazard areas, and other identified hazard areas. For further discussion of the potential impact of the Ordinance in special flood hazard areas, see Section E.2 of this report.

2. North Fair Oaks Community Plan

Several policies of Section 5.2.5 *Neighborhood Goods and Services* of the North Fair Oaks Community Plan (*Community Plan*) promote the establishment of additional child care facilities, including child care centers. Policy 13A calls for the County to allow and encourage small-scale neighborhood-serving retail and amenities such as child care centers in underserved areas. The 2017 Needs Assessment identified significant infant/toddler and preschool space deficits for North Fair Oaks.³ The following summarizes the applicable policies of the Community Plan and how each is addressed by the Child Care Facilities Ordinance:

- a. Policy 13F: Promote creation of new childcare space in and around larger residential, mixed-use, commercial and other larger developments, and as part of transit stations and transit-oriented development projects; and Policy 13H: Allow childcare as a use permitted by right in all areas designated Commercial Mixed-Use. As

³ Zip codes 94025 and 94063 are applicable to the North Fair Oaks area. In Menlo Park (94025) – 37% of demand for Infant/Toddler Spaces is met and 77% of demand for Preschool Spaces is met by existing services. In Redwood City (94063) – ___% of demand for Infant/Toddler Spaces and 47% of demand for Preschool Spaces are met by existing services.

shown in Table 1 of the Child Care Facilities Ordinance, the Ordinance would create a streamlined ministerial permit process for the establishment of child care centers: 1) within existing Multiple-Family, Institutional, and Public Facility buildings and 2) within an existing or new building within an Institutional, Commercial, and Commercial/ Residential Mixed-Use zoning district meeting the criteria of the Ordinance.

As described in Section 6420.5.C (pages 15-17) of the Ordinance, the Ordinance would provide a density bonus, floor area bonus, and 50% parking waiver⁴ for Transit-Oriented Development located within a 1/4-mile radius of a Transit Center, serving a minimum of 40 children, and meeting other criteria of the Ordinance.

- b. Policy 13G: Explore policies to streamline and facilitate creation of new childcare facilities, particularly neighborhood-based large family childcare facilities, through changes to County code, changes to permitting processes, fee waivers, exemption from permitting requirements, and other incentives. Identify and remove barriers to, and provide incentives and assistance for, large-scale and small-scale childcare provision in all parts of North Fair Oaks. Encourage multiple new developments to pool needed childcare space in centrally accessible locations, and to contribute to creation of shared childcare space on- or offsite. As a result of the passage of Senate Bill 234 in 2019, the establishment and operation of a Small or Large Family Child Care Home is permitted in any legal single- or multiple-family residence and does not require a planning permit. As described in Section 6420.5.B (pages 14-15) of the Ordinance, the Ordinance would provide a floor area bonus and 50% parking waiver for employment centers with a total or combined minimum of 50 employees and meeting other criteria of the Ordinance.

B. COMPLIANCE WITH THE LOCAL COASTAL PROGRAM

Policy 3.15.d of the Housing Component of the County's Local Coastal Program (LCP) encourages the provision of community services, such as day care centers, at designated affordable housing sites and other appropriate sites. LCP Policy 2.52 of the Public Works Component also cites the establishing a day care program for employees of a development project as an example of a traffic mitigation measure that should be implemented for development projects in the urban Midcoast.

⁴ Required parking shall be calculated as fifty-percent (50%) of the required parking for the child care center. Bicycle racks to accommodate parking of 10 bicycles on-site shall be provided. The waiver does not apply to parking required for non-child care center uses of the development.

The Ordinance encourages the provision of day care centers at appropriate sites by creating a ministerial permit process for the location of child care centers in suitable urban and rural locations, applying LCP coastal development permit exemption criteria within the Coastal Zone. Established exemption criteria would restrict building expansion for child care centers within a scenic corridor or within the Coastal Commission Appeals Jurisdiction, including areas within 300 feet of a beach or within 100 feet of a creek or wetland.

In addition to the established exemption criteria, Planning staff has added additional criteria for a ministerial permit in the Coastal Zone:

- Existing Institutional and Commercial buildings providing visitor-serving uses cannot be converted to a child care use.
- Properties containing sensitive habitat and required buffer zones cannot be used for child care centers.
- Parking requirements must be met (see Sections C.2 and E.1.d of this report for further discussion of parking requirements).
- For child care centers to be located within a converted single-family residence, the property must be 10,000 sq. ft. or larger and located in a residential zoning district.
- Within Areas of Special Flood Hazard, the project shall not involve an intensification of use (e.g., building occupancy shall remain equal to or lesser than the existing occupancy) in accordance with Chapter 35.5 of the Zoning Regulations, and the operator shall submit an emergency evacuation plan.

Child care centers that do not meet the criteria of the Ordinance would require a Use Permit and a Coastal Development Permit, subject to compliance with applicable policies of the Local Coastal Program.

Regarding the conversion of a single-family residential use to a child care center use, Planning staff has determined that such a conversion does not constitute an intensification of use. A Child Care Center use, as would be allowed in a residential structure, 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, except that the Child Care Center may enroll more children and would not retain a residential use. As discussed previously, the Ordinance would limit the intensity of the Child Care Center use such that enrollment is appropriate and proportional to the size of the parcel and available on-site parking.

As discussed in Section C.4 of this report, in compliance with LCP Policy 2.52, the Ordinance would provide development incentives, specifically a floor area bonus and 50% parking waiver, for employment centers employing a total or combined minimum of 50 employees which include a child care center.

C. SUMMARY OF CHILD CARE CENTER FACILITIES ORDINANCE

1. Ministerial and Use Permit Process

Currently, the County of San Mateo generally requires child care operators to obtain a use permit, to establish a child care center.⁵ A use permit is granted at a public hearing and is subject to public notice requirements, an appeals process, and use permit renewal requirements. The adoption of the Child Care Facilities Ordinance would ease and streamline permitting requirements for child care centers by creating a ministerial permit process for certain child care proposals that meet the use and locational criteria of the Ordinance. A ministerial permit involves an application to the Planning Section, review of application materials for compliance with requirements, and a letter of decision. No public noticing is performed prior to a decision, the decision would not be appealable, and no permit renewal would be required.

As discussed previously, the Ordinance would allow child care centers 1) within an existing building within an Institutional, Commercial, and Commercial/ Residential Mixed-Use zoning district meeting the criteria of the Ordinance (as well as a new building outside the Coastal Zone in these areas) and 2) within existing Multiple-Family, Institutional, and Public Facility buildings. The Ordinance would also allow the conversion of an existing single-family residence to a child care center as long as development standards, as discussed in the section below, are met. A new child care center in a manufacturing zoning district or within a new building in a single-family residential zoning district would not be eligible for a ministerial permit under the proposed Ordinance.

Outside of the Coastal Zone, locational criteria of the Ordinance are largely based on the environmental criteria of the California Environmental Quality Act (CEQA), which generally exempts from CEQA review development that would not result in significant impacts to the environment, such as impacts involving incompatible uses, utilities, scenic corridors, sensitive habitat areas, and other resource areas. In the Coastal Zone, as described in Section B of this report, the Ordinance creates a ministerial permit process for the location of child care centers in suitable urban and rural locations, applying Local Coastal Program exemption criteria within the Coastal Zone.

⁵ With the exception of setting up a child care center in the I/NFO, C-2/NFO, and CMU-3 zoning districts, where the use is allowed by right.

For child care centers which do not meet the criteria for a ministerial permit, the use permit process that would be established by the Ordinance would generally follow the current use permit process. The Ordinance streamlines the use permit process by limiting the appeals process to an appeal to the Planning Commission which would be the final decision; also, there would be no requirement for renewal of the use permit. Limiting the appeals process shortens the appeals process for such use permits. By eliminating the use permit renewal requirement, the Ordinance would reduce the permitting costs to the operator and the financial risk involving lost investment and profits if the use permit is not renewed. The Ordinance allows the Community Development Director, or their designee, to revoke a ministerial permit if the State facility license is revoked for any reason or the child care center fails to comply with the requirements of the Ordinance, the County-issued permit, or any other County regulation.

2. Development Standards

Child Care Center converted from a Single-Family Residence

To qualify for a ministerial permit, the single-family residence to be converted to a child care center would need to be located on property within a Residential, Mixed-Use, or Commercial Zoning District and the property would need to meet the minimum lot size of the zoning district, typically 5,000 sq. ft. In terms of parking, the child care center would need to provide a minimum of 1 on-site parking space for every 6 children enrolled. If the child care center will adjoin a Noise-Sensitive Receptor (defined by the Ordinance to include single-family residential uses, hospitals, and residential care facilities), noise reduction measures, such as landscaping, trees, or other noise dampening structures/materials, will be required along the shared property line(s). All outdoor light sources shall be downward-directed and shielded to confine rays to the site and specific task areas.

Other Child Care Centers

For child care centers which do not involve the conversion of a single-family residence, the child care center may be located in an Institutional, Commercial, or Commercial/ Residential Mixed-Use Zoning District (outside of Coastal Zone only), or in an existing Institutional Building or Public Facility, to qualify for a ministerial permit. The lighting and noise requirements as mentioned above would also apply. Regarding parking, the child care center would need to provide required on-site parking of 1 parking space for every 4 children or 3 parking spaces for every 1,000 sq. ft. of gross floor area, whichever is lower.

If the child care center use is an accessory use, affiliated with a business, or located within 1/4-mile radius of a Transit Center (as defined in the

Ordinance), 1 parking space is required for every 8 children or 1.5 parking spaces for every 1,000 sq. ft. of gross floor area, whichever is lower. For such uses, bicycle racks to accommodate parking of 10 bicycles on-site shall also be provided.

3. Amnesty

The Ordinance would allow a streamlined approval process for certain child care centers that have been in continuous operation at the specific location for a minimum of 3 years prior to the effective date of the Ordinance. At this time, the County is not aware of any unpermitted child care centers within the unincorporated areas of the County. Facilities that conform to the development standards (currently or through permitted modification) would be eligible for a ministerial permit. Facilities that do not conform to the Ordinance requirements would need to apply for a use permit where the non-conforming aspects may be granted an exception.

4. Development Incentives

To incentivize the creation of new child care centers in the unincorporated County, the Ordinance creates two new incentive programs and references incentives provided by the State.⁶ To receive incentives, the decision-making authority for the child care center would determine whether criteria are adequately met and, if so, will grant the applicable bonus, concession, or incentives, at the time the permit is approved.

Incentives for Eligible Employment Centers

As described in Section 6420.5.B (pages 14-15) of the Ordinance, the Ordinance would provide a floor area bonus and 50% parking waiver⁷ for Eligible Employment Centers employing a total or combined minimum of 50 employees. The employment center may consist of multiple businesses located within 1/4-mile radius of the child care center. For employer(s) with fewer than 100 employees, the child care center must serve a minimum of 20 children. For employer(s) with over 100 employees, the child care center must serve a minimum of 40 children. Children served include all children enrolled at the center, including children of employees of the employer(s) and non-employees.

Incentives for Transit-Oriented Development

⁶ Examples of projects that qualify under State Law include, but are not limited to: (1) a housing development including a child care facility and (2) a minimum 50,000 sq. ft. commercial or industrial development including a child care facility. Eligible child care centers would receive a density bonus and additional concession(s) or incentive(s).

⁷ Required parking shall be calculated as fifty-percent (50%) of the required parking for the child care center. Bicycle racks to accommodate parking of 10 bicycles on-site shall be provided. The waiver does not apply to parking required for non-child care center uses of the development.

As described in Section 6420.5.C (pages 15-17) of the Ordinance, the Ordinance would provide a density bonus, floor area bonus, and 50% parking waiver⁸ for Transit-Oriented Development located within a 1/4-mile radius of a Transit Center, serving a minimum of 40 children, and meeting other criteria of the Ordinance. The Ordinance defines Transit Center as a site containing any of the following: (a) an existing rail or bus rapid transit station or (b) the intersection of two or more major bus routes with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods. Transit centers in the unincorporated County include, but are not limited to, Colma BART station and a potential multi-modal transit station along Northside Avenue along the existing rail corridor in North Fair Oaks.

D. RELATED ZONING TEXT AMENDMENTS

In addition to adding a new chapter of the Zoning Regulations pertaining to child care centers, this Ordinance includes zoning text amendments to clean up chapters of the Zoning Regulations that contain outdated permit requirements for Small and Large Day Care Homes, separate definitions for child care facility types including centers, and separate permit requirements for child care centers. Language in I/NFO, C-2/NFO, and CMU-3 zoning districts would be retained which allow child care centers by right. Proposed changes to County Zoning Regulations relating to child care facilities are described in Attachment C.

E. ENVIRONMENTAL REVIEW

The project, as it pertains to the California Environmental Quality Act (CEQA), is the Ordinance's establishment of the new ministerial permit process, whereby child care centers that would have had to obtain a Use Permit through a discretionary permit process subject to CEQA, would only require a ministerial permit which is exempt from CEQA. The Initial Study/Negative Declaration (IS/ND) focuses on the potential environmental impacts of child care projects that would qualify for the ministerial permit process.

An IS/ND was prepared and released for public review from November 12, 2020 to December 14, 2020. As measures have been incorporated into the Ordinance to avoid or minimize impacts to the environment, no mitigation measures are needed. The IS/ND was distributed by the State Clearinghouse to applicable State agencies. Staff provided a notice of the release of the IS/ND to local organizations, including the Midcoast Community Council, Pescadero Municipal Advisory Committee, California Coastal Commission, the Committee for Green Foothills, and the San Mateo County Child Care Partnership Council.

⁸ Required parking shall be calculated as fifty-percent (50%) of the required parking for the child care center. Bicycle racks to accommodate parking of 10 bicycles on-site shall be provided. The waiver does not apply to parking required for non-child care center uses of the development.

1. Potential Environmental Impacts of Ordinance Discussed in the IS/ND

While the IS/ND contains a full discussion of the potential environmental impacts of the adoption of the Ordinance, the following is a summary of the main impacts identified in the IS/ND:

- a. **Aesthetics:** The conversion of a single-family residence to a child care center would not have a significant aesthetic impact, as the Ordinance would place minimum size requirements on the parcel, requiring a conforming-size parcel in non-Coastal areas and a 10,000 sq. ft. or greater parcel in the Coastal Zone, which would minimize crowding of exterior structures and play yard spaces. Within Design Review zoning districts of the Coastal Zone, development of a child care center within a converted residence must comply with design review standards and permitting requirements. The Ordinance also requires all exterior lights to be downward-directed and shielded to confine rays to the site and specific task areas.

For child care centers which are located outside of the Coastal Zone in commercial, institutional, mixed-use, buildings or areas, the Ordinance limits building expansion to 2,500 sq. ft. within a scenic corridor and limits building expansion to 10,000 sq. ft. outside of a scenic corridor.⁹ Outside of the Coastal Zone, a new child care building in a scenic corridor would require a Use Permit. In the Coastal Zone, building expansion is limited to 10% of the internal floor area, with no additional stories or lofts, within a scenic corridor. A new building within the Coastal Zone would require a Use Permit and a Coastal Development Permit.

- b. **Biological:** Outside of the Coastal Zone, building expansion for child care centers located in commercial, institutional, mixed-use, buildings or areas, are limited to 2,500 sq. ft. in an Environmentally Sensitive Area (ESA) and 10,000 sq. ft. outside of an ESA.¹⁰ Outside of the Coastal Zone, a new building in an ESA would require a Use Permit. A new building within the Coastal Zone would require a Use Permit and a Coastal Development Permit.
- c. **Noise:** The development of a new child care center may generate temporary construction noise, which is subject to the County's Noise Ordinance. The Ordinance's parcel size criteria and enrollment limits

⁹ Within a scenic corridor, expansion allowed up to fifty-percent (50%) of the floor area of the structure before the addition, or 2,500 sq. ft. in floor area, whichever is less.

¹⁰Environmentally Sensitive Area (ESA) is defined in the Draft Ordinance as an area containing an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The language is consistent with Section 15300.2 of the CEQA Guidelines. Within an ESA, expansion is allowed up to fifty-percent (50%) of the floor area of the structure before the addition, or 2,500 sq. ft. in floor area, whichever is less.

for child care centers within converted single-family residences would limit the intensity of the child care center use such that it is appropriate and proportional to the size of the parcel and available on-site parking. In these instances, ambient daytime noise may increase in affected areas but not to a significant level. Child care centers located in commercial, institutional, mixed-use, buildings or areas would likely generate noise at comparable levels to existing uses. For properties that adjoin a noise-sensitive receptor, such as single-family residential uses, hospitals, and residential care facilities, the Ordinance requires noise reduction measures such as fences and prohibits large play structures to be located within 5 feet of any shared property line.

- d. Transportation: To qualify for a ministerial permit, child care centers located within a converted single-family residence, must provide a minimum of one uncovered or covered parking space for every 6 children enrolled. For example, a typical house with 2 garage parking spaces and 2 uncovered parking spaces in the driveway would be limited to a maximum of 24 children enrolled.

Child care centers located in commercial, institutional, mixed-use, buildings or areas must provide a minimum of 1 parking space for every 4 children or 3 parking spaces for every 1,000 sq. ft. of gross floor area, whichever is lower, which is based on average peak period parking demand estimates provided in the 2010 Institute of Transportation Engineers Manual.

For child care centers that are accessory to a primary use, affiliated with business(es), located within 1/4-mile radius of a transit center, or eligible for a parking waiver as an Eligible Employment Center or Transit Oriented Development, the total required parking is reduced by 50% as a significant percentage of child care center users would work or live nearby or use regional or local transportation.

2. Changes made to the Ordinance after Release of the IS/MND

Planning staff has made changes to the Ordinance, as shown in track changes format in Attachment B, in response to comments from review agencies. Staff has summarized the main changes below:

a. *Buildings within Special Food Hazard Areas*

After the release of the IS/MND, Planning staff identified a need to address the potential location of child care centers within existing buildings of the C-1 zoned areas of Pescadero, the commercial area located at the intersection of Pescadero Creek Road and Stage Road (Map in Attachment E.b.1), which are located within an area of special

flood hazard (AE and AE Floodway zones). Chapter 35.5 (Flood Hazard Areas) of the Zoning Regulations requires that projects meeting the definition of “development” in areas of special flood hazard are housed in an elevated building, where the top of the elevated floor is constructed in a manner so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood.¹¹ The Base Flood Elevation (BFE) is set by Federal Emergency Management Agency (FEMA) for this area between 31 and 33 feet above sea level.¹² Based on a review of topographic contour maps of the area, many of existing buildings in the area are potentially 1 to 3 feet below the BFE. Development, as defined in Chapter 35.5, includes intensification of use (e.g., an increase in the density of occupants) or construction, reconstruction, demolition, or alteration of the size of any structure. Such changes to the use within a structure or the structure itself would require the owner to raise the elevated floor of the building to the BFE. Additionally, a project involving the intensification of the use of a building would not be eligible for a Coastal Permit Exemption and would require a Coastal Development Permit.

Chapter 35.5 requires a project meeting the definition of substantial improvement to have an elevated floor at an elevation of BFE plus 1 foot. Substantial improvement, as defined in Chapter 35.5, is any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the replacement value of the existing structure.¹³ Substantial improvement to a building is not likely to be eligible for a Coastal Permit Exemption and would likely require a Coastal Development Permit.

The improvements to buildings as required by Chapter 35.5 along with Coastal Development Permit Exemption criteria adequately addresses and mitigates flood risk to child centers that would locate within this area of Pescadero. These existing regulations limit the intensity of building use to existing levels and restrict building improvements that

¹¹ Elevated Building is defined in Chapter 35.5 as “A structure other than a basement constructed so that the top of the elevated floor in Zones A1-30, AE, A, A99, AO, AH, B, C, X or D, or the bottom of the lowest horizontal structure member in Zones V1-30, VE or V, is elevated above the highest grade by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood.”

¹² FEMA defines the Base Flood Elevation (BFE) as the computed elevation to which the flood is anticipated to rise during the base flood. The base flood is also referred to as the 1-percent annual chance flood or 100-year flood.

¹³ Substantial improvement, as defined in Chapter 35.5 as any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty-percent (50%) of the replacement value of the structure as the structure existed either before the improvement or repair is started, or before the damage occurred.

could be achieved under a ministerial permit, thereby requiring substantial changes to the use and structure to be reviewed under a Coastal Development Permit and Use Permit. In addition, for all child care centers located within areas of special flood hazard, Planning staff has added a requirement to the Ordinance for the preparation and submittal of an emergency evacuation plan to the County prior to building occupancy.

b. Sensitive Habitats and Buffer Zones of the Coastal Zone

In consultation with California Coastal Commission staff, Planning staff has revised the ministerial permit criteria in the Coastal Zone requiring child care centers to be located outside of sensitive habitats to also require that child care centers be located outside of required buffer zones, as already required by the Local Coastal Program. If a child care center is located in a sensitive habitat or buffer zone, the project would need a Use Permit and Coastal Development Permit.

As the additional requirements added to the Ordinance are consistent with and included in existing County regulations, the changes are not considered substantial changes to the project, would not result in increased environmental impacts, and do not require revision or re-circulation of the Negative Declaration.

F. AGENCIES CONSULTED

As described in the chronology of this report, County staff has consulted with the following agencies in the preparation of the Draft Ordinance:

County Counsel
San Mateo County Child Care Partnership Council
Department of Public Works
C/CAG – Transportation Working Group
California Coastal Commission
North Fair Oaks Community Council
Midcoast Community Council
Pescadero Municipal Advisory Committee

ATTACHMENTS

- A. Recommendation
- B. Draft Child Care Facilities Ordinance
- C. Proposed Changes to County Zoning Regulations Relating to Child Care Facilities
- D. Initial Study/Negative Declaration (excluding Attachments already included with this report)

E. Maps of Zoning Districts Outside of the Coastal Zone that area Primarily Affected by the New Ministerial Process of the Child Care Facilities Ordinance (*NOTE: These maps are 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 Pubic Facility structures. The maps may include some properties unaffected by the Ordinance which do not meet the criteria of the Ordinance and do not qualify for a ministerial permit.*):

1. Outside Coastal Zone

- (a) *Areas Zoned or Designated by the General Plan for Institutional; Commercial; and Commercial/Residential Mixed-Use [Non-Coastal/Non-Residential] uses in the following areas:* Broadmoor, Unincorporated Colma, North Fair Oaks, Sequoia Tract, West Menlo Park, Ladera, La Honda, Emerald Lake Hills, San Mateo Highlands, and Menlo Oaks)
- (b) *Residential Zoning Districts [Non-Coastal/Residential] in the following areas:* Broadmoor, Unincorporated Colma, Country Club Park, Burlingame Hills, Palomar Park, Emerald Lake Hills, North Fair Oaks, Menlo Oaks, Sequoia Tract, San Mateo Highlands, Devonshire, West Menlo Oaks, Stanford Lands, Ladera, Sky Londa, La Honda, and Los Trancos Woods.

2. Inside Coastal Zone

- (a) *Areas Zoned or Designated by the General Plan for Institutional or Commercial uses [Coastal/Non-Residential] uses in the following areas:* Montara, Moss Beach, El Granada, Unincorporated Half Moon Bay, San Gregorio, and Pescadero.
- (b) *Residential Zoning Districts [Non-Coastal/Residential] in the following areas:* Midcoast (Miramar, El Granada, Moss Beach, Montara), San Gregorio, and Pescadero.

F. San Mateo County Child Care Needs Assessment 2017: Summary sheet of County-wide results.

G. Draft Resolution adopting the Initial Study and Negative Declaration

H. Draft Resolution directing staff to submit the Ordinance to the California Coastal Commission

CML:cmc – CMLFF0525_WCU.DOCX



County of San Mateo - Planning and Building Department

ATTACHMENT A

County of San Mateo
Planning and Building Department

RECOMMENDATION

Permit or Project File Number: PLN 2020-00014 Hearing Date: March 10, 2021

Prepared By: Camille Leung, Project Planner For Adoption By: Planning Commission

RECOMMENDED ACTION

That the Planning Commission recommend that the Board of Supervisors:

1. Adopt a resolution adopting the Initial Study and Negative Declaration; and
2. Adopt an ordinance adding the new Chapter 22.2, "Child Care Centers" of the Zoning Regulations, repealing Section 6401.2. (General Provisions Relating to Large Family Day Care Homes), and amending the text of the County Zoning Regulations for various zoning districts, as listed in Attachment C, to reconcile those regulations with the new Ordinance.
3. Adopt a resolution directing staff to submit the Ordinance to the Coastal Commission.

CML:cmc – CMLFF0525_WCU.DOCX



County of San Mateo - Planning and Building Department

ATTACHMENT B

ORDINANCE NO. [REDACTED]
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

* * * * *

**AN ORDINANCE REPEALING SECTION 6401.2. OF THE SAN MATEO
COUNTY ORDINANCE CODE (ZONING REGULATIONS) AND ADOPTING
A NEW CHAPTER 22.2 OF THE ZONING REGULATIONS TO REGULATE
CHILD CARE CENTERS**

The Board of Supervisors of the County of San Mateo, State of
California, **ORDAINS** as follows

SECTION 1. Findings. The Board of Supervisors of the County of San Mateo
("County") hereby finds and declares as follows:

WHEREAS, the County of San Mateo in 1997 adopted an ordinance
regulating Large Family Day Care Homes, known as the County General
Provisions Relating to Large Family Day Care Homes, numbered as Section
6401.2 of the County Ordinance Code; and

WHEREAS, the County's General Provisions Relating to Large Family
Day Care Homes has not been amended since adoption; and

WHEREAS, current regulations for various zoning districts and Section
6161(k)1 of the County's Zoning Regulations (which allows "schools" with a
use permit in the R-1, R-2 and R-3 residential zoning districts) require a use
permit for child care centers in most cases; and

WHEREAS, obtaining a use permit for a child care center would require notice and a public hearing, adding substantial cost and time to the process of opening a child care center; and

WHEREAS, since 1997, the legislature of the State of California has enacted additional legislation substantially amending laws pertaining to child care facilities, including increasing the maximum capacity of small and large family day care homes and requiring small and large family day care homes to be treated as a residential use of property for purposes of all local ordinances; and

WHEREAS, in November 2017, Sarah Kinahan Consulting for the San Mateo County Office of Education, conducted a County-wide child care needs assessment which identifies a significant shortage of child care services in San Mateo County; and

WHEREAS, the proposed amendments to the County Ordinance Code would streamline the permitting process for child care centers, provide incentives to child care center developers and service providers to increase the supply of child care services in the County, and increase the ease of interpretation and implementation of the regulations (the “Child Care Facilities Ordinance”); and



County of San Mateo - Planning and Building Department

ATTACHMENT C

WHEREAS, the purpose of both State law pertaining to child care facilities and the County’s Child Care Facilities Ordinance is to incentivize the production of needed child care services, in exchange for relief from use permit requirements for child care centers to be established or expanded under compatible conditions; and

WHEREAS, the County has prepared and the Board of Supervisors has adopted an Initial Study and Negative Declaration for this project, consistent with the requirements of the California Environmental Quality Act (“CEQA”) and the CEQA Guidelines, which determined that the proposed zoning text amendments could not have a significant effect on the environment because all potential impacts of the project would be below established CEQA thresholds of significance; and

WHEREAS, the County Planning Commission conducted a duly noticed public hearing on March 10, 2021, received public comment, and recommended that the Board of Supervisors adopt the Child Care Facilities Ordinance; and

WHEREAS, the ordinance is consistent with the County’s Local Coastal Program; and

WHEREAS, the ordinance constitutes an amendment to the Implementation Plan of the Local Coastal Program; and

WHEREAS, on adoption by the Board of Supervisors, the ordinance will be submitted to the California Coastal Commission for review and certification; and

WHEREAS, the ordinance will ensure that the County's regulations are consistent with State law, are easier to interpret and implement, and will facilitate and promote the creation of child care services.

NOW, THEREFORE, the Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

* * * * *

SECTION 2. Section 6401.2 of the San Mateo County Ordinance Code is hereby repealed and replaced in its entirety by a new Chapter 22.2 of the Zoning Regulations, as follows:

CHAPTER 22.2 CHILD CARE CENTERS

SECTION 6420. CHILD CARE FACILITIES

SECTION 6420.1. PURPOSE

SECTION 6420.2. DEFINITIONS

SECTION 6420.3. SMALL AND LARGE FAMILY CHILD CARE HOMES

SECTION 6420.4. PLANNING PERMIT REQUIREMENTS FOR CHILD CARE CENTERS

SECTION 6420.4.1. CHILD CARE CENTERS ON PUBLIC SCHOOL PROPERTY

SECTION 6420.4.2. CHILD CARE CENTERS - MINISTERIAL PERMIT CRITERIA AND REQUIREMENTS

SECTION 6420.4.3. CHILD CARE CENTERS - USE PERMIT

SECTION 6420.5. INCENTIVES FOR THE PROVISION OF CHILD CARE CENTERS

SECTION 6420.6. EXISTING UNPERMITTED FACILITIES

SECTION 6420.7 RELATIONSHIP OF THE CHILD CARE ORDINANCE TO OTHER COUNTY REGULATIONS

SECTION 6420. CHILD CARE FACILITIES

The following regulations shall apply to all Child Care Centers located in zoning districts where they are allowed.

SECTION 6420.1. PURPOSE

1. Promote and facilitate the provision of infant, toddler, preschool, and school-age child care services in safe and convenient locations (e.g., near housing, workplaces, and regional transit centers) in the unincorporated areas of the County to increase access to child care services for County residents.
2. Ensure child care facilities have the necessary improvements to create safe care environments that are well integrated in their surroundings.
3. Align County regulations pertaining to child care facilities with State regulation.
4. Allow child care centers in certain suitable locations, including institutional (e.g., churches, governmental buildings), commercial, and multiple-family residential sites that are suitably constructed and located to accommodate associated traffic patterns and noise.
5. Streamline the permitting process for child care centers by allowing ministerial permits for child care centers meeting specified criteria.
6. Minimize traffic, parking, and noise impacts of child care facilities to sensitive receptors (e.g., single-family residential uses, hospitals, residential care facilities).
7. Provide incentives, such as density and floor area bonuses and parking exceptions to child care center developers and service providers to increase the supply of child care services in the County.

SECTION 6420.2. DEFINITIONS

For purposes of this Chapter, the following definitions shall apply (Definitions included here are for use in the application of this Chapter only):

1. Accessory Use: A use that is secondary and supportive to the primary use of a property, which is larger in size or intensity.
2. Affiliated Use: Relationship of a Child Care Center to an employment center, residential project, or other use, which is located on the same site, adjacent to, or within 1/4-mile radius of the Child Care Center. A Child

Care Center has an affiliation with the employment center, residential project or other use when incentive(s) to use the Child Care Center are provided or will be provided, with the intention of achieving higher enrollment from affiliated uses. Such incentives may be offered by the Child Care Center, the employment center, residential project, or other affiliated use and may include, but are not limited to, fee reductions to employees or residents to use the Child Care Center. A Child Care Center that is an affiliated use may also be available to the public for enrollment.

3. Child Care Center (CCC): State-licensed care facility of any capacity, other than a Small or Large Family Child Care Home, in which less than 24-hour per day, non-medical care and supervision are provided to children in a group setting, including but not limited to, infant centers, preschools, and school-age child care centers.
4. Commercial Zoning Districts: These include commercial zoning districts (e.g., C-1, C-2, C-1/NFO, and C-1/WMP) and Mixed-Use zoning districts (e.g., NMU, NMU-ECR, CMU-1, CMU-2 and CMU-3), as further identified and defined in the Zoning Regulations.
5. Eligible Employment Centers: A project involving property developed or to be developed with one or more businesses that contain a Child Care Center, that does not qualify for State incentives, and meet requirements for County incentives, per Section 6420.5.B.
6. Eligible Transit-Oriented Development (TOD): A new, existing, or expanded development within 1/4-mile radius of a Transit Center which contains a Child Care Center and meets the requirements for listed incentives, per Section 6420.5.C
7. Environmentally Sensitive Area (ESA): An area containing an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.¹
8. Facility: For the purposes of this Chapter, a facility includes all buildings, structures, play areas, playground structures, and developed outdoor areas (i.e., grass lawns, landscaping) used in the operation of the Child Care Center.

¹ The definition of ESA is consistent with Section 15300.2 of the CEQA Guidelines.

9. Gross Floor Area: The sum (in square feet) of the area of each floor level in the building(s) of a facility, including classrooms, assembly rooms, lobbies, and offices that are within the outside faces of exterior walls, for the purpose of calculating required parking. This area excludes kitchens, restrooms, and storage rooms and closets.
10. Institutional Building: Building located on properties within an institutional zoning district and/or designated for Institutional Use by the General Plan, and/or containing an institutional primary use, as defined by the County's General Plan, in which such use is located within an existing building. For the purposes of this Chapter, this definition excludes existing adult and senior care facilities, defined as licensed, non-medical facilities providing residential, or daytime care to adults and seniors, including senior assisted living facilities, hospice care facilities, and other similar care facilities.
11. Large Family Child Care Home : State-licensed, residence-based care facility for up to 14 children, in which less than 24-hour per day, non-medical care and supervision are provided to children in a group setting, operated at the residence of the license holder. Pursuant to State law, a large family child care home is considered a residential use of property for the purposes of all County ordinances.
12. Location within an Existing Building: Location of a Child Care Center within an existing building and/or facility that does not involve the development of or expansion of building(s), structure(s), property(ies) or outdoor areas from pre-project conditions, with the exception of the construction or installation of play equipment, landscaping or fencing within existing disturbed outdoor areas.
13. Mixed-Use Zoning Districts: These include NMU, NMU-ECR, CMU-1, CMU-2 and CMU-3 zoning districts, as further identified and defined in the Zoning Regulations.
14. Multiple-Family Residential Building: Residential building containing three (3) or more dwelling units, excluding accessory dwelling units and farm labor housing units.
15. Noise Reduction Measures: Measures installed along a property line shared between a Child Care Center and a noise-sensitive receptor which are intended to provide noise dampening for outdoor play areas. Such measures may include installation of landscaping, trees, or installation of other noise dampening structures/materials.

16. Noise-Sensitive Receptor: Use such as, but not limited to, single-family residential uses, hospitals, and residential care facilities that contain persons that may be sensitive to noise (i.e., noise from outdoor play areas).
17. Public Facility: Property with a primary use meeting the definition of public facilities as defined in the Zoning Regulations where such use is located within a building.
18. Residential Zoning Districts: R-1, R-2, R-3, R-3-A, PC, R-E, and RH zoning districts, excluding PUD and MH zoning districts, as further identified and defined in the Zoning Regulations.
19. Rural: Properties designated as rural by the County's General Plan and located outside the County's Urban Rural Boundary.
20. Site: Pertaining to Child Care Centers, site includes both the developed land and undeveloped land intended for the location of a Child Care Center, including existing and/or proposed structures associated with the use.
21. Small Family Child Care Home: State-licensed, residence-based care facility for up to 8 children, in which less than 24-hour per day, non-medical care and supervision are provided to children in a group setting, operated at the residence of the license holder. Pursuant to State law, a small family child care home is considered a residential use of property for the purposes of all County ordinances.
22. Tandem Parking Space: Tandem parking spaces are configured where one parking space is in front of or in back of the other such that one car must be moved out of the way in order for the second car to exit.
23. Transit Center: Site containing any of the following: (a) an existing rail or bus rapid transit station or (b) the intersection of two or more major bus routes with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods.
24. Urban: Properties designated as urban by the County's General Plan and located within the County's Urban Rural Boundary.

SECTION 6420.3. SMALL AND LARGE FAMILY CHILD CARE HOMES

The establishment and operation of a Small or Large Family Child Care Home is permitted in any legal single- or multiple-family residence and does not require a planning permit. A building permit is required for any new construction or

remodeling of the structure. Use of a single-family dwelling for the purposes of a Small or Large Family Child Care Home shall not constitute a change of occupancy for purposes of Part 1.5 of Division 13 (State Housing Law), or for purposes of local building and fire codes. A Coastal Development Permit may be required in the Coastal Zone if the facility does not meet the criteria for a Coastal Development Permit Exemption.

SECTION 6420.4. PLANNING PERMIT REQUIREMENTS FOR CHILD CARE CENTERS

SECTION 6420.4.1. CHILD CARE CENTERS ON PUBLIC SCHOOL PROPERTY

Child Care Centers (CCCs) located on property owned or leased by a public school district are not subject to County Zoning Regulations, if the school district has adopted a resolution exempting the school district from the application of County Zoning Regulations. In the Coastal Zone, such CCCs may require a Coastal Development Permit or Coastal Development Permit Exemption and may require environmental review under the California Environmental Quality Act.

SECTION 6420.4.2. CHILD CARE CENTERS – MINISTERIAL PERMIT CRITERIA AND REQUIREMENTS

- A. Ministerial Permit Criteria and Requirements: CCCs meeting the following criteria and requirements, as determined by the Community Development Director, are eligible for a ministerial permit.
1. State and County regulations:
 - a. The provider shall secure a license from the State of California Department of Social Services (Community Care Licensing Division).
 - b. The facility shall comply with all applicable State and County regulations, including completing a fire safety inspection to the standards set by the Building Inspection Section. Where County and State requirements conflict, State requirements shall apply.
 - c. The facility shall comply with any applicable Airport Land Use Plan.
 - d. Areas of Special Flood Hazard: In accordance with Chapter 35.5 of the Zoning Regulations, the project shall not involve an intensification of use (e.g., building occupancy shall remain equal to or lesser than the existing occupancy) and operator shall submit an emergency evacuation plan

- e. A building permit is required for construction or remodeling of any CCC or change from another use to a CCC use.
- f. Outdoor uses associated with CCCs that meet the requirements of this Section do not require a Use Permit.
- g. In Design Review Districts:
 - i. For new construction or exterior modifications, the facility shall be consistent with applicable design review standards. For CCCs involving the conversion of a single family residence, design review standards pertaining to residential development shall apply. Access ramps, e.g., for wheelchair or stroller access, shall not be considered alterations to the character of the building.
 - ii. Design review permits shall be processed according to the procedure set forth in Chapter 28.1 of the Zoning Regulations, with the exception of appeals, which shall follow the process outlined in this Section.
 - iii. Appeals: A decision on a Design Review permit is appealable to the Planning Commission; the Planning Commission decision is the final local decision and is not subject to further administrative appeal.

2. Locational Criteria:

- a. Outside the Coastal Zone, proposed CCC development is eligible for a ministerial permit if the development meets the criteria of this Section and applicable locational criteria pertaining to the type of development proposed, as set forth in Table 1.
- b. Within the Coastal Zone, a proposed CCC development is eligible for a ministerial permit if the development meets the criteria of this Section and applicable locational criteria pertaining to the type of development proposed, as set forth in Table 2.

**Table 1
Locational Criteria for Ministerial Permits for Child Care Centers
Outside of the Coastal Zone**

Project Types	Ministerial Permit	Use Permit
1. Conversion of an existing Single-Family Residence or a portion of a Multiple-Family Residential Building to a CCC, including expansion		
Applies to sites in a Residential, Mixed-Use, or Commercial Zoning District and property is of conforming size	X	
Urban or Rural area	X	
Parking Requirement Met: provides one on-site parking space per six children enrolled	X	
Expansion allowed when compliant with the development standards of the applicable zoning district	X	
Design Review District: Development must comply with design review standards and permitting requirements pertaining to residences.	X	
2. Location of a CCC in an existing building in an Institutional, Commercial, or Commercial/ Residential Mixed-Use Zoning District, or in an existing Institutional Building or Public Facility, including minor expansion		
Applies to sites zoned or designated by the General Plan for one of the listed uses, or in an existing Institutional Building or Public Facility	X	
Expansion allowed up to 50% of the floor area of the structure before the addition, or 2,500 square feet in floor area, whichever is less	X	
Located in or outside of area served by public utilities and roads	X	
Located in or outside of Environmentally Sensitive Area (ESA)	X	
Located in or outside of Scenic Corridor	X	
3. Location of a CCC in an existing building in an Institutional, Commercial, or Commercial/ Residential Mixed-Use Zoning District, including major expansion		
Expansion allowed up to 10,000 sq. ft. square feet in floor area on sites zoned or designated by the General Plan for one of the listed uses	X	
Site is served by public utilities and roads	X	
Located in ESA or Scenic Corridor		X
4. New CCC building in a Commercial, Commercial/ Residential Mixed-Use Zoning District, or Institutional Zoning District		
Applies to sites zoned or designated by the General Plan for one of the listed uses	X	
New Building up to 10,000 sq. ft. in Urban areas	X	
New Building up to 2,500 sq. ft. in Rural areas	X	
Site is served by public utilities and roads	X	
Located in an ESA or Scenic Corridor		X
5. A CCC involving replacement or reconstruction of an existing building		
The new building must be substantially the same size, purpose, and capacity, on the same site as the building replaced (no limit to size or location), as determined by the Community Development Director	X	

Located in or outside of ESA or Scenic Corridor	X	
-------------------------------------------------	---	--

Table 2 Locational Criteria for Ministerial Permits for Child Care Centers Within the Coastal Zone		
Project Types	Ministerial Permit	Use Permit and CDP
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		
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	X	
Design Review District: Development must comply with design review standards and permitting requirements.	X	
Coastal Commission Appeals Jurisdiction (CCC APJ) or Scenic Corridor: Expansion of less than 10% of existing internal floor area allowed; no additional stories/loft.	X	
Site is served by public utilities and roads or does not involve expansion or construction of water wells or septic systems	X	
Areas of Special Flood Hazard: In accordance with Chapter 35.5 of the Zoning Regulations, the project shall not involve an intensification of use (e.g., building occupancy shall remain equal to or lesser than the existing occupancy) and operator shall submit an emergency evacuation plan ¹	X	
Conversion of a visitor-serving commercial use		X
Located within a sensitive habitat or buffer zone		X
2. Conversion of Single-Family Residence on Parcel \geq 10,000 sq. ft. in a Residential Zoning District to a CCC, including expansion¹		
Parking Requirement Met: One on-site parking space per six children enrolled	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

¹ Emergency evacuation plans are subject to review by the County, with approval obtained prior to occupancy of the building. Emergency evacuation plans shall meet applicable Federal Emergency Management Agency (FEMA) guidelines.

3. New CCC building or replacement or reconstruction of an existing building		X
¹ CCCs located within an existing converted Single-Family Residence: The conversion of a single-family residential use to a CCC use is not an intensification of use. A Child Care Center use, as allowed in a residential structure in this Section, 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, except that the Child Care Center may enroll more children and would not retain a residential use. This Section establishes additional criteria which limit the intensity of the Child Care Center use such that it is appropriate and proportional to the size of the parcel and available on-site parking.		

3. Parking Requirements:

- a. Required parking spaces may be uncovered or covered. Tandem Parking Spaces count toward required parking.
- b. Space Dimensions: Each parking space must be a minimum of 19 feet long by 9 feet wide
- c. Required On-Site Parking:
 - i. CCC as Primary Use: 1 parking space is required for every 4 children or 3 parking spaces for every 1,000 square feet of Gross Floor Area, whichever is lower.
 - ii. CCC as Accessory, Affiliated Use, or located within 1/4-mile radius of a Transit Center: 1 parking space is required for every 8 children or 1.5 parking spaces for every 1,000 square feet of Gross Floor Area, whichever is lower. Required parking for a CCC that is an Accessory or Affiliated Use shall be separately identified from other on-site parking using signage or other markers and reserved for CCC use only. Bicycle racks to accommodate parking of 10 bicycles on-site shall be provided.
 - iii. CCC located within a Converted Residence: One on-site parking space shall be required for every 6 children enrolled.

4. Play Area Requirements:

- a. CCC adjoining a Noise-Sensitive Receptor:
 - i. Install Noise Reduction Measures as defined in Section 6420.2 along the shared property line(s) adjoining a Noise-Sensitive Receptor. Noise Reduction Measures shall not block access clearance. Large play structures may not be located within 5 feet of the shared property line(s).

- ii Install a minimum 6-foot high solid wood fence or masonry wall around any rear and side yard play areas that adjoin a Noise-Sensitive Receptor. The facility shall also provide a minimum 4-foot high fence in all other play yard areas. Fences shall comply with County fence height regulations.

5. Lighting: All outdoor light sources shall be downward-directed and shielded to confine rays to the site and specific task areas.

B. Ministerial Procedure:

1. Applications shall be made to the County Planning and Building Department and shall include:
 - a. Plans: Plans should be as accurate as possible and do not need to be drawn by a licensed professional, unless required for design review applications.
 - i. a site plan, showing all buildings on the property, designated play yards and their overall size, adjacent structures and their use, the type and height of fences and gates on or along all property boundaries, walkways, on- and off-site parking areas, all areas off limits to children and potential hazardous areas such as pools, garbage storage, animal pens;
 - ii. a floor plan, showing all rooms, door and window exits, and areas off limits to children;
 - iii. building elevations or photos if there are no changes or only minor changes to the exterior;
 - b. an operations plan with hours of operation;
 - c. the number of full- and part-time employees; and
 - d. any proposed areas of construction.
2. Projects in DR Districts that involve new construction or exterior modifications shall submit the materials required in Section 6565.6 of the DR Chapter.
3. In the Coastal Zone: No Coastal Development Permit Exemption fee shall be charged.
4. The Community Development Director or their designee determines whether a CCC project is in full compliance with the standards and requirements in this Chapter for a ministerial permit.

5. Public notice prior to consideration or issuance of the requested permit is not required.
 6. All property owners within 100 feet of the exterior boundaries of the property for which the facility is approved shall receive a copy of the letter of decision.
 7. The decision on a permit is not appealable.
 8. Permit renewal is not required.
- C. Existing Child Care Centers: All existing CCCs qualifying for a ministerial permit and currently operating with an approved use permit shall apply for and obtain a ministerial permit upon expiration of their use permit.
- D. Revocation: The Community Development Director, or their designee, may revoke a ministerial permit, pursuant to the process outlined in Section 6505, if: (a) the State facility license is revoked for any reason, or (b) the CCC fails to comply with the requirements of this Chapter, the County-issued permit, or any other County regulation.

SECTION 6420.4.3. CHILD CARE CENTERS - USE PERMIT

Child Care Centers that do not meet the criteria for a ministerial permit may be permitted with the issuance of a Use Permit.

- A. Use Permit Requirements:
1. Compliance with State and County regulations:
 - a. See Requirements under Section 6420.4.2.A, with the exception of locational criteria.
 - b. CCCs shall not be considered a Major Development Project, as defined in Section 6415.
 - c. Within the Coastal Zone, a Coastal Development Permit (CDP) is required.
 - d. In Design Review Districts:
 - i. For new construction or exterior modifications, the facility shall be consistent with applicable design review standards. For CCCs involving the conversion

of a single family residence, design review standards pertaining to residential development shall apply. Access ramps, e.g., for wheelchair or stroller access, shall not be considered alterations to the character of the building.

- ii. Design Review permits shall be processed according to the procedure set forth in Chapter 28.1 of the Zoning Regulations, with the exception of the appeal process which shall follow the process outlined for appeal of a Use Permit in this Section.

- 2. Parking: Parking requirements of Section 6420.4.2 (Child Care Centers – Ministerial Permit Criteria and Requirements) shall apply. A proposal for a reduction in required parking spaces or parking requirements may be considered through the Use Permit process.
- 3. Play Areas: Play Area requirements of Section 6420.4.2 (Child Care Centers— Ministerial Permit Criteria and Requirements) shall apply.
- 4. Lighting: All outdoor light sources shall be downward-directed and shielded to confine rays to the site and specific task areas.

2 Procedure:

- b. Use Permits shall be processed according to the procedure set forth in Chapter 24 of the Zoning Regulations, with the exception of the appeal process which shall follow the process outlined in this Section. Approval of a Use Permit is subject to the required finding set forth in Chapter 24 of the Zoning Regulations: that the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in said neighborhood.
- c. Appeals: A decision on a Use Permit for a CCC is appealable to the Planning Commission, which shall be considered the final local decision and may not be appealed. Within the Coastal Zone, the same process shall apply, except that if the Use Permit is granted, the final local decision is appealable to the California Coastal Commission.

- d. Administrative Reviews and Permit Renewal: Use Permits shall establish regular administrative reviews according to a schedule determined by the decision-making authority and set forth in the permit. There shall be no requirement for Use Permit renewal.
- 3 Revocation. The Community Development Director, or their designee, may revoke a Use Permit, pursuant to the process outlined in Section 6505, if: (a) the State facility license is revoked for any reason, or (b) if the CCC fails to comply with the requirements of this Chapter, the County-issued permit, or any other County regulation.

SECTION 6420.5. INCENTIVES FOR THE PROVISION OF CHILD CARE CENTERS

The County’s grant of any of the incentives described in this Section is subject to proposal by the applicant who shall demonstrate compliance with criteria at the time of permit application for the permits outlined in this Chapter. The decision-making authority for the CCC will determine whether criteria are adequately met and, if so, will grant the applicable bonus, concession, or incentives, at the time the permit is approved.

A. State Density Bonus Provisions for CCCs in Effect at the Time of Application:

When an applicant proposes a project that meets the requirements of the State Density Bonus Law, the County shall follow the provisions of State law to determine the applicable density bonus and additional concession(s) or incentive(s). Examples of projects that qualify under State Law include, but are not limited to: (1) a housing development including a child care facility (Government Code Section 65915(h)) and (2) a minimum 50,000 sq. ft. commercial or industrial development including a child care facility (Section 65917.5).

B. Floor Area Ratio (FAR) Bonus and Parking Waiver for Eligible Employment Centers:

These incentives apply to development which does not meet the size and use qualifications provided by State Density Bonus Law relating to Child Care Centers installed, operated and maintained in a commercial or industrial project (e.g., Section 65917.5). Projects eligible for a density bonus under the California Government Code are not be eligible for this incentive.

- 1. Incentives: For CCCs that will be located on the same property as an Eligible Employment Center, the following incentives are available:

- a. Floor Area Ratio (FAR) Bonus: The FAR of the CCC shall be excluded from the total maximum FAR established by the zoning district; and
 - b. 50% Parking Waiver: Required parking shall be calculated as fifty-percent (50%) of the required parking for the Child Care Center as established in this Chapter. Bicycle racks to accommodate parking of 10 bicycles on-site shall be provided.
2. Eligible Employment Center Requirements: An Eligible Employment Center must meet the following requirements to receive the incentives listed above:
- a. The CCC shall meet the definition of an Affiliated Use, as it pertains to an employment center.
 - b. The area designated as a CCC on project plans shall only be used as a CCC and must remain in operation and shall not be reduced in physical size, unless the Planning Commission finds that the need for child care services is no longer present or is not present to the same degree as it was at the time the facility was established. Required parking for the CCC shall be maintained for the life of the CCC.
 - c. The CCC may be, but is not required to be, operated by a private care provider.
 - d. The employer(s) must employ a total or combined minimum of 50 employees.
 - e. The CCC may be, but is not required to be, available to the public for enrollment.
 - f. For employer(s) with fewer than 100 employees, the CCC must serve a minimum of 20 children. For employer(s) with over 100 employees, the CCC must serve a minimum of 40 children. Children served include all children enrolled at the center, including children of employees and non-employees of the employer(s).
 - g. The employer(s) receiving incentive(s) listed above must retain the CCC as an Affiliated Use and promote the use of the center to its employees, including, but not limited to, offering enrollment incentives.
 - h. Employer(s) within the Employment Center may change and be replaced with other businesses meeting the criteria of this Section.

- i. The above requirements shall be added as permit conditions at the time of project approval.
 3. Continuation of CCC Use: If the business(es) of an Employment Center discontinue their operation and are not immediately replaced with business(es) meeting the above criteria, the CCC may continue to operate without providing any additional parking.
- C. Density and FAR Bonus and Parking Waiver for Eligible Transit-Oriented Development (TOD):

These incentives apply to Eligible Transit-Oriented Development which does not meet the size and use qualifications provided by State Density Bonus Law. Projects eligible for a density bonus under the California Government Code are not be eligible for these incentives.

1. Incentives: For CCCs that will be located in an Eligible TOD, the following incentives are available:
 - a. Density Bonus: An additional density bonus or density bonuses of 10% of the maximum dwelling units/acre for the site established by the zoning district or land use designation of the General Plan, if no maximum dwelling units/acre is established by the zoning district, whichever is greater. The method for calculating the number of density bonus units shall follow Chapter 22.6, Section 6440.1 (Density Bonus), of the Zoning Regulations.
 - b. FAR Bonus: The FAR of the CCC shall be excluded from the total maximum FAR for the site established by the zoning district.
 - c. 50% Parking Waiver: Required parking shall be calculated as fifty-percent (50%) of the required parking for the Child Care Center as established in this Chapter. Bicycle racks to accommodate parking of 10 bicycles on-site shall be provided.
2. Requirements: An Eligible TOD must meet the following requirements to receive the incentives listed above:
 - a. The CCC shall be established within a 1/4-mile radius of a Transit Center, as defined in this Chapter.
 - b. The area designated as a CCC on project plans shall only be used as a CCC and must remain in operation and shall not be reduced in physical size, unless the Planning Commission finds that the need for child care services is no longer present or is not present to the

same degree as it was at the time the facility was established. Required parking for the CCC shall be maintained for the life of the CCC.

- c. The property owner for the Eligible TOD receiving incentive(s) listed above must promote the use of the center to the public, including, but not limited to, offering enrollment incentives.
- d. The CCC must serve a minimum of 40 children.
- e. The CCC may be, but is not required to be, operated by a private care provider.

The above requirements shall be added as permit conditions at the time of project approval.

- 3. Continuation of CCC Use: If the operations of the associated Transit Center discontinue or no longer meet the definition of Transit Center established by this Chapter, the CCC may continue to operate without providing any additional parking.

SECTION 6420.6. EXISTING UNPERMITTED FACILITIES

A. Requirement for an After-the-Fact Permit for Child Care Facilities:

- 1. Existing CCCs Currently Operating without a Permit. Operators of existing CCCs operating without a permit shall meet the requirements of, apply for, and obtain a permit as specified in this Chapter. Operators of unpermitted CCC(s) shall submit a complete application for such permit, to the satisfaction of the Planning and Building Department, and obtain such permit within one (1) year of the effective date of this Ordinance. Failure to do so may result in referral of the unpermitted facility to the Planning and Building Department's Code Compliance Section, which may result in administrative citations and fines as set in Chapter 1.40 (Administrative Remedies) of the San Mateo County Ordinance Code.

B. Amnesty Program: This Section establishes a streamlined process for existing CCCs that meet the following eligibility criteria. Section 6420.6.B shall sunset one (1) year after the effective date of the Ordinance.

- 1. Eligibility Criteria: To qualify for the amnesty program, a CCC shall have been in continuous operation at the subject location for a minimum of 3 years prior to the effective date of this Ordinance, as confirmed by State license documentation.

2. Permit Requirement and Process:

- a. Conforming facilities are eligible for a ministerial permit, as described in Section 6420.4.2. Conforming facilities are facilities that conform (currently or through permitted modification) to all requirements of Section 6420. Any modifications required to bring the facility into conformance with Section 6420 shall be made a condition of permit approval.
- b. Non-conforming facilities require a Use Permit, as described in Section 6420.4.3. The non-conforming aspects may be granted an exception from requirements of Section 6420 as allowed in the Zoning Regulations. Non-conforming facilities are facilities that cannot be feasibly made to conform (currently or through permitted modification) to the requirements of Section 6420.

SECTION 6420.7. RELATIONSHIP OF THE CHILD CARE ORDINANCE TO OTHER COUNTY REGULATIONS

On _____, the Board repealed the former Section 6401.2. (General Provisions Relating to Large Family Day Care Homes) with this Ordinance (Chapter 22.2). When a discrepancy exists between the permissions, requirements, and procedures outlined in this Chapter and those of an individual zoning district pertaining to Child Care Facilities, the permissions, requirements, and procedures of this Chapter shall apply.

SECTION 3. Related Zoning Text Amendments. In addition to adding a new chapter of the Zoning Regulations pertaining to child care centers, the County proposes zoning text amendments to the following chapters of the Zoning Regulations: R-1, R-2, R-3, R-3-A, R-1/CCP, R-E, RM, PC, TPZ, RH, C-2/NFO, M-1/NFO, M-1/Edison/NFO, I/NFO, PC, NMU, NMU-ECR, CMU-1, CMU-2, CMU-3, and COSC, to eliminate now outdated permit requirements for Small and Large Day Care Homes, separate definitions for child care facility types including centers, and separate permit requirements for child care centers. Those chapters of the Zoning Regulations are amended as indicated below in underline (additions) and ~~strikethrough~~ (deletions):

1. Revise the following sections of the Zoning Regulations to remove definitions (including capacity references) for Small and Large Family Care Homes (LFDCH) and/or permit requirements for LFDCH, which is now allowed by right:

a. One-Family Residential (R-1) (Section 6161.j):

~~(j) Large Residential Day Care Facilities for Children (Family Day Care Homes; 7-12 children), subject to a large family day care permit issued in accordance with the County Zoning Regulations, Chapter 22, Section 6401.2.~~

~~(k)~~(j) The following uses subject to securing a use permit in each case:

1. Churches, schools, libraries and fire stations.

2. Golf courses with standard length fairways and country clubs.

3. Non-commercial clubs.

4. Nurseries and greenhouses used only for the propagating and cultivating of plants, provided that no retail sales shall be allowed. The granting of such use permits shall generally be confined to those areas of the County in which the nurseries and greenhouses are already established, and use permits granted to applicants presently operating such greenhouses and nurseries shall normally cover the proposed future development of all property owned or controlled by the applicant.

5. A second residential unit on a parcel at least 7,000 sq. ft. in size in the Coastal Zone.

~~(H)(k)~~ Keeping of confined animals.

b. Two-Family Residential District (R-2) (Section 6171.c)

~~(c) Large Residential Day Care Facilities for Children (Family Day Care Homes; 7-12 children), subject to a large family day care permit issued in accordance with the County Zoning Regulations, Chapter 22, Section 6401.2.~~

c. Multiple-Family Residential District (R-3) (Section 6181.e)

~~(e) Large Residential Day Care Facilities for Children (Family Day Care Homes; 7-12 children), subject to a large family day care permit issued in accordance with the County Zoning Regulations, Chapter 22, Section 6401.2.~~

d. Affordable Housing District (R-3-A) (Section 6184.d.5)

~~5. Large Residential Day Care Facilities for Children (Family Day Care Homes; 7-12 children), subject to a large family day care permit issued in accordance with the County Zoning Regulations, Chapter 22, Section 6401.2.~~

e. One-Family Residential/Country Club Park (R-1/CCP) (Sections 6163.3.13, , 6163.3.29; 6163.3.34, 6163.4.E)

13. Institutional Uses

Land uses included in the following use modules: (1) Neighborhood Institutional Facilities (INT-1), (2) Neighborhood Cultural Facilities (INT-2), ~~(3) Residential Community Care Facilities (Large Facilities Only) (RES-11),~~ except Residential Day Care Facilities for Children, and ~~(4) Lodging Facilities for Religious Orders (RES-15).~~

~~29. Residential Day Care Facilities for Children (Family Day Care Homes) (1.08.11)~~

~~Licensed facilities in a building containing a dwelling unit(s) in which non-medical care, protection, and supervision of children are regularly provided in the provider's own home for a period of less than 24 hours a day while parents or guardians are away. Includes small family day care homes (one to six children) and large family day care homes (seven to twelve children).~~

~~3029. Residential Full-Time Care Facilities for Adults/Elderly (1.08.22)~~

~~Licensed facilities in a building containing a dwelling unit(s) in which 24-hour a day non-medical care and supervision are provided to adults or elderly adults who may or may not have special needs or disabilities including, but not limited to, individuals who are physically, developmentally or mentally disabled, or recovering from alcohol or drug addictions. Includes small adult~~

full-time care facilities (one to six adults) and large adult full-time care facilities (seven to fifteen adults).

~~34~~30. Residential Full-Time Care Facilities for Children (Group Homes, Foster Family Homes) (1.08.12)

Licensed facilities in a building containing a dwelling unit(s) in which 24-hour a day non-medical care and supervision are provided for children who may or may not have special needs or disabilities. Includes small full-time care homes (one to six children) and large full-time care homes (seven to twelve children).

~~32~~31. Residential Multipurpose Accessory Structures (1.06.12)

Detached accessory structures which are not intended for sleeping, but may be used for variety of purposes including, but not limited to, workshops, storage sheds, game rooms and greenhouses, where bathrooms, if included, are accessible only from the outside. Residential multipurpose accessory structures may not include kitchen facilities.

~~33~~32. Residential Nursing Care Facilities (1.08.30)

Licensed facilities in a building containing a dwelling unit(s), which provide 24-hour a day intermittent or continuous skilled nursing supervision and supportive care to inpatients. Residential nursing facilities include, but are not limited to, intermediate care, skilled nursing or congregate living health facilities. Includes small nursing facilities (one to six inpatients) and large nursing facilities (seven to twelve inpatients).

~~34~~33. Residential Uses

Land uses included in the following use modules: (1) One-Family Dwellings (RES-1), (2) Second Dwelling Units (RES-2), (3) Small Hostelries (RES-10), ~~(4) Residential Community Care Facilities (Residential Day Care Facilities for Children, Small and Large Facilities; a~~All other community care facilities, Small Facilities Only~~)~~ (RES-11), ~~(54) Residential Accessory Structures (RES-12), and (65) Residential Accessory Uses (RES-13).~~

~~35~~34. Second Dwelling Units (1.02.10)

Attached or detached rental dwelling units with kitchens, located on the same parcel as a one-family dwelling.

~~36~~35. Small Hostelries (1.07.10)

Facilities that rent five (5) or fewer rooms for the overnight accommodation of paying guests including, but not limited to, rooming houses, boarding houses, tourist homes, country inns, small motels and hotels, and bed and breakfast establishments.

~~37~~36. Small Solid Waste Collection Facilities (4.01.40)

Facilities, 500 sq. ft. or less in area, where discarded glass, paper or clothes or other recyclable materials are bought and/or collected including, but not limited to, containers, igloos, bins, groups of reverse vending machines and mobile units.

~~3837.~~ Temporary Living Facilities During Residence Construction (1.10.10)
 Temporary dwelling units such as mobilehomes without permanent foundations, travel trailers or recreational vehicles, which are: (1) located on a parcel of land during the construction or reconstruction of a permanent dwelling unit on the same parcel, and (2) removed prior to the granting of a Certificate of Occupancy for the permanent residence.

Section 6163.4.E

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
<p>E. RESIDENTIAL COMMUNITY CARE FACILITIES MODULE (RES-11)</p> <p>1. Residential Day Care Facilities for Children (Family Day Care Homes) (1.08.11) Small (1-6 children) Large (7-12 children)</p> <p>21. Residential Full-Time Care Facilities for Children (Group Homes, Foster Family Homes) (1.08.12)</p> <p>32. Residential Day Care Facilities for Adults/Elderly (1.08.21)</p> <p>43. Residential Full-Time Care Facilities for Adults/Elderly (1.08.22)</p> <p>54. Residential Nursing Care Facilities (1.08.30)</p>	<p>None Large Family Day Care Permit</p> <p>1-6 None; 7-12 Use Permit</p> <p>1-6 None; 7-12 Use Permit</p> <p>1-6 None; 7-15 Use Permit</p> <p>1-6 None; 7-12 Use Permit</p>

f. Residential Estates District (R-E) (Section 6151.i)

~~(i) Large Residential Day Care Facilities for Children (Family Day Care Homes; 7-12 children), subject to a large family day care permit issued in accordance with the County Zoning Regulations, Chapter 22, Section 6401.2.~~

- ~~(j)(i)~~ The following uses subject to securing a use permit in each case:
 (1) Schools, libraries, fire stations, churches, and keeping of confined animals.
 (2) Golf courses with standard length fairways, and other non-commercial clubs.

g. Resource Management District (RM) Section 6315(ab) and Footnote ab5

~~(ab) Large Residential Day Care Facilities for Children (Family Day Care Homes; 7-12 children).~~

~~(ac) Keeping of confined animals.~~

~~⁵Allowed subject to a large family day care permit~~

- h. Planned Colma District (PC) (References in Sections 6373.48, 6380.1.B.1, 6381.1.C.1, and 6382.1.B.1)

~~48. Residential Day Care Facilities for Children (Family Day Care Homes) (1.08.11)~~

~~Licensed facilities in a building containing a dwelling unit(s) in which non-medical care, protection, and supervision of children are regularly provided in the provider's own home for a period of less than 24 hours a day while parents or guardians are away. Includes small family day care homes (one to six children) and large family day care homes (seven to twelve children).
[re-number following sections accordingly]~~

~~4947. Residential Full-Time Care Facilities for Adults/Elderly (1.08.22)~~

~~Licensed facilities in a building containing a dwelling unit(s) in which 24-hour a day non-medical care and supervision are provided to adults or elderly adults who may have special needs or disabilities including, but not limited to, individuals who are physically, developmentally or mentally disabled, or recovering from alcohol or drug addictions. Includes small adult full-time facilities (one to six adults) and large adult full-time care facilities (seven to twelve adults).~~

~~5048. Residential Full-Time Care Facilities for Children (Group Homes, Foster Family Homes) (1.08.12)~~

~~Licensed facilities in a building containing a dwelling unit(s) in which 24-hour a day non-medical care and supervision are provided for children who may or may not have special needs or disabilities. Includes small full-time care homes (one to six children) and large full-time care homes (seven to twelve children).~~

~~5149. Residential Multipurpose Accessory Structures (1.06.12)~~

~~Detached accessory structures which are not intended for sleeping, but may be used for a variety of purposes including, but not limited to, workshops, storage sheds, game rooms and greenhouses. Residential multipurpose accessory structures may not include kitchen facilities.~~

~~5250. Residential Shared Housing Facilities for the Elderly (1.08.32)~~

~~Licensed facilities in a building containing a dwelling unit(s) in which varying levels of supportive services or non-medical care are provided to no more than six (6) elderly adults on a 24-hour a day basis including, but not limited to, small rest homes or retirement homes.~~

~~5351. Restaurants (2.02.10)~~

Commercial establishments which primarily serve prepared food to the general public for immediate consumption on the premises. Restaurants may include a bar as defined in Section 2.02.030.

5452. Retail Cleaning Establishments (2.01.10)

Commercial establishments engaged in the washing, cleaning or dyeing of clothing, linens and other fabrics including, but not limited to, dry cleaners, laundries and laundromats where coin-operated washers and dryers are provided for self-service to the public.

5553. Seaport and Marine Terminals (8.01.32)

Facilities for loading and unloading freight from boats or ships including, but not limited to, piers, boat launches, dry docks, boat storage and repair yards, cargo handling equipment, and storage areas.

5654. Second Dwelling Units (1.02.10)

Attached or detached rental dwelling units with kitchens, located on the same parcel as a one-family dwelling.

5755. Short-Term Bicycle Parking Facilities

A space that includes lockers and/or racks or other devices used to secure and park bicycles park for short-time periods.

5856. Single-Family Home

A building containing a one-family dwelling.

5957. Single-Story Commercial Building

A building containing commercial uses within one story.

6058. Small Apartment Building

A multiple-story building containing multiple-family dwellings with shared entrances.

6159. Small Apartment Building With Ground Floor Retail

A multiple-story building containing multiple-family dwellings with shared entrances and ground floor retail use.

6260. Temporary Living Facilities During Residence Construction (1.10.10)

Temporary dwelling units such as mobilehomes without permanent foundations, travel trailers or recreational vehicles, which are: (1) located on a parcel of land during the construction or reconstruction of a permanent dwelling unit on the same parcel, and (2) removed prior to the granting of a Certificate of Occupancy for the permanent residence.

6361. Townhouse

A multiple-story building containing one-family dwellings with each unit side-by-side and individual entrances.

6462. Trade and Vocational Schools (5.01.20)

Public or private educational facilities and associated grounds offering specialized trade or commercial instruction, but not academic education, above the secondary level.

6563. Transit Terminal Facilities (8.01.15)

Public transit facilities where trains or buses accept riders and are repaired, maintained and stored, including offices from which operations are directed.

6664. Truck Facilities (8.01.13)

Truck terminals and other facilities used by trucks to haul freight to local and regional destinations including, but not limited to, drayage yards, loading docks or bays, maneuvering areas, and short-term parking and storage of freight and trucks.

6765. Tuck-Under Parking

Single-car covered parking integrated into the overall facade of a building. Garage shall be a maximum of 10 feet wide.

6866. Two-Family Dwellings (1.03.10)

Buildings, one per parcel, containing two attached dwelling units which are intended for use by two separate households.

6967. Two One-Family Dwellings (1.03.20)

Two detached buildings on the same parcel, each containing a single-dwelling unit, which are intended for use by two separate households.

7068. Two-Story Commercial Building

A building containing commercial uses within two stories.

7169. Veterinary Hospitals for Small Animals (9.02.30)

Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.

Section 6380.1

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
In all areas designated High Density Residential:	
B. RESIDENTIAL COMMUNITY CARE FACILITIES MODULE (RES-11)	

1. Residential Day Care Facilities for Children (Family Day Care Homes) (1.08.11) Small (1-6 children) Large (7-12 children)	None Large Family Day Care Permit
21. Residential Full-Time Care Facilities for Children (Group Homes, Foster Family Homes) (1.08.12) 1 - 6 children 7 - 12 children	None None
32. Residential Day Care Facilities for Adults/Elderly (1.08.21) 1 - 6 residents 7 - 12 residents	None None
43. Residential Full-Time Care Facilities for Adults/Elderly (1.08.22) 1 - 6 residents 7 - 12 residents	None None
54. Residential Nursing Care Facilities (1.08.30) 1 - 6 residents 7 - 12 residents	None None

Section 6381.1

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
C. RESIDENTIAL COMMUNITY CARE FACILITIES MODULE (RES-11) 1. Residential Day Care Facilities for Children (Family Day Care Homes) (1.08.11) Small (1-6 children) Large (7-12 children)	None Large Family Day Care Permit
21. Residential Full-Time Care Facilities for Children (Group Homes, Foster Family Homes) (1.08.12) 1 - 6 children 7 - 12 children	None None
32. Residential Day Care Facilities for Adults/Elderly (1.08.21) 1 - 6 residents 7 - 12 residents	None None

<p>43. Residential Full-Time Care Facilities for Adults/Elderly (1.08.22) 1 - 6 residents 7 - 12 residents</p>	<p>None None</p>
<p>54. Residential Nursing Care Facilities (1.08.30) 1 - 6 residents 7 - 12 residents</p>	<p>None None</p>

Section 6382.1

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
<p>B. PARKS (REC-2)</p> <p>1. Residential Day Care Facilities for Children (Family Day Care Homes) (1.08.11) Small (1-6 children) Large (7-12 children)</p> <p>2. Linear Parks and Trails (7.03.30)</p>	<p>None Large Family Day Care Permit None</p>

Section 6383.1

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
<p>B. RESIDENTIAL COMMUNITY CARE FACILITIES (RES-11)</p> <p>1. Residential Day Care Facilities for Children (Family Day Care Homes) (1.08.11) 1-6 children 7-12 children</p> <p>21. Residential Full-Time Care Facilities for Children (Group Homes, Foster Family Homes) (1.08.12) 1 - 6 children 7 - 12 children</p>	<p>None None None None</p>

<u>32</u> . Residential Day Care Facilities for Adults/Elderly (1.08.21) 1 - 6 residents 7 - 12 residents	None None
<u>43</u> . Residential Full-Time Care Facilities for Adults/Elderly (1.08.22) 1 - 6 residents 7 - 12 residents	None None
<u>54</u> . Residential Nursing Care Facilities (1.08.30) 1 - 6 residents 7 - 12 residents	None None

i. Timberland Preserve Zone (TPZ) (Section 6710.1.17)

~~17. Large Residential Day Care Facilities for Children (Family Day Care Homes; 7 to 12 children), subject to a large family day care permit.~~

~~1817. Keeping of confined animals.~~

j. Residential Hillside District (RH) (Sections 6801.18 and 6802.H.1)

~~18. Residential Day Care Facilities for Children (Family Day Care Homes) (1.8.11)~~

~~Licensed facilities in a building containing a dwelling unit in which non-medical care, protection, and supervision of children are regularly provided in the provider's own home for a period of less than 24 hours a day while parents or guardians are away. Includes small family day care~~

~~1918. Residential Full-Time Care Facilities for Children (1.8.12)~~

~~Dwelling units in which 24-hour non-medical care and supervision are provided in a licensee's family residence for not more than six (6) children who may or may not have special needs or disabilities.~~

~~2019. Residential Foster Family Homes (1.8.13)~~

~~Dwelling units in which 24-hour non-medical care and supervision are provided in~~

~~a family setting in a licensee's family residence for not more than six (6) foster children, exclusive of licensee's family members.~~

~~2120. Residential Day Care Facilities for Adults (1.8.21)~~

~~Dwelling units in which non-medical care and supervision are provided to no more than six (6) adults on less than a 24-hour per day basis.~~

~~2221. Residential Full-Time Care Facilities for Adults (1.8.22)~~

~~Dwellings units in which 24-hour a day non-medical care and supervision are~~

provided to no more than six (6) adults.

2322. Residential Rehabilitation Facilities (1.8.23)

Dwelling units in which 24-hour a day non-medical care and supervision are provided in a group setting to no more than six (6) adults and/or emancipated minors recovering from drug or alcohol misuse.

2423. Residential Day Care Facilities for the Elderly (1.8.31)

Dwellings units in which non-medical care and supervision are provided to no more than six (6) elderly adults, age 62 and over, on less than a 24-hour per day basis.

2524. Residential Shared Housing Facilities for the Elderly (1.8.32)

Group housing arrangements for no more than six (6) adults chosen voluntarily by residents who are 62 years of age or older, and who are provided varying levels of supportive services or non-medical care as agreed upon at the time of admission, based upon varying needs.

NEIGHBORHOOD INSTITUTIONAL FACILITIES MODULE

2625. Elementary and Secondary Schools (5.1.10)

Public or private educational facilities and associated grounds used for academic instruction below the collegiate level.

2726. Religious Facilities (5.2.10)

Facilities or meeting places used for worship and religious instruction including churches, synagogues, mosques and temples.

2827. Club and Organization Meeting Facilities (5.3.60)

Facilities used for gatherings of groups primarily for social or political purposes including, but not limited to, social and fraternal clubs and lodges, union halls and philanthropic and charitable institutions.

Section 6802.H.1

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
<p>H. RESIDENTIAL COMMUNITY CARE FACILITIES MODULE (RES-11)</p> <p>1. Residential Day Care Facilities for Children (Family Day Care Homes) (1.08.11) Small (1-6 children) Large (7-12 children)</p>	<p>None Large Family Day Care Permit</p>

21. Residential Full-Time Care Facilities for Children . . . (1.8.12)	None
32. Residential Foster Family Homes (1.8.13)	None
43. Residential Day Care Facilities for Adults (1.8.21)	None
54. Residential Full-Time Care Facilities for Adults (1.8.22)	None
65. Residential Rehabilitation Facilities (1.8.23)	None
76. Residential Day Care Facilities for the Elderly (1.8.31)	None
87. Residential Shared Housing for the Elderly (1.8.32)	None

2. Revise the following sections of the Zoning Regulations to remove definitions of Day Care Centers and Child Care Centers:

- a. General Commercial Districts/North Fair Oaks (C-2/NFO) – (Reference to Institutional Day Care Facilities in Section 6263.2.25)

~~25. Institutional Day Care Facilities for Children (Day Care Centers) (5.04.11)~~
~~Licensed facilities including infant centers, pre-schools and extended day care facilities, located in buildings that do not contain a dwelling unit, which regularly provide non-medical care, protection, and supervision of children for a period of less than 24 hours a day while parents or guardians are away.~~

~~2625. Institutional Day Care Facilities for the Elderly (5.04.31)~~
~~Licensed facilities in buildings that do not contain a dwelling unit(s), which provide non-medical care and supervision to elderly adults on less than a 24-hour a day basis.~~

~~2726. Institutional Shared Housing Facilities for the Elderly (5.04.32)~~
~~Facilities for seven (7) or more elderly adults where varying levels of supportive services or non-medical care are provided on a 24-hour a day basis including, but not limited to, rest homes or retirement homes.~~

~~2827. Institutional Full-Time Care Facilities for Children (5.04.12)~~
~~Licensed facilities which provide 24-hour a day non-medical care and supervision to seven (7) or more children, who may or may not have special needs or disabilities, in a structured environment.~~

~~2928. Institutional Full-Time Care Facilities for Adults (5.04.22)~~
~~Licensed facilities which provide 24-hour a day non-medical care and supervision to seven (7) or more adults including, but not limited to, individuals who are physically handicapped, mentally impaired, abused or recovering from alcohol or drug addictions.~~

~~30~~29. Intermediate Care Facilities (5.05.22)

Facilities providing basic health care to inpatients who have intermittent, though not continuous, need for skilled nursing care but need continuous 24-hour a day supportive health care and skilled nursing supervision.

~~31~~30. Interpretive Centers (5.03.70)

Facilities used for the education of the public with respect to natural, historical and cultural environments and legacies.

~~32~~31. Large Solid Waste Collection Facilities (4.01.42)

Facilities, more than 500 sq. ft. in area, where discarded glass, paper or clothes or any other recyclable materials are bought and/or collected.

~~33~~32. Libraries (5.03.10)

Facilities used for storage, exhibition and lending of various media including, but not limited to, books, periodicals, documents, audio and video tapes and visual art.

~~34~~33. Limited Keeping of Pets (9.01.20)

The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, and subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per two-family dwelling unit, multiple-family dwelling unit, or lawfully permitted and occupied second unit or farm labor housing unit; or (b) per business establishment in commercial or industrial zoning districts.

~~35~~34. Medical and Dental Offices (2.06.20)

Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.

~~36~~35. Motor Vehicle Fuel Sales (2.03.10)

Commercial establishments primarily engaged in the sale of gasoline or other combustive fuels to the general public, often on a self-service basis.

~~37~~36. Motor Vehicle Sales or Rentals (2.03.50)

Commercial establishments primarily engaged in the retail sale or rental of motor vehicles or mobile homes, and which may include repair or service departments and sales of replacement parts and accessories.

~~38~~37. Motor Vehicle Service Stations (2.03.20)

Commercial establishments primarily engaged in the sale of fuel, the servicing of motor vehicles and the provision of services to motorists including, but not limited to, the sale of vehicle parts and accessories, the performance of minor repairs and the sale of refreshments and sundry items.

~~3938~~. Museums (5.03.20)

Facilities used for the storage, exhibition, preservation or study of culturally, historically or scientifically valued works and phenomena.

~~4039~~. Night Clubs with Entertainment (7.01.40)

Commercial establishments that primarily provide entertainment such as musical or comedic performances but do not provide adult entertainment. Night clubs with entertainment may serve drinks and food.

~~40-540~~ Non-Chartered Financial Institution

See Section 6102.63.1 (Zoning Definitions) for definition.

- b. Light Industrial Districts/North Fair Oaks (M-1/NFO) – (Reference to Child Care Facilities in Section 6276.2.10)

~~10. Child Care Facilities~~

~~State licensed care facility of any capacity, in which less than 24-hour per day non-medical care and supervision are provided to children in a group setting, including but not limited to, infant centers, preschools, and school-age child care centers, not including small or large family child care homes.~~

~~4110~~. Construction and Maintenance Trade and Service Establishments

Indoor business establishments consisting of offices, workshops and incidental areas for storage of equipment and supplies that provide services, which are primarily delivered off-site including, but not limited to, building contractors, janitorial services, or landscape maintenance services.

~~4211~~. Distillation of Spirits and Wine and Brewing of Beer

Breweries, microbreweries, wineries and distilleries for the manufacture, blending, fermentation of beer, wine or spirits, which may include tasting rooms, tours, and temporary special events and food trucks, and which have a current and applicable California Alcohol Beverage Control license.

~~4312~~. Dwelling, Multiple

A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.

~~4413~~. Educational Facilities

Public or private educational facilities, or schools offering instruction, including academic, trade or other specialized instruction, to students, including conservatories for the instruction of music and the arts.

~~4514~~. Electronic Game Amusement Arcades

Commercial establishments featuring the operation of six or more coin or token-operated electronic games.

4615. Energy Utility Facilities

All gas compression stations, electrical power substations and associated service facilities.

4716. Financial Institutions

Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.

4817. Food Establishments Specializing in Carry-Out or Delivery Service

Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption elsewhere, but may include limited seating or drive-through take-out service.

4918. Indoor Exercise and Leisure Facilities

Enclosed facilities used for active recreation including exercise and athletic clubs, bowling alleys, skating rinks, billiard halls, dance halls and academies, or similar uses.

2019. Indoor Kennels

A place for the keeping, boarding or other handling of more than ten (10) dogs, or more than ten (10) dogs and cats per dwelling unit or per business establishment. Ancillary activities that may be conducted in association with the keeping of animals at a kennel include, but are not limited to, grooming, training, and sales of animals and supplies.

2420. Indoor Light Manufacturing

Manufacturing operations, including fabricating, assembling, or processing products from previously manufactured raw, or prepared materials that are conducted entirely within an enclosed, covered building. Indoor low to moderate impact manufacturing operations have a low to moderate impact on surrounding development with regard to noise, smoke, odor, fumes, vibration, heat and glare and visual impacts, and do not use acutely hazardous materials, as identified in the California Administrative Code. Indoor light manufacturing operations include, but are not limited to, cabinet making and woodworking, plastic and ceramic products manufacturing, metal working, machining and welding, electronic products and parts manufacturing, and textile manufacturing.

2221. Indoor Wholesale Establishments

Commercial establishments engaged in bulk sales of goods primarily to licensed merchants and members of consumer discount associations or clubs.

2322. Indoor Storage of Non-Hazardous Goods, Warehouses, and Distribution

Establishments for receiving, storing and transporting goods and materials that require protection from the elements, including but not limited to associated handling equipment, facilities for refrigeration shipping operations and associated trucking, and the needs of the operating personnel within one or

more completely enclosed, covered structures, excluding acutely hazardous materials, as defined in the California Administrative Code.

2423. Indoor Theaters

Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.

2524. Institutional Facilities

Schools, religious institutions (facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques, and temples), municipal buildings, hospitals, or uses of a similar nature.

2625. Limited Keeping of Pets

The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, and subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per two-family dwelling unit, multiple-family dwelling unit, or lawfully permitted and occupied second unit or farm labor housing unit; or (b) per business establishment in commercial or industrial zoning districts.

2726. Live/Work Units

A single unit (e.g., studio, loft, or one bedroom) consisting of both commercial/office and residential components that is occupied by, and is the primary residence of, the same resident.

2827. Medical and Dental Offices

Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.

2928. Mixed-Use Development

A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.

3029. Motor Vehicle Fuel Sales or Charging Stations

Commercial establishments primarily engaged in the sale of gasoline or other combustive fuels to the general public, often on a self-service basis.

3130. Motor Vehicle Sales or Rentals

Indoor commercial establishments primarily engaged in the retail sale or rental of motor vehicles or mobile homes, and which may include repair or service departments and sales of replacement parts and accessories.

3231. Motor Vehicle Service Stations

Commercial establishments primarily engaged in the sale of fuel, or provision of electric vehicle charging, the servicing of motor vehicles and the provision of services to motorists including, but not limited to, the sale of vehicle parts and accessories, the performance of minor repairs and the sale of refreshments and sundry items.

3332. Night Clubs with Entertainment

Commercial establishments that provide food, drink, and entertainment, such as musical or comedic performances, but do not provide adult entertainment featuring sexually explicit behavior intended to arouse sexual excitement.

3433. Other Compatible Uses

Additional land uses may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.

3534. Parking Garages

Public and private facilities which provide designated spaces for temporary storage of operable and currently registered motor vehicles only within a multistory structure, including but not limited to the storage and retrieval of autonomous vehicles.

3635. Radio and Television Stations

Facilities primarily engaged in activities involving the production and transmission of radio and television programs to the public.

3736. Research and Development Facilities

Establishments engaged in study, testing, design, analysis, and experimental development of products, processes, or services, including incidental manufacturing of products or provision of services.

3837. Restaurants

Commercial establishments which primarily serve prepared food to the general public for immediate consumption on the premises. Restaurants may include a bar as defined in Section 6102.13.1.

3938. Server Farm

A collection of computers or servers, usually maintained to store data or supply server functionality beyond the capability of a single machine.

4039. Small Solid Waste Collection Facilities

Facilities, 500 sq. ft. or less in area, where discarded glass, paper or clothes or

other recyclable materials are bought and/or collected including, but not limited to, containers, igloos, bins, groups of reverse vending machines and mobile units.

4140. Telephone Communication Facilities

Facilities primarily engaged in furnishing telephone communication services including, but not limited to, establishments providing paging and telephone services containing telephone equipment, relay stations and service facilities.

4241. Veterinary Hospitals for Small Animals

Establishments where cats, dogs and other domestic pets are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.

4342. Wholesale Cleaning Establishments

Commercial establishments involving the washing, cleaning or dyeing of clothing, linens or other fabrics in large bulk, primarily for other businesses or institutions.

- c. Light Industrial Districts/Edison/North Fair Oaks (M-1/Edison/NFO) (Section 6277.2.6)

~~6. Child Care Centers (Institutional Day Care Facilities for Children)~~

~~Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.~~

76. Civil Defense Operations

Facilities used for emergency supply, storage and shelter.

87. Construction and Maintenance Trade and Service Establishments

Business establishments consisting of offices, workshops and limited areas for storage of equipment and supplies that provide services which are primarily delivered off-site including, but not limited to, building contractors, janitorial services, or landscape maintenance services.

98. Distillation of Spirits and Wine and Brewing of Beer

Breweries, microbreweries, wineries and distilleries for the manufacture, blending, fermentation of beer, wine or spirits, which may include tasting rooms, tours, and temporary special events and food trucks, and which have a current and applicable California Alcohol Beverage Control license.

409. Dwelling, Multiple

A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.

4110. Educational Facilities

Public or private educational facilities, or schools offering instruction, including academic, trade, vocational or other specialized instruction, to students, including conservatories for the instruction of music and the arts.

4211. Financial Institutions

Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.

4312. Indoor Exercise and Leisure Facilities

Enclosed facilities used for active recreation including exercise and athletic clubs, bowling alleys, skating rinks, billiard halls, dance halls and academies, or similar uses.

4413. Indoor Kennels

A place for the keeping, boarding or other handling of more than ten (10) dogs, or more than ten (10) dogs and cats per dwelling unit or per business establishment. Ancillary activities that may be conducted in association with the keeping of animals at a kennel include, but are not limited to, grooming, training, and sales of animals and supplies.

4514. Indoor Light Manufacturing

Manufacturing operations including fabricating, assembling, or processing products from previously manufactured or prepared materials (rather than from raw materials) that are conducted entirely within an enclosed, covered building. Indoor low to moderate impact manufacturing operations have a low to moderate impact on surrounding development with regard to noise, smoke, odor, fumes, vibration, heat and glare and visual impacts, and do not use acutely hazardous materials, as identified in the California Administrative Code. Indoor low to moderate impact manufacturing operations include, but are not limited to, cabinet making and woodworking, plastic and ceramic products manufacturing, metal working, machining and welding, electronic products and parts manufacturing, and textile manufacturing.

4615. Indoor Wholesale Establishments

Commercial establishments engaged in bulk sales of goods primarily to licensed merchants and members of consumer discount associations or clubs.

4716. Institutional Facilities

Schools, religious institutions (facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques, and temples), municipal buildings, hospitals, or permitted uses of a similar nature.

4817. Limited Keeping of Pets

The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, and subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per two-family dwelling unit, multiple-family dwelling unit, or lawfully permitted and occupied second unit or farm labor housing unit; or (b) per business establishment in commercial or industrial zoning districts.

1918. Live/Work Units

A single unit (e.g. studio, loft, or one bedroom) consisting of both a commercial/office and residential components that are occupied and operated by the same resident/business owner. The live/work unit shall be the primary dwelling of the occupant.

2019. Medical and Dental Offices

Establishments, only as part of a mixed use project, providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.

2420. Mixed-Use Development

A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.

2221. Other Compatible Uses

Additional land uses may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.

2322. Radio and Television Stations

Facilities primarily engaged in activities involving the production and transmission of radio and television programs to the public.

2423. Research and Development Facilities

Establishments engaged in study, testing, design, analysis, and experimental development of products, processes, or services, including incidental manufacturing of products or provision of services.

2524. Server Farm

A collection of computers or servers, usually maintained to store data or supply server functionality beyond the capability of a single machine.

2625. Telephone Communication Facilities

Facilities primarily engaged in furnishing telephone communication services including, but not limited to, establishments providing paging and telephone services containing telephone equipment, relay stations and service facilities.

2726. Veterinary Hospitals for Small Animals

Establishments where cats, dogs and other domestic pets are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.

2827. Wholesale Cleaning Establishments

Commercial establishments involving the washing, cleaning or dyeing of clothing, linens or other fabrics in large bulk, primarily for other businesses or institutions.

d. Institutional/North Fair Oaks District (I/NFO) (Section 6290.2.11)

~~41. Institutional Day Care Facilities for Children (Day Care Centers) (5.04.11)~~

~~Licensed facilities including infant centers, pre-schools and extended day care facilities, located in buildings that do not contain a dwelling unit, which regularly provide non-medical care, protection, and supervision of children for a period of less than 24 hours a day while parents or guardians are away.~~

4211. Institutional Day Care Facilities for the Elderly (5.04.31)

Licensed facilities in buildings that do not contain a dwelling unit(s), which provide non-medical care and supervision to elderly adults on less than a 24-hour a day basis.

4312. Institutional Full-Time Care Facilities for Adults (5.04.22)

Licensed facilities which provide 24-hour a day non-medical care and supervision to seven (7) or more adults including, but not limited to, individuals who are physically handicapped, mentally impaired, abused or recovering from alcohol or drug addictions.

4413. Institutional Full-Time Care Facilities for Children (5.04.12)

Licensed facilities which provide 24-hour a day non-medical care and supervision to seven (7) or more children, who may or may not have special needs or disabilities, in a structured environment.

4514. Institutional Shared Housing Facilities for the Elderly (5.04.32)

Facilities for seven (7) or more elderly adults where varying levels of supportive services or non-medical care are provided on a 24-hour a day basis including, but not limited to, rest homes or retirement homes.

4615. Interpretive Centers (5.03.70)

Facilities used for the education of the public with respect to natural, historical and cultural environments and legacies.

4716. Libraries (5.03.10)

Facilities used for storage, exhibition and lending of various media including, but not limited to, books, periodicals, documents, audio and video tapes and visual art.

4817. Limited Institutional Intermediate Care Facilities (5.05.22)

Licensed facilities in buildings that do not contain a dwelling unit which provide 24-hour a day care to six (6) or fewer inpatients who have recurring need for skilled nursing supervision and supportive care, but who do not require availability of continuous skilled nursing care.

4918. Limited Institutional Skilled Nursing Facilities (5.05.32)

Licensed facilities in buildings that do not contain a dwelling unit which provide 24-hour a day skilled nursing care and supportive care to only six (6) or fewer inpatients whose primary need is for availability of skilled nursing care on an extended basis.

2019. Museums (5.03.20)

Facilities used for the storage, exhibition, preservation or study of culturally, historically or scientifically valued works and phenomena.

2420. Other Compatible Uses (10.01.10)

Additional land uses may be allowed if the Planning Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.

2221. Parking Lots and Garages (2.08.10)

Public and private facilities which provide designated spaces for temporary storage of operable and currently registered motor vehicles either in an open area or within a structure.

2322. Performing Arts Centers (5.03.40)

Facilities used for the presentation of live musical, dance, dramatic or other artistic performances.

2423. Police Stations (5.07.10)

Facilities used for the administration of law enforcement services, usually with limited space for holding lawfully detained persons.

2524. Religious Facilities (5.02.10)

Facilities or meeting places used for worship or religious instruction including churches, synagogues, mosques and temples.

~~26~~25. Small Solid Waste Collection Facilities (4.01.41)

Facilities, 500 sq. ft. or less in area, where discarded glass, paper or clothes or other recyclable materials are bought and/or collected including, but not limited to, containers, igloos, bins, groups of reverse vending machines and mobile units.

e. Planned Colma District (Sections 6373.25)

~~25~~. Institutional Day Care Facilities for Children (Day Care Centers) (5.04.11)

~~Licensed facilities including infant centers, preschools and extended day care facilities, located in buildings that do not contain a dwelling unit, which regularly provide non-medical care, protection, and supervision of children for a period of less than 24 hours a day while parents or guardians are away.~~

~~26~~25. Intermodal Transportation Facilities (8.01.14)

Facilities where passengers can transfer from one type of transportation to another while traveling along an established transit route including, but not boarding public transit.

~~27~~26. Kiss-N-Ride Area

Designated curbside areas for passenger drop-off and pick-up.

~~28~~27. Libraries (5.03.10)

Facilities used for storage, exhibition and lending of various media including, but not limited to, books, periodicals, documents, audio and video tapes and visual art.

~~29~~28. Limited Keeping of Pets (9.01.20)

The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock and poultry, and subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per two-family dwelling unit, multiple-family dwelling unit, or lawfully permitted and occupied second unit or farm labor housing unit; or (b) per business establishment in commercial or industrial zoning districts.

~~30~~29. Linear Parks and Trails (7.03.30)

Linear strips of land established for the purposes of walking, hiking, bicycling, horseback riding and boating, and comprising a natural or man-made linear resource such as stream drainage, bluff line, ridge, utility right-of-way, or service road.

~~31~~30. Long-Term Bicycle Parking Facilities

A space that includes lockers, and/or racks or other devices used to secure and park bicycles all day.

3231. Medical and Dental Offices (2.06.20)

Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories and associated prescription pharmacies.

3332. Mobilehomes/Manufactured Homes (1.09.10)

Transportable structures constructed on a permanent chassis, designed to be used as dwelling units. Each structure may or may not be on a permanent foundation.

3433. Multiple-Family Dwellings (1.04.10)

Buildings containing three or more dwelling units on a single parcel which are intended for use by three or more separate households.

3534. Multiple-Family Dwellings - Mixed Use (1.04.20)

Single or multiple-dwelling units, located above the first floor of the main building on the parcel. The floor area of the dwelling units shall not exceed the floor area of the commercial uses occupying the building.

3635. Night Clubs With Entertainment (7.01.40)

Commercial establishments that primarily provide entertainment such as musical or comedic performances but do not provide adult entertainment featuring sexually explicit behavior intended to arouse sexual excitement. Night clubs with entertainment may serve drinks and food.

3736. One-Family Dwellings (1.01.10)

Buildings, one per parcel, containing a single-dwelling unit which is intended for use by one household.

3837. Other Compatible Uses (10.01.10)

Additional land uses may be allowed if the Planning Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.

3938. Outdoor Retail Sales, Rental or Repair Establishments (2.05.20)

Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.

4039. Parks (7.02.70)

Spacious areas of scenic and natural character where outdoor active recreation opportunities and facilities may be provided for public convenience and enjoyment, and within which special natural areas, geologic exhibits or historic places can be set aside.

4140. Personal Convenience Service Establishments (2.06.40)

Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, barber shops, massage parlors, pet grooming and escort services.

4241. Podium Apartment Building

A multiple-story building containing multiple-family dwellings with shared entrances over subsurface or ground floor parking.

4342. Pool Houses and Cabanas (1.06.11)

Detached accessory structures which are not intended for sleeping, but may be used for private dressing, bathing or recreational activities. Pool houses and cabanas may not include kitchen facilities.

4443. Rail Transit Facilities and Rail Lines (8.01.12)

Facilities located on a railroad line where trains make regular, scheduled stops to load and unload passengers or freight.

4544. Recreation Area (7.02.80)

Outdoor areas used for a variety of outdoor recreational purposes, including areas that will provide for public use of natural and man-made water features, as well as for special recreation activities.

4645. Religious Facilities (5.02.10)

Facilities or meeting places used for worship or religious instruction including churches, synagogues, mosques and temples.

4746. Residential Day Care Facilities for Adults/Elderly (1.08.21)

Licensed facilities in a building containing a dwelling unit(s) in which non-medical care and supervision are provided on less than a 24-hour basis to adults or elderly adults who may have special needs or disabilities including, but not limited to, individuals who are physically, developmentally or mentally disabled, or recovering from alcohol or drug addictions. Includes small adult day care facilities (one to six adults) and large day care facilities (seven to twelve adults).

f. Neighborhood Mixed-Use District (NMU) (Section 6392.4)

~~4. Child Care Centers (Institutional Day Care Facilities for Children)~~

~~Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.~~

54. Dwelling, Multiple

A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.

65. Educational Facilities

Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students, including conservatories for the instruction of music and the arts.

76. Farmers Markets

An outdoor market at a fixed location, open to the public, operated by a government agency, a nonprofit corporation, or one or more Producers, in accordance with the San Mateo County Farmer's Market Guidelines, at which (a) at least 75 percent of the vendors sell Farm Products or Value-added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market's hours of operation are Producers, or family members or employees of Producers.

Farm Products - Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese, and other dairy products), and fish.

Producer - A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.

Value-added Farm Product - Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.

87. Financial Institutions

Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.

98. Food and Beverage Stores

Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens, not including drive-through restaurants, wholesale bakeries or other large-scale food production or processing establishments.

109. Food Establishments Specializing in Take-Out Service

Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or take-out service, but not including drive-through restaurants or businesses engaged exclusively in catering.

110. Home Occupations

Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations (Section 6102.46).

4211. Indoor Retail Sales, Rental or Repair Establishments

Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.

4312. Limited Keeping of Pets

The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock, and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit, or per business establishment. This use does not include “pet sitting” or “doggie day care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.

4413. Liquor Stores

A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.

4514. Medical and Dental Offices

Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories, acupuncturists, chiropractors, and associated prescription pharmacies.

4615. Mixed-Use Development

A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.

4716. Non-Chartered Financial Institution

A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term “non-chartered financial institution” shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term “non-chartered financial institution”.

4817. Other Compatible Uses

Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.

4918. Outdoor Retail Sales, Rental or Repair Establishments

Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all or some storage of such items outside a fully enclosed, covered building.

2019. Parking Lots and Garages

Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.

2120. Personal Convenience Service Establishments

Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, and barber shops.

2221. Pet Sales and/or Grooming Establishments

Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.

2322. Religious Facilities

Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques, and temples.

2423. Restaurants

Establishments with the primary purpose of serving food to the public for immediate consumption on the premises. A restaurant must have a working kitchen, able to prepare full meals from basic ingredients. The kitchen must be in operation and the restaurant must be serving the majority of its full menu during the entire hours of operation. Persons under 21 must be legally allowed on the premises during the entire hours of operation. Establishments which close the kitchen during some hours of operation and cease serving food, but remain open serving alcoholic beverages, are classified as bars and are subject to bar permitting requirements.

2524. Retail Cleaning Establishments

Commercial establishments engaged in the washing or cleaning of clothing, linens and other fabrics including, but not limited to, dry cleaning pick up

stores with limited equipment, except dry cleaners using hazardous materials, such as perchloroethylene or other hazardous materials, and laundromats where coin-operated washers and dryers are provided for self-service to the public.

2625. Small Collection Facilities for Recyclable Materials

A small collection facility occupies an area of not more than 500 square feet, is intended for the collection of recyclable materials, and may include kiosks, igloos, bins, trailers, or bulk reverse vending machines. These facilities are generally temporary, and must be accessory to a primary use on the same parcel.

2726. Small Indoor Exercise and Leisure Facilities

Facilities of 2,000 square feet or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to, exercise facilities, dance academies and martial arts studios.

2827. Veterinary Hospitals for Small Animals

Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.

2928. Walking Distance

For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this Section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

g. Commercial Mixed Use-1 District (CMU-1) (Section 6567.2.6)

~~6. Child Care Centers (Institutional Day Care Facilities for Children)~~

~~Licensed facilities including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.~~

76. Dwelling, Multiple

A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.

87. Educational Facilities

Public or private educational facilities, or schools offering instruction, including

academic or specialized instruction, to students, including conservatories for the instruction of music and the arts.

98. Farmers Markets

An outdoor market at a fixed location, open to the public, operated by a government agency, a nonprofit corporation, or one or more Producers, in accordance with the San Mateo County Farmer's Market Guidelines, at which (a) at least 75 percent of the vendors sell Farm Products or Value-added Farm Products and (b) at least 75 percent of the vendors who regularly participate during the market's hours of operation are Producers, or family members or employees of Producers.

Farm Products - Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey, or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese, and other dairy products), and fish.

Producer - A person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.

Value-added Farm Product - Any product processed by a Producer from a Farm Product, such as baked goods, jams, and jellies.

409. Financial Institutions

Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.

4410. Food and Beverage Stores

Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens, not including drive-through restaurants, wholesale bakeries or other large-scale food production or processing establishments.

4211. Food Establishments Specializing in Take-Out Service

Commercial establishments engaged in the provision of prepared food to the general public primarily for consumption off the premises, which may include limited seating, walk up or take-out service, but not including drive-through restaurants or businesses engaged exclusively in catering.

4312. Home Occupations

Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations (Section 6102.46).

4413. Hotels

Any building or portion thereof containing six (6) or more guest rooms used, designed, or intended to be used, let or hired out to be occupied.

4514. Indoor Retail Sales, Rental or Repair Establishments

Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.

1615. Limited Keeping of Pets

The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock, and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second unit, or per business establishment. This use does not include "pet sitting" or "doggie day care" establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.

1716. Liquor Stores

A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.

1817. Massage Businesses

Massage or massage therapy, means and refers to any method of treating the external parts of the body for remedial, health, or hygienic purposes for any form of compensation by means of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, or stimulating the external parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances; or with or without supplementary aids, such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations commonly used in this practice; or by baths, including but not limited to Turkish, Russian, Swedish, Japanese, vapor, shower, electric tub, sponge, mineral, fomentation, or any other type of bath. "Massage business" means any business that offers massage therapy in exchange for compensation, whether at a fixed place of business or at a location designated by the customer or client through outcall massage services. Any business that offers any combination of massage therapy and bath facilities - including, but not limited to, showers, baths, wet and dry heat rooms, pools and hot tubs - shall be deemed a massage business under this chapter. The term "massage business" includes a certified massage practitioner who is the sole owner, operator and employee of a massage business operating as a sole proprietorship.

1918. Medical and Dental Offices

Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories, acupuncturists, chiropractors, and associated prescription pharmacies.

2019. Mixed-Use Development

A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.

2120. Mobile Vending/Food Carts

Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.

2221. Non-Chartered Financial Institution

A use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term “non-chartered financial institution” shall include, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term “non-chartered financial institution”.

2322. Other Compatible Uses

Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.

2423. Parking Lots and Garages

Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles either in an open area or within a structure.

2524. Personal Convenience Service Establishments

Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, and barber shops.

2625. Pet Sales and/or Grooming Establishments

Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other

than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.

2726. Religious Facilities

Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques, and temples.

2827. Restaurants

Establishments with the primary purpose of serving food to the public for immediate consumption on the premises. A restaurant must have a working kitchen, able to prepare full meals from basic ingredients. The kitchen must be in operation and the restaurant must be serving the majority of its full menu during the entire hours of operation. Persons under 21 must be legally allowed on the premises during the entire hours of operation. Establishments which close the kitchen during some hours of operation and cease serving food, but remain open serving alcoholic beverages, are classified as bars and are subject to bar permitting requirements.

2928. Retail Cleaning Establishments

Commercial establishments engaged in the washing or cleaning of clothing, linens and other fabrics including, but not limited to, dry cleaning pick up stores with limited equipment, except dry cleaners using hazardous materials, such as perchloroethylene or other hazardous materials, and laundromats where coin-operated washers and dryers are provided for self-service to the public.

3029. Small Collection Facilities for Recyclable Materials

A small collection facility occupies an area of not more than 500 square feet, is intended for the collection of recyclable materials, and may include kiosks, igloos, bins, trailers, or bulk reverse vending machines. These facilities are generally temporary, and must be accessory to a primary use on the same parcel.

3130. Indoor Exercise and Leisure Facilities: Small

Facilities of 2,000 square feet or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to exercise facilities, dance academies and martial arts studios.

3231. Indoor Exercise and Leisure Facilities: Large

Facilities greater than 2,000 square located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.

3332. Theaters

Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances

featuring sexually explicit behavior intended to arouse sexual excitement.

3433. Veterinary Hospitals for Small Animals

Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.

3534. Walking Distance

For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this Section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

h. Commercial Mixed Use-1 District (CMU-3) (Section 6570.3.6)

~~6. Child Care Centers (Institutional Day Care Facilities for Children)~~

~~Licensed facilities, including infant centers, pre-schools, and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children in a non-residential setting.~~

76. Dwelling, Multiple

A building or portion thereof containing more than one dwelling unit, including apartment houses, condominiums, and flats.

87. Educational Facilities

Public or private educational facilities, or schools offering instruction, including academic or specialized instruction, to students, including conservatories for the instruction of music and the arts.

98. Financial Institutions

Establishments accepting deposits and providing services relating to the exchange, protection or lending of money including, but not limited to, banks, savings and loan institutions, or credit unions.

109. Food and Beverage Stores

Commercial establishments engaged in the retail sale primarily of various fresh and packaged foods and beverages for home preparation and consumption including, but not limited to, grocery stores, produce markets, bakeries and delicatessens, not including drive-through restaurants, wholesale bakeries or other large-scale food production or processing establishments.

1410. Food Establishments Specializing in Take-Out Service

Commercial establishments engaged in the provision of prepared food to the

general public primarily for consumption off the premises, which may include limited seating, walk up or take-out service, but not including drive-through restaurants or businesses engaged exclusively in catering.

4211. Home Occupations

Accessory businesses conducted in a dwelling solely by its occupants in a manner incidental to the residential use of the dwelling, in accordance with the provisions of the County's Home Occupation Regulations (Section 6102.46).

4312. Hotels

Any building or portion thereof containing six (6) or more guest rooms used, designed, or intended to be used, let or hired out to be occupied.

4413. Indoor Exercise and Leisure Facilities: Small

Facilities of 2,000 square feet or less located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to exercise facilities, dance academies and martial arts studios.

4514. Indoor Exercise and Leisure Facilities: Large

Facilities greater than 2,000 square feet located within a fully enclosed building providing leisure and recreation opportunities primarily for use by neighborhood residents, including but not limited to gyms, swimming pools, martial arts studios, and other exercise and recreational facilities.

4615. Indoor Retail Sales, Rental or Repair Establishments

Commercial establishments which serve the general public that are engaged in the sale, rental and/or repair of goods, merchandise and equipment with all storage of such items within a fully enclosed, covered building.

4716. Light Industrial and Production, Distribution and Repair (PDR)

Establishments which provide for wholesale and warehousing uses as well as those industrial uses that include fabrication, manufacturing, assembly or processing of materials that are in refined form and that do not in their transformation create smoke, gas, odor, dust, noise, vibration of earth, soot or lighting to a degree that is offensive when measured at the property line of subject property, nor create impacts on adjacent residential, commercial, or other uses. Light industrial and Production, Distribution and Repair uses include those uses defined in Zoning Regulation Section 6277.2.10, "Indoor Low to Moderate Impact Manufacturing" which do not substantially impact surrounding properties.

4817. Limited Keeping of Pets

The raising or maintaining of domestic birds or animals that are customarily kept as pets for amusement or companionship, excluding exotic animals, horses, livestock, and poultry, subject to the following limitations: (a) no more than two (2) dogs and two (2) cats, nor more than four (4) animals total of any type shall be kept per dwelling unit, or lawfully permitted and occupied second

unit, or per business establishment. This use does not include “pet sitting” or “doggie day care” establishments where care and supervision is provided to pets that do not belong to the occupants of the dwelling unit or business establishment.

1918. Liquor Stores

A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages.

2019. Massage Businesses

Massage or massage therapy businesses as defined in Zoning Regulations Section 6567.2.~~18~~17.

2120. Medical and Dental Offices

Establishments providing consultation, diagnosis, therapeutic, preventative or corrective personal treatment services by licensed doctors, dentists and similar practitioners of medical and healing arts for humans, and which may include medical and dental laboratories, acupuncturists, chiropractors, and associated prescription pharmacies.

2221. Mixed-Use Development

A development in which a mix of uses is located in close proximity to each other on the same parcel, usually within the same building. The land uses may be stacked on top of each other (vertical) or placed next to each other (horizontal). Mixed use development may include any combination of at least two of the following four land use categories: commercial (including retail sales and service, and personal services, but excluding motor-vehicle related uses), office (including professional services), residential (dwellings), and institutional uses.

2322. Mobile Vending/Food Carts

Any vehicle, wagon, or pushcart that is self-propelled or can be pushed/pulled down a street or sidewalk that is regularly located on site, on which food is displayed, prepared, or processed for the purpose of selling food to a consumer, as defined in San Mateo County Ordinance Code, Chapter 5.52.

2423. Non-Chartered Financial Institution

Non-Chartered Financial Institutions as defined in Zoning Regulations Section 6567.2.~~22~~21.

2524. Other Compatible Uses

Additional land uses that may be allowed if the Community Development Director determines that the proposed use is consistent with the purpose of the district and compatible with other permitted land uses in the district.

2625. Performing Arts Centers

Facilities used for the presentation of live musical, dance, dramatic or other artistic performances.

2726. Parking Garages

Public and private facilities which provide designated spaces for parking of operable and currently registered motor vehicles within a structure.

2827. Personal Convenience Service Establishments

Commercial establishments providing services related to personal convenience where customers are typically served on the premises including, but not limited to, beauty salons, and barber shops.

2928. Pet Sales, Supplies, and/or Grooming Establishments

Establishments for the retail sale of pet animals, pet food and supplies, with all storage of such items within a fully enclosed, covered building. Pet sales and/or grooming establishments may offer pet bathing, grooming and obedience training conducted within a fully enclosed, covered building. Other than the animals held as inventory until sold, there shall be no boarding of animals overnight for compensation.

3029. Podium Parking

Surface level parking that is sheltered under an elevated building, often entirely enclosed.

3130. Religious Facilities

Facilities or meeting places used for worship or religious instruction including, but not limited to, churches, synagogues, mosques, and temples.

3231. Restaurants

Establishments with the primary purpose of serving food to the public for immediate consumption on the premises. A restaurant must have a working kitchen, able to prepare full meals from basic ingredients. The kitchen must be in operation and the restaurant must be serving the majority of its full menu during the entire hours of operation. Persons under 21 must be legally allowed on the premises during the entire hours of operation. Establishments which close the kitchen during some hours of operation and cease serving food, but remain open serving alcoholic beverages, are classified as bars and are subject to bar permitting requirements.

3332. Retail Cleaning Establishments

Commercial establishments engaged in the washing or cleaning of clothing, linens and other fabrics including, but not limited to, dry cleaning pick up stores with limited equipment, except dry cleaners using hazardous materials, such as perchloroethylene or other hazardous materials, and laundromats where coin-operated washers and dryers are provided for self-service to the public.

3433. Small Collection Facilities for Recyclable Materials

A small collection facility occupies an area of not more than 500 square feet, is

intended for the collection of recyclable materials, and may include kiosks, igloos, bins, trailers, or bulk reverse vending machines. These facilities are generally temporary, and must be accessory to a primary use on the same parcel.

3534. Theaters

Enclosed facilities used for the presentation of motion pictures, plays or other dramatic performances except adult motion pictures and live performances featuring sexually explicit behavior intended to arouse sexual excitement.

3635. Veterinary Hospitals for Small Animals

Establishments where cats, dogs and other domestic animals generally of the same size or smaller are treated by a person(s) trained and licensed to provide medical care for animals. Veterinary hospitals may hold animals overnight on a limited basis if necessary for their proper medical or surgical treatment.

3736. Walking Distance

For purposes of off-site or shared parking, walking distance is defined as the total distance traveled by foot along the shortest feasible route between the parking and the primary use. For the purposes of this Section, walking distance shall be measured from the primary entrance of the primary use served, along a connection that meets Americans with Disabilities Act (ADA) requirements.

i. RH (Section 6801.29)

~~29. Institutional Day Care Facilities for Children (Day Care Centers) (5.4.11)~~

~~Facilities not in a dwelling unit, including infant centers, preschools and extended day care facilities, which regularly provide non-medical care, protection, and supervision of children for a period of less than 24 hours per day while parents and guardians are away.~~

3028. Institutional Full-Time Care Facilities for Children (5.4.12)

Facilities not in a dwelling unit which provide 24-hour a day non-medical care and supervision to children, who may or may not have special needs or disabilities, in a structured environment with services provided at least in part by employed staff of a licensee.

3129. Skilled Nursing Facilities (5.5.21)

Facilities providing 24-hour a day intensive nursing care and supportive health care to inpatients requiring care over a prolonged period of time.

3230. Intermediate Care Facilities (5.5.22)

Facilities providing basic health care to inpatients who have intermittent, though not continuous, need for skilled nursing care but need continuous 24-hour a day supportive health care and skilled nursing supervision.

~~33~~31. Fire Stations (5.7.20)

Facilities used for fire fighting services, sometimes including associated paramedic services.

~~34~~32. Cemeteries (5.8.10)

Facilities used for the burial of human and pet remains, usually outside.

PARK MODULE

~~35~~33. Parks (7.2.70)

Spacious areas of scenic and natural character where outdoor active recreation

opportunities and facilities may be provided for public convenience and enjoyment, and within which special natural areas, geologic exhibits or historic places can be set aside.

~~36~~34. Linear Parks and Trails (7.3.30)

Linear strips of land established for the purposes of walking, hiking, bicycling, horseback riding and boating, and comprising a natural or man-made linear resource such as stream drainage, bluff line, ridge, utility right-of-way, or service road.

OUTDOOR SPORTS AND GOLF FACILITIES MODULE

~~37~~35. Outdoor Sports Facilities (7.2.10)

Outdoor facilities, associated grounds and accessory structures used for active recreation including swimming clubs, tennis clubs, playing fields or similar uses.

~~38~~36. Golf Courses and Clubs (7.2.31)

Facilities comprising large tracts of land and associated accessory structures laid out for the game of golf including incidental driving range facilities.

NEIGHBORHOOD SOLID WASTE RECYCLING FACILITIES MODULE

~~39~~37. Small Solid Waste Collection Facilities (4.1.41)

Facilities, 500 sq. ft. or less in area, where discarded glass, paper or clothes or other recyclable materials are bought and/or collected including, but not limited to, containers, igloos, bins, groups of reverse vending machines and mobile units.

3. Revise the following sections of the Zoning Regulations to remove Use Permit requirements for Child Care Centers:

- j. CMU-1, CMU-2, and Neighborhood Mixed Use District, El Camino Real - 5th Avenue, North Fair Oaks (NMU-ECR) (Section 6567.3.4.a)

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
4. INSTITUTIONAL USE CLASSIFICATION	
A. <u>NEIGHBORHOOD INSTITUTIONAL FACILITIES</u> 2. Child Care Centers 32. Religious Facilities Use Permit 43. Educational Facilities	Use Permit Use Permit Use Permit

k. NMU (Section 6393.4.a.2)

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
4. INSTITUTIONAL USE CLASSIFICATION	
A. <u>NEIGHBORHOOD INSTITUTIONAL FACILITIES</u> 2. Child Care Centers 32. Religious Facilities Use Permit 43. Educational Facilities	Use Permit Use Permit Use Permit

l. M-1/NFO (Section 6276.3.Q.2)

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
Q. INSTITUTIONAL USE CLASSIFICATION	
2. Child Care Centers 32. Religious Facilities Use Permit 43. Educational Facilities, Trade and Vocational Schools	Use Permit Use Permit Use Permit

m. M-1/Edison/NFO (Section 6277.3.M.2)

PERMITTED USES	REQUIRED PLANNING PERMIT

	FOR THIS DISTRICT
M. INSTITUTIONAL USE CLASSIFICATION	
2. Child Care Centers	Use Permit
32. Religious Facilities	Use Permit
43. Educational Facilities, Trade and Vocational Schools	Use Permit

- n. Community Open Space Conservation Districts (COSC) in La Honda (Section 6227(b).4.b)

(b) The following uses shall be permitted in the Community Open Space Conservation District subject to the securing of a use permit in each case:

4. Institutional Facilities, including but not limited to the following:

- ~~b. Day care centers~~
- ~~e. Interpretive centers~~

- o. PC Colma (reference in High Density Residential in Section 6380.K)

PERMITTED USES	REQUIRED PLANNING PERMIT FOR THIS DISTRICT
In areas shown designated High Density Residential Day Care:	
K. INSTUTIONAL DAY CARE FACILITIES FOR CHILDREN (INT-16)	
Institutional Day Care Facilities for Children (Day Care Centers) (5.04.11)	Use Permit

4. Revise the following sections of the Zoning Regulations to remove parking requirements for Child Care Centers:

- p. Light Industrial Districts/North Fair Oaks (M-1/NFO) – Parking requirement of 1 space per 500 sq. ft. in Section 6276.7, Table 1, Section F.2

TABLE 1 REQUIRED PARKING	
USE	PARKING SPACES REQUIRED
F. PROFESSIONAL SERVICES, COMMERCIAL/OFFICE	
2. Child Care Center	1 space per 500 sq. ft.
32. Medical and Dental Offices	1 space per 250 sq. ft.

43. Financial Institutions	1 space per 400 sq. ft.	
54. Trade and Vocational Schools	1 space per 200 sq. ft.	
65. Private Bicycle Parking, All Professional Services and Commercial/Office	1 space per 1,000 sq. ft. (consistent with Design Guidelines)	
76. Public Bicycle Parking, All Professional Services and Commercial/Office	Each 35 feet of street frontage	2 (consistent with Design Guidelines)
87. Electric Vehicle Charging	Per Project	1 minimum and 10 percent of required parking over 10 spaces

SECTION 4. California Environmental Quality Act. Approval of the County’s proposal is considered a “Project” as that term is defined under the California Environmental Quality Act (“CEQA”) Guidelines. The County prepared an Initial Study and Negative Declaration for this project, consistent with the requirements of the California Environmental Quality Act, and determined that the proposed zoning text amendments would not have a significant effect on the environment because all potential impacts of the project would be below established CEQA thresholds of significance.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance.

SECTION 6. Publication. The Clerk shall publish this Ordinance in accordance with applicable law.

SECTION 7. Effective Date. This Ordinance shall be effective thirty (30) days from the passage date thereof, except in the County’s Coastal Zone, where it shall be effective immediately upon certification by the California Coastal Commission.



County of San Mateo - Planning and Building Department

ATTACHMENT D

County of San Mateo
Planning and Building Department

**INITIAL STUDY
ENVIRONMENTAL EVALUATION CHECKLIST**
(To Be Completed by Planning Department)

SECTION A:

1. **Project Title:** County of San Mateo Child Care Facilities Ordinance
2. **County File Number:** PLN2020-00014
3. **Lead Agency Name and Address:** County of San Mateo, Planning and Building Department, 455 County Center, Redwood City, Ca. 94063
4. **Contact Person and Phone Number:** Camille Leung, Senior Planner, 650-363-1826, cleung@smcgov.org
5. **Project Location:** Properties within unincorporated areas of San Mateo County, as described in Section A 9 and 10. Also, see maps in Attachment 4.
6. **Assessor's Parcel Number and Size of Parcel:** Unincorporated areas of San Mateo County
7. **Project Sponsor's Name and Address:** County of San Mateo
8. **Name of Person Undertaking the Project or Receiving the Project Approval (if different from Project Sponsor):** Steve Monowitz, Community Development Director, Planning and Building Department, County of San Mateo
9. **General Plan Designation:** Outside of the 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, Residential (Single- and Multiple-Family), or Commercial/ Residential Mixed Use land uses, in urban and rural areas. Inside the 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, or Single-Family Residential land uses, in urban and rural areas. The Ordinance would also allow under a ministerial permit process child care centers on properties containing existing institutional buildings or public facilities, as defined by the Ordinance, in and outside of the Coastal Zone.
10. **Zoning:** Outside of the Coastal Zone, the adoption of the Ordinance would create a ministerial permit process for child care centers to be located in Commercial, Institutional, Residential (Single- and Multiple-Family), and Commercial/ Residential Mixed Use zoning districts, in urban and rural areas. Inside the Coastal Zone, the adoption of the Ordinance would create a ministerial permit process for child care centers to be located in Commercial, Institutional, and Single-Family Residential zoning districts, in urban and rural areas. The Ordinance would also allow under a ministerial permit process child care centers on properties containing existing institutional buildings or public facilities, as defined by the Ordinance, in and outside of the Coastal Zone.

11. **Description of the Project:** *(Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation.)*

The Child Care Facilities Ordinance (Attachment 1) would establish specific permitting requirements for child care centers in the unincorporated areas of San Mateo County, where specific requirements currently only apply to Large Family Day Care Homes (Section 6401.2 of the Zoning Regulations). The adoption of the Ordinance would repeal Section 6401.2 and create a new Chapter 22.2 (Child Care Facilities) of the Zoning Regulations. The Ordinance would not regulate Small or Large Family Day Care Homes as these uses are allowed by right by State law. Currently, a use permit, which is granted at a public hearing, is required in most instances to operate a child care center pursuant to the regulations for each zoning district and Section 6161(k)1 of the County's Zoning Regulations which allows "schools" with a use permit in the R-1, R-2 and R-3 residential zoning districts. The Ordinance would streamline the process and set consistent requirements for establishing child care centers (CCC) to relieve the shortage of care facilities in San Mateo County.

The Ordinance would ease restrictions for a child care center to locate within an existing building of similar use (such as commercial and institutional buildings) or compatible use (such as single- and multiple-family residential) and allows for limited expansion of such buildings according to environmental and locational criteria.

For areas outside of the Coastal Zone, the Ordinance establishes qualification for a ministerial permit for child care centers based on CEQA categorical exemption criteria. The adoption of the Ordinance would create a ministerial permit process for child care centers to be located in areas zoned or designated by the General Plan for Commercial, Institutional, or Commercial/ Residential Mixed Use land uses, or zoned for Residential (Single- and Multiple-Family) land uses, in urban and rural areas. The Ordinance would also allow under a ministerial permit process child care centers on properties containing existing institutional buildings or public facilities, as defined by the Ordinance. In general, a child care center involving expansion of an existing building meeting Classes 1 (Existing Facilities) and 3 (New Construction or Conversion of Small Structures) of CEQA categorical exemptions, and compliant with additional criteria set by the Ordinance, would qualify for a ministerial permit. In general, a child care center involving construction of a new child care building meeting Classes 2 (Replacement or Reconstruction) and 3 of CEQA categorical exemptions, and compliant with additional criteria set by the Ordinance, would qualify for a ministerial permit.

For areas inside of the Coastal Zone, the Ordinance establishes qualification for a ministerial permit for child care centers based on criteria for exemption from a Coastal Development Permit (CDP), per Section 6328.5 (Exemptions) of the Coastal District (CD) Zoning District. The adoption of the Ordinance would create a ministerial permit process for child care centers to be located in areas zoned or designated by the General Plan for Commercial or Institutional land uses, or zoned for Single-Family Residential land uses, in urban and rural areas. The Ordinance would also allow under a ministerial permit process child care centers on properties containing existing institutional buildings or public facilities, as defined by the Ordinance. In general, a child care center involving expansion of an existing non-residential building meeting Category B (Existing Structures Other Than Single-Family Residences or Public Works Facilities) of the CDP Exemption Worksheet, and compliant with additional criteria set by the Ordinance, would qualify for a ministerial permit. In general, a child care center involving expansion of an existing residential building meeting Categories A (Existing Single-Family Residences) and E (Single-Family Residence Categorical Exclusion Area) of the CDP

Exemption Worksheet, and compliant with additional criteria set by the Ordinance, would qualify for a ministerial permit. Construction of a new child care building in the Coastal Zone would not qualify for a ministerial permit.

The new Ordinance would apply to all unincorporated areas of the County. The project involves text changes to the County Zoning Regulations for various zoning districts to reconcile those regulations with the new Ordinance, retaining, however, existing regulations in some zoning districts within North Fair Oaks that allow child care centers by right. For a list of text changes to the other Zoning Regulations, see Attachment 2.

12. **Surrounding Land Uses and Setting:** Properties within unincorporated areas of San Mateo County, as described in Section A.9 and 10, above.
13. **Other Public Agencies Whose Approval is Required:** California Coastal Commission.
14. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?:** This project is not subject to Assembly Bill 52 for California Native American Tribal Consultation requirements, as no traditionally or culturally affiliated tribe has requested, in writing, to the County to be informed of proposed projects in the geographic project area. The project is not expected to cause a substantial adverse change to any potential tribal cultural resources as described in Section D.18.

SECTION B: ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or “Significant Unless Mitigated” as indicated by the checklist on the following pages.

X	Aesthetics		Energy	X	Public Services
	Agricultural and Forest Resources		Hazards and Hazardous Materials	X	Recreation
	Air Quality		Hydrology/Water Quality	X	Transportation
X	Biological Resources	X	Land Use/Planning		Tribal Cultural Resources
	Climate Change		Mineral Resources	X	Utilities/Service Systems
	Cultural Resources	X	Noise		Wildfire
	Geology/Soils	X	Population/Housing	X	Mandatory Findings of Significance

SECTION C: EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
4. “Negative Declaration: Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in 5. below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other California Environmental Quality Act (CEQA) process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less Than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources. Sources used or individuals contacted should be cited in the discussion.

SECTION D:

<p>1. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:</p>					
		<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1.a.	Have a substantial adverse effect on a scenic vista, views from existing residential areas, public lands, water bodies, or roads?			X	

Discussion: Within unincorporated areas of San Mateo County that are outside of the Coastal Zone, the Ordinance would provide a ministerial permit process for child care centers that would be located in areas as described in Section A.9 and 10 and more specifically described in Table 1 of the Ordinance (Attachment 1). As described in Section A.11, for areas outside of the Coastal Zone, the Ordinance establishes qualification for a ministerial permit for child care centers based on CEQA categorical exemption criteria and also establishes additional criteria.

CEQA exemption criteria contains exceptions both within the exemption language and within Section 15300.2 of the CEQA Guidelines, which limits the development in scenic corridors, scenic vistas, water bodies, among other environmentally sensitive areas. The Ordinance would also establish additional screening criteria to regulate the conversion of a Single-Family Residence or a Multiple-Family Residential Building to a child care center, specifically that the property must be of conforming size (parcel size must meet or exceed the minimum lot size requirements of the zoning district). Additional criteria would also regulate the expansion of an existing building for a child care center. Regarding potential aesthetic impacts, for child care centers involving building expansion that would otherwise qualify for a CEQA categorical exemption under Class 1.e (Existing Facilities), the Ordinance requires that the child care center must be located outside of an environmentally sensitive area and/or any scenic corridor. Child care center projects involving the reuse of existing buildings and facilities, limited expansion of such buildings, or construction of new small buildings, based on the CEQA exemptions and Ordinance criteria, would not result in a significant visual impact to existing scenic areas because the developed areas housed a similar use, of similar scale or intensity in the past. Construction of any new child care center building outside of a Commercial or Institutional zoning district or area designated for such use by the General Plan, with the exception of replacement or reconstruction of an existing building meeting the CEQA Class 2 (Replacement or Reconstruction) categorical exemption, would continue to require a Use Permit. The Use Permit application process involves a discretionary review process, where enforceable requirements pertaining to child care center projects, such as Scenic Corridor policies of the General Plan, and those pertaining to CEQA and public noticing, would continue to apply. Such projects would undergo a separate CEQA review process once an application has been received.

Within unincorporated areas of San Mateo County that are within the Coastal Zone, the Ordinance would provide a ministerial permit process for child care centers that would be located in areas as described in Section A.9 and 10 and more specifically described in Table 2 of the Ordinance. As described in Section A.11, for areas inside the Coastal Zone, the Ordinance establishes qualification for a ministerial permit for child care centers based on criteria for exemption from a CDP, per Section 6328.5 (Exemptions) of the CD Zoning District. Section 6328.5 exemption criteria contains exceptions which limits development in scenic corridors. Regarding potential aesthetic impacts, the Ordinance would establish additional criteria to regulate the location of a child care center within existing structures other than single-family residences, specifically the project must not involve the

conversion of a visitor-serving commercial use, as defined by the Local Coastal Program, which are usually located along or near the shoreline and beach areas. The Ordinance would establish additional screening criteria to regulate the conversion of a Single-Family Residence to a child care center use, specifically requiring that the subject parcel size must be 10,000 square feet or larger and located within a residential zoning district, as defined in the ordinance. Child care center projects involving the conversion of existing buildings and facilities, or limited expansion of such buildings, based on the CDP exemption criteria and Ordinance criteria, would not result in a significant visual impact to existing scenic areas due to the reuse of developed areas that housed a similar use, of similar scale or intensity. Construction of any new child care center building in the Coastal Zone, would continue to require a Use Permit, which involves a discretionary review process, where enforceable requirements pertaining to child care center projects, such as Scenic Corridor policies of the General Plan and Local Coastal Program, and those pertaining to CEQA and public noticing, would continue to apply. Such projects would undergo a separate CEQA review process once an application has been received.

As child care center development that would qualify for a ministerial process under the Ordinance would also qualify for an exemption from CEQA and, in the Coastal Zone, a Coastal Permit Exemption, development resulting from the adoption of the Ordinance would not result in a substantial adverse effect on a scenic vista, views from existing residential areas, public lands, water bodies, or roads.

Source: Zoning Regulations, new Child Care Facilities Ordinance.

1.b. Substantially damage or destroy scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	---	--

Discussion: For reasons listed in Section D.1.a, a new child care center development, as would be allowed under the Ordinance, would not substantially damage or destroy scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Any Significant or Heritage trees potentially impacted by a proposed child care center would be subject to the County’s tree protection requirements and, if the project involves the removal of such trees, a separate discretionary tree removal permit with requisite replacement plantings.

Source: Zoning Regulations, new Child Care Facilities Ordinance.

1.c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings, such as significant change in topography or ground surface relief features, and/or development on a ridgeline? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	---

<p>Discussion: For reasons listed in Section D.1.a, a new child care center development, as would be allowed under the Ordinance, would not, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings. In urbanized areas, the project would not conflict with applicable zoning and other regulations governing scenic quality because projects would be required to comply with any applicable scenic quality policies in the County's Zoning Regulations.</p> <p>Source: GIS Map, new Child Care Facilities Ordinance</p>					
1.d.	Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?			X	
<p>Discussion: Child care center projects involving the reuse of existing buildings and facilities, limited expansion of such buildings, or construction of new small buildings (only outside of the Coastal Zone), based on the CEQA exemptions, CDP exemptions, and Ordinance criteria (as applicable), would be allowed by the Ordinance through a ministerial process and may result in the installation of additional exterior lighting sources. However, the location of these centers would be in developed areas containing existing light sources. Additionally, exterior outdoor light sources are required by the Ordinance to be downward-directed and shielded to confine rays to the site and specific task areas. For reasons listed in Section D.1.a, a new child care center development, as would be allowed under the Ordinance, would not, create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.</p> <p>Source: New Child Care Facilities Ordinance; Zoning Regulations.</p>					
1.e.	Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?			X	
<p>Discussion: For reasons listed in Sections D.1.a and D.1.d, new child care center development, as would be allowed under the Ordinance, would not result in a significant impact to views from a designated Scenic Highway or within a State or County Scenic Corridor.</p> <p>Source: New Child Care Facilities Ordinance; Zoning Regulations; GIS Map.</p>					
1.f.	If within a Design Review District, conflict with applicable General Plan or Zoning Ordinance provisions?			X	
<p>Discussion: In all areas of unincorporated San Mateo County, Design Review standards would continue to apply to child care centers, where Design Review standards pertaining to residences would apply to child care centers located within converted single-family residences.</p> <p>Source: Zoning Regulations; new Child Care Facilities Ordinance.</p>					
1.g.	Visually intrude into an area having natural scenic qualities?			X	
<p>Discussion: For reasons listed in Sections D.1.a and 1.d, new child care center development, as would be allowed under the Ordinance, would not significantly visually intrude into an area having natural scenic qualities.</p>					

Source: New Child Care Facilities Ordinance; Zoning Regulations; GIS Map.

2. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
2.a. For lands outside the Coastal Zone, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X

Discussion: Outside the Coastal Zone, the Ordinance would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. Outside of the Coastal Zone, the adoption of the Ordinance would primarily affect areas designated for Commercial, Institutional, Residential (Single- and Multiple-Family), and Commercial/Residential Mixed Use land uses, in urban and rural areas. As such, the Ordinance would not allow the conversion of an existing building under a ministerial permit on land where agricultural use is permitted and protected, such as lands within the Planned Agricultural District (PAD), Resource Management (RM), Timber Preserve Zone (TPZ), Resource Management-Coastal Zone (RM-CZ), and Timber Preserve Zone-Coastal Zone (TPZ-CZ) zoning districts. Such projects would require a Use Permit and, in the Coastal Zone, a CDP, compliance with the Soil Resources policies of the General Plan, the policies of the Agriculture Component of the Local Coastal Program for projects in the Coastal Zone, and must undergo a separate CEQA review process once an application has been received.

However, the Ordinance would allow for the location of a child care center within an existing institutional building or public facility, as defined by the ordinance, regardless of the zoning district. Such projects would not result in conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to a non-agricultural use due to the reuse of developed areas that housed a similar use, of similar scale or intensity.

All other child care center development scenarios, including a new child care center building on agricultural land, would require a Use Permit, a discretionary review process, where the Soil Resources policies of the General Plan, and CEQA and public noticing, would continue to apply.

Such projects would undergo a separate CEQA review process once an application has been received. Source: Zoning map; General Plan; Local Coastal Program; new Child Care Facilities Ordinance.					
2.b.	Conflict with existing zoning for agricultural use, an existing Open Space Easement, or a Williamson Act contract?				X
Discussion: For reasons listed in Section D.2.a, new child care center development, as would be allowed under the Ordinance, would not conflict with existing zoning for agricultural use, an existing Open Space Easement, or a Williamson Act contract. Source: Zoning map; new Child Care Facilities Ordinance.					
2.c.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?				X
Discussion: For reasons listed in Section D.2.a, new child care center development, as would be allowed under the Ordinance, would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use. Source: Zoning map; new Child Care Facilities Ordinance.					
2.d.	For lands within the Coastal Zone, convert or divide lands identified as Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?				X
Discussion: For reasons listed in Section D.2.a, new child care center development, as would be allowed under the Ordinance, would not, for lands within the Coastal Zone, convert or divide lands identified as Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts. Source: Zoning map; new Child Care Facilities Ordinance.					
2.e.	Result in damage to soil capability or loss of agricultural land?				X
Discussion: For reasons listed in Section D.2.a, new child care center development, as would be allowed under the Ordinance, would not, result in damage to soil capability or loss of agricultural land. Source: Zoning map; new Child Care Facilities Ordinance.					
2.f.	Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section				X

<p>12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?</p> <p><i>Note to reader: This question seeks to address the economic impact of converting forestland to a non-timber harvesting use.</i></p>				
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	--

Discussion: For reasons listed in Section D.2.a, new child care center development, as would be allowed under the Ordinance, would not, conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

Source: Zoning map; new Child Care Facilities Ordinance.

<p>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p>3.a. Conflict with or obstruct implementation of the applicable air quality plan?</p>			X	

Discussion: Within unincorporated areas of San Mateo County, the Ordinance would provide a ministerial permit process for child care centers that would be located in areas as described in Section A.9 and 10 and more specifically described in Tables 1 and 2 of the Ordinance.

Child care center projects that would be allowed under a ministerial process involving the reuse of existing buildings and facilities, limited expansion of such buildings, or construction of new small buildings (only outside of the Coastal Zone), would not result in significant air quality impacts, as the operation of child care centers do not generate significant amounts of air pollution. Traffic patterns for such child care centers would be similar to previous uses of the buildings/facilities, which are similar in use, scale or intensity. Limited construction involved with the establishment of such child care centers may result in temporary air quality impacts but would not conflict with or obstruct implementation of the applicable air quality plan.

Outside of the Coastal Zone, all other child care center development scenarios, including any new child care center building outside of a Commercial or Institutional zoning district or area designated for such use by the General Plan, with the exception of replacement or reconstruction of an existing building meeting the CEQA Class 2 (Replacement or Reconstruction) exemption, would continue to require a Use Permit. Inside the Coastal Zone, all other child care center development scenarios, including construction of any new child care center building, would continue to require a Use Permit. Use Permit applications involve a discretionary process, where current requirements pertaining to child care center projects, such as CEQA and public noticing, would continue to apply. Such projects would undergo a separate CEQA review process once an application has been received.

As child care center development that would qualify for a ministerial process under the Ordinance would also qualify for an exemption from CEQA and, in the Coastal Zone, a Coastal Permit Exemption, development resulting from the adoption of the Ordinance would not conflict with or obstruct implementation of the applicable air quality plan.

Source: New Child Care Facilities Ordinance.

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
3.b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?				X

Discussion: For reasons listed in Section D.3.a, new child care center development, as would be allowed under the Ordinance, would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard.

Source: New Child Care Facilities Ordinance.

3.c. Expose sensitive receptors to substantial pollutant concentrations, as defined by the Bay Area Air Quality Management District?				X
--------------------------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: For reasons listed in Section D.3.a, a new child care center development, as would be allowed under the Ordinance, would not expose sensitive receptors to substantial pollutant concentrations, as defined by the Bay Area Air Quality Management District.

Source: New Child Care Facilities Ordinance.

3.d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X
---------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: For reasons listed in Section D.3.a, new child care center development, as would be allowed under the Ordinance, would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Source: New Child Care Facilities Ordinance.

4. BIOLOGICAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
4.a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service or National Marine Fisheries Service?		X	

Discussion: Within unincorporated areas of San Mateo County that are outside of the Coastal Zone, the Ordinance would provide a ministerial permit process for child care centers that would be located in areas as described in Section A.9 and 10 and more specifically described in Table 1 of the Ordinance. As described in Section A.11, for areas outside of the Coastal Zone, the Ordinance establishes qualification for a ministerial permit for child care centers based on CEQA categorical exemption criteria. CEQA exemption criteria contains exceptions both within the exemption language and within Section 15300.2 of the CEQA Guidelines, which limits the development in environmentally sensitive areas, as defined by the CEQA Guidelines. Regarding potential impacts to biological resources, the Ordinance would also establish additional criteria to regulate the expansion of an existing building for a child care center, specifically that the site must be located outside of an environmentally sensitive area. Child care center projects involving the reuse of existing buildings and facilities, limited expansion of such buildings, or construction of new small buildings would not result in a significant impact to biological resources, including significant adverse effects on any species identified as a candidate, sensitive, or special status species, because the developed areas housed a similar use, of similar scale or intensity in the past. Construction of any new child care center building outside of a Commercial or Institutional zoning district or area designated for such use by the General Plan, with the exception of replacement or reconstruction of an existing building meeting the CEQA Class 2 (Replacement or Reconstruction) exemption, would continue to require a Use Permit. The Use Permit application process involves a discretionary review process, where enforceable requirements pertaining to child care center projects, such as the Vegetative, Water, Fish, and Wildlife Resources polices of the General Plan, CEQA and public noticing, would continue to apply. Such projects would undergo a separate CEQA review process once an application has been received.

Within unincorporated areas of San Mateo County that are within the Coastal Zone, the Ordinance would provide a ministerial permit process for child care centers that would be located in areas as described in Section A.9 and 10 and more specifically described in Table 2 of the Ordinance. As described in Section A.11, for areas inside the Coastal Zone, the Ordinance establishes qualification for a ministerial permit for child care centers based on criteria for exemption from a CDP, per Section 6328.5 (Exemptions) of the CD Zoning District. Section 6328.5 exemption criteria contains exceptions within the exemption language which limits development in the following areas: beach, wetland or sand dune, areas within 50 feet of the edge of a coastal bluff, areas seaward of the mean high tide line, and areas located within the California Coastal Commission Appeals jurisdiction (areas along located between the sea and the first through, improved public road paralleling the sea,

or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance). Regarding potential impacts to biological resources, the Ordinance would establish additional criteria to regulate the location of a child care center within existing structures other than single-family residences, specifically the project must not involve the conversion of a visitor-serving commercial use, as defined by the Local Coastal Program, which are usually located along or near the shoreline and beach areas where biological resources are typically present. Projects involving the conversion of existing buildings and facilities, or limited expansion of such buildings, based on the CDP exemption criteria and Ordinance criteria, would not result in a significant impact to biological resources, including significant adverse effects on any species identified as a candidate, sensitive, or special status species, due to the reuse of developed areas that housed a similar use, of similar scale or intensity. Construction of any new child care center building in the Coastal Zone, would continue to require a Use Permit, which involves a discretionary review process, where enforceable requirements pertaining to child care center projects, such as Vegetative, Water, Fish, and Wildlife Resources polices of the General Plan and Sensitive Habitat policies of the Local Coastal Program, CEQA and public noticing, would continue to apply. Such projects would undergo a separate CEQA review process once an application has been received.

As child care center development that would qualify for a ministerial process under the Ordinance would also qualify for an exemption from CEQA and, in the Coastal Zone, a Coastal Permit Exemption, development resulting from the adoption of the Ordinance would not have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service or National Marine Fisheries Service.

Source: Local Coastal Program; new Child Care Facilities Ordinance.

4.b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service or National Marine Fisheries Service?			X	
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	---	--

Discussion: For reasons listed in Section D.4.a, new child care center development, as would be allowed under the Ordinance, would not result in substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service or National Marine Fisheries Service.

Source: Local Coastal Program; new Child Care Facilities Ordinance.

4.c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: For reasons listed in Section D.4.a, new child care center development, as would be allowed under the Ordinance, would not result substantial adverse effects on state or federally

protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Source: Local Coastal Program; new Child Care Facilities Ordinance.					
4.d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
Discussion: For reasons listed in Section D.4.a, new child care center development, as would be allowed under the Ordinance, would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites. Source: Local Coastal Program; new Child Care Facilities Ordinance.					
4.e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances)?				X
Discussion: For reasons listed in Section D.4.a, new child care center development, as would be allowed under the Ordinance, would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances and TPZ, TPZ-CZ, PAD, RM, and RM-CZ zoning regulations). Any removal of significant, heritage, or otherwise protected trees associated with a new child care center would require a separate discretionary permit and would be subject to replacement planting requirements. Such trees are required to be protected from construction impacts by County regulations and replacement trees are required for any trees removed. Source: Local Coastal Program; Significant and Heritage Tree Regulations; new Child Care Facilities Ordinance.					
4.f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?				X
Discussion: For reasons listed in Section D.4.a, new child care center development, as would be allowed under the Ordinance, would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan. Source: Local Coastal Program; new Child Care Facilities Ordinance.					
4.g.	Be located inside or within 200 feet of a marine or wildlife reserve?				X

Discussion: For reasons listed in Section D.4.a, new child care center development, as would be allowed by the Ordinance under a ministerial permit, would not be located inside or within 200 feet of a marine or wildlife reserve, as such areas within the unincorporated areas of San Mateo County are largely located within Resource Management zoning districts and designated for Recreational or Open Space land uses. Location of a child care center inside or within 200 feet of a marine or wildlife reserve would continue to require a Use Permit, which involves a discretionary review process, where enforceable requirements pertaining to child care center projects, such as Vegetative, Water, Fish, and Wildlife Resources polices of the General Plan and Sensitive Habitat policies of the Local Coastal Program, CEQA and public noticing, would continue to apply. Such projects would undergo a separate CEQA review process once an application has been received.

Source: Local Coastal Program; new Child Care Facilities Ordinance.

4.h. Result in loss of oak woodlands or other non-timber woodlands?				X
---------------------------------------------------------------------	--	--	--	---

Discussion: For reasons listed in Sections D.2.c and 4.e, new child care center development, as would be allowed under the Ordinance, would not result in loss of oak woodlands or other non-timber woodlands.

Source: Local Coastal Program; new Child Care Facilities Ordinance.

5. CULTURAL RESOURCES. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
5.a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?				X

Discussion: The Ordinance would mainly affect areas with existing commercial, institutional, commercial/residential mixed use development, and single- or multiple-family buildings in the unincorporated County. Any modification of a historical structure associated with the reuse of existing buildings and facilities, limited expansion of such buildings, or construction of a new small building (only outside of the Coastal Zone) for a child care center use, based on CEQA exemptions, CDP exemptions, and Ordinance criteria (as applicable), would be required to comply with applicable preservation requirements. The County’s General Plan Historical and Archaeological Resources policies and the Historic Preservation Ordinance address the protection of archaeological and historical resources, as do state and federal laws protecting listed and eligible resources. Any project within or affecting a historical resource would be subject to a Use Permit process and additional environmental review to avoid and mitigate if necessary, any effects on historic resources.

Source: New Child Care Facilities Ordinance; County Historic Preservation Ordinance.

5.b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?				X
-----------------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: As the Ordinance would allow for the reuse of existing buildings and facilities, limited expansion of such buildings, or construction of new small buildings (only outside of Coastal Zone), based on the CEQA exemptions, CDP exemptions, and Ordinance criteria (as applicable), as described in Section A.9 and 10 and more specifically described in Tables 1 and 2 of the Ordinance, to a child care center use with a ministerial permit, the Ordinance would affect property in previously developed or disturbed areas and would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5 or result in directly or indirectly destroying a unique paleontological resource or site or unique geologic feature.

All other child care center development scenarios would require a Use Permit with a discretionary process, where current requirements pertaining to child care center projects, such as the County's General Plan Historical and Archaeological Resources policies and the Historic Preservation Ordinance, CEQA and public noticing, would continue to apply. Such projects would undergo a separate review process once an application has been received.

Source: New Child Care Facilities Ordinance.

5.c. Disturb any human remains, including those interred outside of formal cemeteries?				X
----------------------------------------------------------------------------------------	--	--	--	---

Discussion: For reasons listed in Section D.5.b, new child care center development under the Ordinance is not likely to disturb any human remains, including those interred outside of formal cemeteries. If such remains are found, the project proponent would be required to follow procedures set by the County Coroner regarding the movement of the remains, and where appropriate consultation with representatives of Native American Tribes who may have an association with the discovered remains.

Source: San Mateo County Coroner.

6. ENERGY. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
6.a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				X

Discussion: The Ordinance would allow for the reuse of existing buildings and facilities, limited expansion of such buildings, or construction of a new small building (only outside of the Coastal Zone), based on the CEQA exemptions, CDP exemptions, and Ordinance criteria (as applicable), as described in Section A.9 and 10 and more specifically described in Tables 1 and 2 of the Ordinance, to a child care center use with a ministerial permit. Such development would be subject to applicable building codes, including Title 24, Bay Area Air Quality Management District best management practices for equipment idling, and CAL Green building codes.

Source: New Child Care Facilities Ordinance.

6.b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.				X
<p>Discussion: For reasons listed in Section D.6.a, new child care center development under the Ordinance is not likely to conflict with or obstruct a state or local plan for renewable energy or energy efficiency.</p> <p>Source: New Child Care Facilities Ordinance.</p>				

7. GEOLOGY AND SOILS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
7.a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the following, or create a situation that results in:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? <i>Note: Refer to Division of Mines and Geology Special Publication 42 and the County Geotechnical Hazards Synthesis Map.</i>				X
<p>Discussion: The Ordinance would allow for the conversion of existing buildings or facilities, as described in Section A.9 and 10 and more specifically described in Tables 1 and 2 of the Ordinance, to a child care center use with a ministerial permit. These projects would involve the conversion of existing buildings and facilities and would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the following, or create a situation that results in rupture of a known earthquake fault. Any new construction would require a building permit and project compliance with applicable building codes, including code regulations pertaining to potential geologic hazards, and wastewater and septic systems.</p> <p>All other child care center development scenarios would require a Use Permit which involves a discretionary process, where current requirements pertaining to child care center projects, such as the Hazards Component of the Local Coastal Program, the County’s General Plan Natural Hazards policies, CEQA and public noticing, would continue to apply. Such projects would undergo a separate review process once an application has been received.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements.</p>				

ii. Strong seismic ground shaking?				X
<p>Discussion: For reasons listed in Section D.7.a.i, new child care center development under the Ordinance is not likely to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, or create a situation that results in strong seismic ground shaking.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements.</p>				
iii. Seismic-related ground failure, including liquefaction and differential settling?				X
<p>Discussion: For reasons listed in Section D.7.a.i, new child care center development under the Ordinance is not likely to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction and differential settling, or create a situation that results in seismic-related ground failure, including liquefaction and differential settling.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements.</p>				
iv. Landslides?				X
<p>Discussion: For reasons listed in Section D.7.a.i, new child care center development under the Ordinance is not likely to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides, or create a situation that results in landslides.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements.</p>				
v. Coastal cliff/bluff instability or erosion? <i>Note to reader: This question is looking at instability under current conditions. Future, potential instability is looked at in Section D.7 (Climate Change).</i>				X
<p>Discussion: For reasons listed in Section D.7.a.i, new child care center development under the Ordinance is not likely to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving coastal cliff/bluff instability or erosion, or create a situation that results in coastal cliff/bluff instability or erosion.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements.</p>				
7.b. Result in substantial soil erosion or the loss of topsoil?				X
<p>Discussion: For reasons listed in Section D.7.a.i, new child care center development, as would be allowed under the Ordinance, would not result in substantial soil erosion or the loss of topsoil.</p>				

Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements.					
7.c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, severe erosion, liquefaction or collapse?				X
<p>Discussion: For reasons listed in Section D.7.a.i, new child care center development, as would be allowed under the Ordinance, would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements.</p>					
7.d.	Be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code, creating substantial direct or indirect risks to life or property?				X
<p>Discussion: For reasons listed in Section D.7.a.i, new child care center development, as would be allowed under the Ordinance, would not be located on expansive soil creating substantial direct or indirect risks to life or property.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements.</p>					
7.e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
<p>Discussion: For reasons listed in Section D.7.a.i, new child care center development, as would be allowed under the Ordinance, would not be located on a site where soils are incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements.</p>					
7.f.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
<p>Discussion: For reasons listed in Section D.5.b, a new child care center development, as would be allowed under the Ordinance, would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements.</p>					

8. CLIMATE CHANGE. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
8.a. Generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment?				X
<p>Discussion: The project would not generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment. The main goal of the Ordinance is to ease the establishment of more child care centers in the unincorporated County particularly for new child care centers close to residential areas, employment centers, and transit centers, thereby reducing vehicle travel miles for residents and workers in the County to access child care services. A reduction in vehicle travel miles would result in a reduction in the generation of GHG emissions associated with the operation of gas-powered vehicles. A reduction in the generation of GHG emissions may slow the effects of climate change, including sea-level rise. Any new construction meeting the requirements for a ministerial permit would require a building permit and project compliance with applicable building codes, including CAL Green. Any new construction which does not meet the requirements for a ministerial permit, would be subject to the requirements of the County's Energy Efficiency Climate Action Plan (EECAP) and CEQA requirements and require a building permit and project compliance with applicable building codes, including CAL Green.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements; County's Energy Efficiency Climate Action Plan (EECAP).</p>				
8.b. Conflict with an applicable plan (including a local climate action plan), policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X
<p>Discussion: For reasons listed in Section D.8.a, new child care center development, as would be allowed under the Ordinance, would not conflict with an applicable plan (including a local climate action plan), policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements; County's Energy Efficiency Climate Action Plan (EECAP).</p>				
8.c. Result in the loss of forestland or conversion of forestland to non-forest use, such that it would release significant amounts of GHG emissions, or significantly reduce GHG sequestering?				X
<p>Discussion: For reasons listed in Sections D.2.a and 8.a, new child care center development, as would be allowed under the Ordinance, would not result in the loss of forestland or conversion of</p>				

<p>forestland to non-forest use, such that it would release significant amounts of GHG emissions, or significantly reduce GHG sequestering.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements; County's Energy Efficiency Climate Action Plan (EECAP).</p>					
8.d.	Expose new or existing structures and/or infrastructure (e.g., leach fields) to accelerated coastal cliff/bluff erosion due to rising sea levels?				X
<p>Discussion: For reasons listed in Sections D.7.a.i and 8.a, new child care center development, as would be allowed under the Ordinance, would not expose new or existing structures and/or infrastructure (e.g., leach fields) to accelerated coastal cliff/bluff erosion due to rising sea levels.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements; County's Energy Efficiency Climate Action Plan (EECAP).</p>					
8.e.	Expose people or structures to a significant risk of loss, injury or death involving sea level rise?				X
<p>Discussion: For reasons listed in Section D.8.a, new child care center development, as would be allowed under the Ordinance, would not expose people or structures to a significant risk of loss, injury or death involving sea level rise.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements; County's Energy Efficiency Climate Action Plan (EECAP).</p>					
8.f.	Place structures within an anticipated 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<p>Discussion: For reasons listed in Section D.8.a, new child care center development, as would be allowed under the Ordinance, would not place structures within an anticipated 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements; County's Energy Efficiency Climate Action Plan (EECAP).</p>					
8.g.	Place within an anticipated 100-year flood hazard area structures that would impede or redirect flood flows?				X
<p>Discussion: For reasons listed in Section D.8.a, new child care center development, as would be allowed under the Ordinance, would not be placed within an anticipated 100-year flood hazard area structures that would impede or redirect flood flows.</p> <p>Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements; County's Energy Efficiency Climate Action Plan (EECAP).</p>					

9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
9.a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (e.g., pesticides, herbicides, other toxic substances, or radioactive material)?				X
<p>Discussion: A child care center use does not typically involve the transport, use, or disposal of hazardous materials. Any new construction would require a building permit and project compliance with applicable building, fire, and environmental health codes, including but not limited to those that pertain to flood zones; emergency response and wildland fires and the development of hazardous sites and the transport, use, release or disposal of hazardous materials, substances, or waste, respectively.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Environmental Health Services Division regulations.</p>				
9.b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
<p>Discussion: For reasons listed in Section D.9.a, new child care center development, as would be allowed under the Ordinance, would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Environmental Health Services Division regulations.</p>				
9.c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
<p>Discussion: child care centers typically do not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Environmental Health Services Division regulations.</p>				

9.d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
<p>Discussion: As restricted by State licensing requirements and State and local health and building codes, a new child care center development would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Environmental Health Services Division regulations.</p>				
9.e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?			X	
<p>Discussion: Location of child care centers near San Francisco International Airport and Half Moon Bay Airport is restricted by the applicable Airport Land Use Plan. The Half Moon Bay Airport Land Use Plan (HMB ALUCP) calls out as a prohibited use in Runway Safety Zones 1 through 5 "children's schools, child care centers, and libraries". These safety zones encompass a majority of Princeton to the south and a majority of the residential area of Moss Beach to the north of the airport both west and east of Highway 1. Zone 6 is the Airport property. In Zone 7, including areas of El Granada and Montara, the HMB ALUCP allows child care centers but restricts the density of non-residential uses to no more than 300 persons per acre or approximately 34.4 persons per 5,000 sq. ft.</p> <p>The Airport Land Use Plan for San Francisco International Airport prohibits child care centers in unincorporated County jurisdictional areas experiencing at or above 65 dB CNEL, including the California Golf Club property and areas of Country Club Park.</p> <p>The Ordinance would require all child care center projects to comply with the applicable Airport Land Use Plan.</p> <p>Source: Half Moon Bay Airport Land Use Plan; San Francisco International Airport Land Use Plan</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Environmental Health Services Division regulations.</p>				
9.f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
<p>Discussion: New child care center development, as would be allowed under the Ordinance, would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because areas where such development would be allowed under a</p>				

<p>ministerial permit by the Ordinance are developed areas which housed a similar use, of similar scale or intensity in the past.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Environmental Health Services Division regulations.</p>					
9.g.	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X
<p>Discussion: New child care center development would require a building permit and project compliance with applicable building codes, including those pertaining to the use of fire-rated exterior materials within Wildland Urban Interface (WUI) areas and would, therefore, not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Environmental Health Services Division regulations.</p>					
9.h.	Place housing within an existing 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<p>Discussion: The Ordinance regulates child care centers and would not impact the location of housing projects. The Ordinance would facilitate the location of new child care centers in commercial/residential mixed-use projects and multi-family housing projects. New child care centers would require a building permit and project compliance with applicable building codes, including those pertaining to flood zones.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Environmental Health Services Division regulations.</p>					
9.i.	Place within an existing 100-year flood hazard area structures that would impede or redirect flood flows?				X
<p>Discussion: New child care centers would require a building permit and project compliance with applicable building codes, including those pertaining to flood zones and, therefore, would not place within an existing 100-year flood hazard area structures that would impede or redirect flood flows.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Environmental Health Services Division regulations.</p>					
9.j.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X

Discussion: For reasons listed in Section D.9.i, new child care center development, as would be allowed under the Ordinance, would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

Source: Child Care Facilities Ordinance; County building permit requirements; County Environmental Health Services Division regulations.

9.k. Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?				X
--------------------------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: New child care centers would require a building permit and project compliance with applicable building codes, including those pertaining to seiche, tsunami, or landslide/mudflow areas.

Source: Child Care Facilities Ordinance; County building permit requirements; County Environmental Health Services Division regulations.

10. HYDROLOGY AND WATER QUALITY. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
10.a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality (consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash))?				X

Discussion: Child care centers would not typically result in the discharge of pollutants, except for sewage and trash. Any new construction would require a building permit and project compliance with applicable building codes, including those regulating sewage and solid waste disposal.

Source: Child Care Facilities Ordinance; County building permit requirements; County Stormwater Ordinance; County Drainage Policy.

10.b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				X
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: The Ordinance would ease regulations pertaining to the reuse of existing buildings and facilities, limited expansion of such buildings, or construction of new small buildings (only

outside of the Coastal Zone), based on the CEQA and CDP exemption criteria (as applicable) and Ordinance criteria. Any new construction would require a building permit and project compliance with applicable building and health codes, including those regulating adequate water supply and groundwater management.

Source: Child Care Facilities Ordinance; County building permit requirements; County Stormwater Ordinance; County Drainage Policy.

10.c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:				
i. Result in substantial erosion or siltation on- or off-site;				X

Discussion: The Ordinance would ease regulations pertaining to the reuse of existing buildings and facilities, limited expansion of such buildings, or construction of new small buildings (only outside of the Coastal Zone), based on the CEQA and CDP exemption criteria (as applicable) and Ordinance criteria. Any new construction would require a building permit and project compliance with applicable building codes, County Stormwater Ordinance, and the County Drainage Policy.

Source: Child Care Facilities Ordinance; County building permit requirements; County Stormwater Ordinance; County Drainage Policy.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				X
-----------------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: For reasons listed in Section D.10.c.i, new child care center development, as would be allowed under the Ordinance, would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

Source: Child Care Facilities Ordinance; County building permit requirements; County Stormwater Ordinance; County Drainage Policy.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				X
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: For reasons listed in Section D.10.c.i, new child care center development, as would be allowed under the Ordinance, would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

Source: Child Care Facilities Ordinance; County building permit requirements; County Stormwater Ordinance; County Drainage Policy.

iv. Impede or redirect flood flows?				X
<p>Discussion: For reasons listed in Sections D.9.i and 10.c, new child care center development, as would be allowed under the Ordinance, would not impede or redirect flood flows.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Stormwater Ordinance; County Drainage Policy.</p>				
10.d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
<p>Discussion: For reasons listed in Sections D.9.i through 9.k and 10.c, new child care center development, as would be allowed under the Ordinance, would not, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Stormwater Ordinance; County Drainage Policy.</p>				
10.e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X
<p>Discussion: For reasons listed in Sections D.10.a through 10.c, new child care center development, as would be allowed under the Ordinance, would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Stormwater Ordinance; County Drainage Policy.</p>				
10.f. Significantly degrade surface or groundwater water quality?				X
<p>Discussion: For reasons listed in Sections D.10.a through 10.c, new child care center development, as would be allowed under the Ordinance, would not significantly degrade surface or groundwater water quality.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Stormwater Ordinance; County Drainage Policy.</p>				
10.g. Result in increased impervious surfaces and associated increased runoff?				X
<p>Discussion: For reasons listed in Section D.10.c, new child care center development, as would be allowed under the Ordinance, would not significantly degrade surface or groundwater water quality.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Stormwater Ordinance; County Drainage Policy.</p>				

11. LAND USE AND PLANNING. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
11.a. Physically divide an established community?				X
<p>Discussion: The Ordinance would not result in physically dividing an established community. The Ordinance would ease regulations pertaining to the establishment of child care centers within existing buildings and developed areas, in response to a demonstrated lack of supply of child care services in San Mateo County.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements; County Stormwater Ordinance; County Drainage Policy.</p>				
11.b. Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X
<p>Discussion: The project involves the adoption of new regulation pertaining to child care centers and would replace existing regulation pertaining to Large Family Day Care Centers and Schools and other conflicting regulations. Specifically, the project involves text changes to the County Zoning Regulations for various zoning districts to make those regulations consistent with the new Ordinance, retaining, however, existing regulations in some zoning districts within North Fair Oaks that allow child care centers by right. For a list of text changes to the Zoning Regulations, see Attachment 2.</p> <p>The Ordinance would ease regulations pertaining to the establishment of child care centers within existing developed and disturbed areas, specifically those already developed with or designated for commercial uses, institutional uses, single-family and multiple-family development, or commercial/residential mixed use. By establishing qualifications for a ministerial permit for a new child care center based on CEQA and CDP exemption criteria and additional criteria that would be established by the Ordinance, the Ordinance includes measures that are intended to avoid or mitigate environmental effects to an equal level than the existing regulation. The potential environmental impact of the Ordinance is discussed in this document and does not require mitigation measures.</p> <p>The Ordinance references density bonus programs established by California Government Code, such as Section 65915(h) of California Government Code and a floor area bonus for Commercial and Industrial projects including a child care facility consistent with Section 65917.5 of California Government Code. The Ordinance would provide a floor area bonus equivalent to the size of the child care center and a 50% parking waiver as an incentive for eligible businesses to provide an on-site child care center. The Ordinance would provide an additional density credit or a density bonus of 10% (whichever is greater), floor area bonus equivalent to the size of the child care center, and 50% parking waiver for eligible transit-oriented development projects to provide an on-site child care centers. These incentives cannot be combined with State incentives and would allow for a minimal increase in the maximum dwelling units/acre for the site as established by the zoning district and/or land use designation of the General Plan, as well as a minimal increase in the maximum floor area allowed for a zoning district. However, such projects, due to their location relative to transit centers</p>				

and local businesses would require less parking and involve less traffic as discussed in Section D.17 of this report.

Source: Child Care Facilities Ordinance; County Zoning Regulations.

11.c. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?			X	
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	---	--

Discussion: The Ordinance would not serve to encourage off-site development of presently undeveloped areas. The goal of the Ordinance is to ease the provision of child care services in the County, as the demand for such services by existing residents is not met with sufficient supply. The Ordinance would ease regulations pertaining to the reuse of existing buildings and facilities, limited expansion of such buildings, or construction of new small buildings (only outside of the Coastal Zone), based on CEQA and CDP exemption criteria (as applicable) and Ordinance criteria. In allowing the limited conversion and enlargement of existing buildings or facilities for a child care center, the Ordinance would maintain existing development intensity levels for these properties.

The Ordinance would allow the conversion of existing single-family residences located on residentially-zoned properties of conforming size outside of the Coastal Zone and residentially-zoned properties of 10,000 sq. ft. or larger in the Coastal Zone to a child care center use with a ministerial permit. The County has determined that conversion of a single-family residential use to a child care center use, as allowed in the Ordinance, would not be considered an intensification of use. A child care center use, as allowed in this section, is similar in intensity to a Large Family Day Care Center (which allows up to 14 children) which is considered a residential use and allowed within any residence by State law, except that the child care center may enroll more children but would not contain a residence. The Ordinance would establish additional criteria which are intended to limit the intensity of the child care center use such that it is appropriate and proportional to the size of the parcel and available on-site parking, specifically the parcel size requirements and limiting total enrollment to a limit calculated from the ratio of 6 children enrolled for each on-site parking space.

While sewer and water demand may increase as a result of new child care center development, capacity in these areas is likely to accommodate such an increase due to the existing land uses in these areas. Also, capacity for such projects would be reviewed at the building permit stage with review by applicable sewer and water districts or County Environmental Health Services.

Regarding traffic and parking demand, the location of child care centers within developed areas, including residential area, transit centers, and employment centers, is intended to reduce travel lengths to access child care and thereby vehicle-based traffic in those areas. Also, child care center projects qualifying for a ministerial process must meet parking requirements consistent with average demand for child care centers per the 2010 Institute of Transportation Engineers Manual, as discussed in Section D.17.

The Ordinance references density bonus programs consistent with the Section 65915(h) of California Government Code and a floor area bonus for Commercial and Industrial projects including a child care facility consistent with the Section 65917.5 of California Government Code. The Ordinance would provide a floor area bonus equivalent to the size of the child care center and a 50% parking waiver as an incentive for eligible businesses to provide an on-site child care center.

The Ordinance would provide an additional density credit or a density bonus of 10% (whichever is greater), floor area bonus equivalent to the size of the child care center, and 50% parking waiver for eligible transit-oriented development projects to provide an on-site child care centers. These incentives cannot be combined with State incentives and would allow for a minimal increase in the maximum dwelling units/acre for the site as established by the zoning district and/or land use designation of the General Plan, as well as a minimal increase in the maximum floor area allowed for a zoning district. However, such projects due to their location relative to transit centers and local businesses would require less parking and involve less traffic as discussed in Section D.17 of this report.

Outside of the Coastal Zone, the construction of a new child care center building outside of a Commercial or Institutional zoning district or area designated for such use by the General Plan, with the exception of replacement or reconstruction of an existing building meeting the CEQA Class 2 (Replacement or Reconstruction) exemption, would continue to require a Use Permit. Inside the Coastal Zone, construction of any new child care center building would continue to require a Use Permit. Any other child care center development scenario not meeting the requirements for a ministerial permit would continue to require a Use Permit. The Use Permit application process which involves a discretionary review process, policies of the General Plan and Local Coastal Program (as applicable), CEQA, and public noticing, would continue to apply. Such projects would undergo a separate CEQA review process once an application has been received.

Source: Child Care Facilities Ordinance; County building permit requirements.

12. MINERAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
12.a. Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?				X
<p>Discussion: The Ordinance would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State, as the Ordinance would ease regulations pertaining to the establishment of child care centers in largely developed areas.</p> <p>Source: Child Care Facilities Ordinance; County GIS Map.</p>				
12.b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<p>Discussion: For reasons listed in Section D.12.a, the Ordinance would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.</p> <p>Source: Child Care Facilities Ordinance; County GIS Map.</p>				

13. NOISE. Would the project result in:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
13.a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise Ordinance, or applicable standards of other agencies?			X	
<p>Discussion: The Ordinance would not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the affected areas in excess of standards established in the County's General Plan or Noise Ordinance, or applicable standards of other agencies. The development of a new child care center may generate temporary construction noise, which is subject to the County's Noise Ordinance.</p> <p>The Child Care Facility Ordinance would ease the establishment of child care centers involving the reuse of existing buildings and facilities, limited expansion of such buildings, or construction of new small buildings (only outside of the Coastal Zone), based on CEQA exemptions, CDP exemptions, and Ordinance criteria (as applicable). The land use designations and existing uses of these areas allow for higher levels of noise and use of such properties for a child care use would not exceed standards established in the General Plan or Noise Ordinance, or applicable standards of other agencies.</p> <p>The Ordinance would allow for the conversion of single-family residences to a child care center use, subject to parcel size criteria and enrollment limits. Such criteria would limit the intensity of the child care center use such that it is appropriate and proportional to the size of the parcel and available on-site parking. In these instances, ambient daytime noise may increase in affected areas. However, for parcels that adjoin a noise-sensitive receptor, the Ordinance requires noise reduction measures such as fences and prohibits large play structures to be located within 5 feet of any shared property line. Such child care centers would also be subject to the County Noise Ordinance.</p> <p>All other child care center development scenarios would require a Use Permit with a discretionary process, where current requirements pertaining to child care center projects, such the County Noise Ordinance, CEQA and public noticing, would continue to apply. Such projects would undergo a separate review process once an application has been received.</p> <p>Source: Child Care Facilities Ordinance; County Noise Ordinance.</p>				
13.b. Generation of excessive ground-borne vibration or ground-borne noise levels?				X
<p>Discussion: For reasons listed in Section D.13.a, the Ordinance would not generate excessive ground-borne vibration or ground-borne noise levels.</p> <p>Source: Child Care Facilities Ordinance; County Noise Ordinance.</p>				
13.c. For a project located within the vicinity of a private airstrip or an airport land use			X	

<p>plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, exposure to people residing or working in the project area to excessive noise levels?</p>				
<p>Discussion: Location of child care centers near San Francisco International Airport and Half Moon Bay Airport is restricted by the applicable Airport Land Use Plan. The Half Moon Bay Airport Land Use Plan (HMB ALUCP) calls out as a prohibited use in Runway Safety Zones 1 through 5 "children's schools, child care centers, and libraries". These safety zones encompass a majority of Princeton to the south and a majority of the residential area of Moss Beach to the north of the airport both west and east of Highway 1. Zone 6 is the Airport property. In Zone 7, including areas of El Granada and Montara, the HMB ALUCP allows child care centers but restricts the density of such areas to no more than 300 persons per acre or approximately 34.4 persons per 5,000 sq. ft.</p> <p>The Airport Land Use Plan for San Francisco International Airport prohibits child care centers in areas above 65dB CNEL, including the California Golf Club property and areas of Country Club Park.</p> <p>The Ordinance would require all child care center projects to comply with the applicable Airport Land Use Plan.</p> <p>Source: Half Moon Bay Airport Land Use Plan; San Francisco International Airport Land Use Plan</p>				

<p>14. POPULATION AND HOUSING. Would the project:</p>				
	<p><i>Potentially Significant Impacts</i></p>	<p><i>Significant Unless Mitigated</i></p>	<p><i>Less Than Significant Impact</i></p>	<p><i>No Impact</i></p>
<p>14.a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</p>			<p>X</p>	
<p>Discussion: As discussed in Section D.11.c, the Ordinance would not result in development that would induce substantial unplanned population growth in an area, either directly or indirectly. The goal of the Ordinance is to ease the provision of child care services in the County, as the demand for such services by existing residents is not met with sufficient supply.</p> <p>The Ordinance references density bonus programs established by California Government Code, such as Section 65915(h) and a floor area bonus for Commercial and Industrial projects including a child care facility consistent with the Section 65917.5 of California Government Code. The Ordinance would provide a floor area bonus equivalent to the size of the child care center and a 50% parking waiver as an incentive for eligible businesses to provide an on-site child care center. The Ordinance would provide an additional density credit or a density bonus of 10% (whichever is greater), floor area bonus equivalent to the size of the child care center, and 50% parking waiver for eligible transit-oriented development projects to provide an on-site child care centers. These incentives cannot be combined with State incentives and would allow for a minimal increase in the maximum dwelling units/acre for the site as established by the zoning district and/or land use</p>				

designation of the General Plan, as well as a minimal increase in the maximum floor area allowed for a zoning district. However, such projects, due to their location relative to regional transit centers and local businesses would require less parking and involve less traffic as discussed in Section D.17 of this report.

Source: Child Care Facilities Ordinance; County building permit requirements.

14.b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	
------------------------------------------------------------------------------------------------------------------------------------	--	--	---	--

Discussion: The goal of the Ordinance is to ease the provision of child care services in the County, as the demand for such services by existing residents is not met with sufficient supply. To this end, the Ordinance would allow for the conversion of a portion of multiple-family residential buildings and single-family residences, subject to parcel size criteria and enrollment limits, to child care center uses. While the Ordinance may displace some existing people or housing, a high displacement level (such that would necessitate the construction of replacement housing elsewhere) is not anticipated, as the economic value of housing is still substantially higher than the economic value of child care services, where the high cost of land in the Bay Area will continue to limit the economic viability of establishing new child care centers. Acknowledging this, the Ordinance includes incentive programs to housing developers to incorporate child care centers into eligible housing development, providing additional density credits and floor area bonuses for the development of additional housing units to offset floor area and parking used by the child care center in such projects.

Source: Child Care Facilities Ordinance; County Zoning Regulations.

15. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
15.a. Fire protection?			X	
15.b. Police protection?			X	
15.c. Schools?				X
15.d. Parks?				X
15.e. Other public facilities or utilities (e.g., hospitals, or electrical/natural gas supply systems)?			X	

Discussion: The Ordinance is intended to ease the establishment of child care centers within already populated areas and such centers would serve the existing population of the area. The Ordinance would ease regulations pertaining to the reuse of existing buildings and facilities, limited expansion of such buildings, or construction of new small buildings (only outside of the Coastal Zone), based on CEQA and CDP exemption criteria (as applicable) and Ordinance criteria.

While sewer and water demand may increase as a result of new child care center development, capacity in these areas is likely to accommodate such an increase due to the existing land uses in these areas. Also, capacity for such projects would be reviewed at the building permit stage with review by applicable sewer and water districts or County Environmental Health Services. Therefore, the Ordinance would not likely result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services.

All other child care center development scenarios would require a Use Permit with a discretionary process, where current requirements pertaining to child care centers, CEQA and public noticing, would continue to apply. Such projects would undergo a separate review process once an application has been received.

The Ordinance references density bonus programs established by California Government Code, such as Section 65915(h) and a floor area bonus for Commercial and Industrial projects including a child care facility consistent with the Section 65917.5 of California Government Code. The Ordinance would provide a floor area bonus equivalent to the size of the child care center and a 50% parking waiver as an incentive for eligible businesses to provide an on-site child care center. The Ordinance would provide an additional density credit or a density bonus of 10% (whichever is greater), floor area bonus equivalent to the size of the child care center, and 50% parking waiver for eligible transit-oriented development projects to provide an on-site child care centers. These incentives cannot be combined with State incentives and would allow for a minimal increase in the maximum dwelling units/acre for the site as established by the zoning district and/or land use designation of the General Plan, as well as a minimal increase in the maximum floor area allowed for a zoning district. However, while such projects would increase fire, police, and public utilities demand for those properties, service capacity for such projects would be reviewed at the building permit stage by applicable districts and review agencies.

Source: Child Care Facilities Ordinance; County Zoning Regulations; County building permit requirements.

16. RECREATION. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
16.a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	

Discussion: The Ordinance would not result in an increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The Ordinance is intended to ease the establishment of child care centers within already populated areas and such centers would serve the existing population of the area. Also, while nearby parks may be utilized by child care centers, the centers also provide on-site recreational facilities.

Source: State standards for child care centers.

16.b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	---	--

Discussion: For the reasons provided in Section D.16.a, the adoption of the Ordinance would not require the construction or expansion of recreational facilities that would have an adverse physical effect on the environment.

Source: Child Care Facilities Ordinance; Local Coastal Program; County building permit requirements.

17. TRANSPORTATION. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
17.a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and parking?			X	

Discussion: The project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and parking. The main goal of the Ordinance is to ease the establishment of more child care centers in the unincorporated County particularly new child care centers close to residential areas, employment centers, and transit centers, thereby reducing vehicle travel miles for residents and workers in the County to access child care services. A reduction in vehicle travel miles would result in reduced traffic levels on regional roadways.

The Ordinance would ease regulations pertaining to the establishment of child care centers within existing disturbed or developed areas of similar use and intensity, allowing for a ministerial permit process. Such projects would not result in significant impacts to transit, roadway, bicycle and pedestrian facilities, and parking, as these properties generally include adequate access and parking facilities to accommodate such a use, which are similar to past uses of the property.

To qualify for a ministerial permit process, the child care center must meet parking requirements, as listed below:

- Parking requirements for a child care center (Primary Use): 1 parking space is required for every 4 children or 3 parking spaces for every 1,000 square feet of gross floor area, whichever is lower.
- Parking requirements for a child care center (Accessory, Affiliated Use, or located within 1/4-mile radius of a transit center): 1 parking space is required for every 8 children or 1.5 parking spaces for every 1,000 square feet of gross floor area, whichever is lower. Required parking for an accessory or affiliated child care center shall be separately identified from other on-site parking using signage or other markers and reserved for child care center use only. Bicycle racks to accommodate parking of 10 bicycles on-site shall be provided.

The parking requirements for a child care center as a primary use are based on parking demand estimates for child care centers by the 2010 Institute of Transportation Engineers Manual, where average peak period parking demand estimates are based on gross floor area (3.16 vehicles per 1,000 sq. ft. gross floor area) and per student enrolled (0.24 vehicles per student). The Ordinance would allow for parking requirements to be calculated either way, requiring compliance with the lower of the two parking estimates.

For child care centers that are accessory to a primary use, affiliated with business(es), located within 1/4-mile radius of a transit center (as defined by the ordinance), or eligible for a parking waiver as an Eligible Employment Center or Transit Oriented Development, the total required parking is reduced by 50% as a significant percentage of child care center users would work or live nearby or use regional or local transportation.

While the Ordinance would provide a streamlined ministerial process to allow for the conversion of a single-family residential use to a child care center use, subject to Ordinance criteria, permitting requirements do not change substantially from the current use permit requirement. The Ordinance would set specific parking requirements for this type of use, including one uncovered or covered parking space for every 6 children enrolled. Tandem parking spaces may be counted toward required parking.

All other child care center development scenarios would require a Use Permit with a discretionary process, where current requirements pertaining to child care center projects, CEQA and public noticing, would continue to apply. Such projects would undergo a separate review process once an application has been received.

Source: Child Care Facilities Ordinance; 2010 Institute of Transportation Engineers Manual.

<p>17.b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b) <i>Criteria for Analyzing Transportation Impacts</i>?</p> <p><i>Note to reader: Section 15064.3 refers to land use and transportation projects, qualitative analysis, and methodology.</i></p>			X	
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	---	--

Discussion: For reasons listed in Section D.17.a, the Ordinance would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b) *Criteria for Analyzing Transportation Impacts*.

Source: Child Care Facilities Ordinance; County Zoning Regulations; Parking requirements for child care centers for the Cities of Dublin, San Jose, and San Mateo.

<p>17.c. Substantially increase hazards due to a geometric design feature (e.g., sharp</p>				X
--------------------------------------------------------------------------------------------	--	--	--	---

curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				
<p>Discussion: Child care centers allowed by the Ordinance would be reviewed and modified as necessary at the building permit stage by the Department of Public Works, such that the center would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements.</p>				
17.d. Result in inadequate emergency access?				X
<p>Discussion: Child care centers allowed by the Ordinance would be reviewed and modified as necessary at the building permit stage by the applicable fire district, such that the center would not result in inadequate emergency access.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements.</p>				

18. TRIBAL CULTURAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
18.a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)				X
<p>Discussion: For reasons listed in Section D.5.a, the Ordinance would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).</p> <p>Source: New Child Care Facilities Ordinance; County Historic Preservation Ordinance.</p>				

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Subdivision (c) of Public Resources Code Section 5024.1. (In applying the criteria set forth in Subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)				X
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: This project is not subject to Assembly Bill 52 for California Native American Tribal Consultation requirements, as no traditionally or culturally affiliated tribe has requested, in writing, to the County to be informed of proposed projects in the geographic project area. The project is not expected to cause a substantial adverse change to any potential tribal cultural resources.

The Ordinance would ease regulations pertaining to the establishment of new child care centers in already developed or disturbed areas, involving reuse of existing buildings and facilities, limited expansion of such buildings, or construction of new small buildings (only outside of the Coastal Zone), based on the CEQA and CDP exemption criteria (as applicable) and Ordinance criteria.

All other child care center development scenarios would require a Use Permit with a discretionary process, where current requirements pertaining to child care center projects, CEQA and public noticing, would continue to apply. Such projects would undergo a separate review process once an application has been received.

Source: Assembly Bill 52; New Child Care Facilities Ordinance.

19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
19.a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	

Discussion: For reasons stated in Sections D.6, 10, and 15, the Ordinance would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. In general, reuse of commercial or institutional buildings or facilities as a child care center would maintain demand levels for the

above utilities and services for these buildings or facilities that are comparable to existing or past uses at the sites.

Source: Child Care Facilities Ordinance; County building permit requirements.

19.b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
--------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: Child care centers allowed by the Ordinance would be required to meet applicable County building code, local water district, and State requirements for such use.

Source: Child Care Facilities Ordinance; County building permit requirements.

19.c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: Child care centers allowed by the Ordinance would be required to meet applicable County building code, local sewer district, and State requirements for such use.

Source: Child Care Facilities Ordinance; County building permit requirements.

19.d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				X
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: Child care centers allowed by the Ordinance would be required to meet applicable County building code, local sanitation district, and State requirements for such use.

Source: Child Care Facilities Ordinance; County building permit requirements.

19.e. Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?				X
-----------------------------------------------------------------------------------------------------------------------	--	--	--	---

Discussion: Child care centers allowed by the Ordinance would be required to meet applicable County building code, local sanitation district, and State requirements for such use.

Source: Child Care Facilities Ordinance; County building permit requirements.

20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
20.a. Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
<p>Discussion: For reasons sated in Section D.9, the Ordinance would not result in development that would substantially impair an adopted emergency response plan or emergency evacuation plan.</p> <p>Source: Child Care Facilities Ordinance</p>				
20.b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
<p>Discussion: For reasons sated in Section D.9.g, the Ordinance would not exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, due to slope, prevailing winds, and other factors.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements.</p>				
20.c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
<p>Discussion: For reasons stated in Sections D.6, 10, and 15, the Ordinance would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements.</p>				
20.d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X
<p>Discussion: For the reasons stated in Sections D.7, 9, and 10, the Ordinance would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.</p> <p>Source: Child Care Facilities Ordinance; County building permit requirements.</p>				

21. MANDATORY FINDINGS OF SIGNIFICANCE.				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
21.a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
<p>Discussion: The new Child Care Facilities Ordinance would have a less than significant impact in the areas of Aesthetics, Biological Resources, Land Use/Planning, Noise, Utilities/Service Systems, Population/Housing, Recreation and Transportation, as discussed in this report. No mitigation measures are required.</p> <p>Source: New Child Care Facilities Ordinance.</p>				
21.b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X	
<p>Discussion: As the Ordinance establishes qualification for an exemption based on the categorical exemption criteria of the CEQA Guidelines and per the CDP exemption criteria in the Coastal Zone, to determine which child care center projects can proceed with a ministerial permit, the new Child Care Facilities Ordinance would have a less than significant impact in the areas of Aesthetics, Biological Resources, Land Use/Planning, Noise, Utilities/Service Systems, Population/Housing, Recreation, Public Services, and Transportation, as discussed in this report. Such impacts when combined with the impacts of past, current and future projects is also anticipated to be less than significant. No mitigation measures are required.</p> <p>Source: New Child Care Facilities Ordinance.</p>				
21.c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion: As the Ordinance establishes qualification for an exemption based on the categorical exemption criteria of the CEQA Guidelines and per the CDP exemption criteria in the Coastal Zone, to determine which child care center projects can proceed with a ministerial permit, the new Child Care Facilities Ordinance would have a less than significant impact in the areas of Aesthetics, Biological Resources, Land Use/Planning, Noise, Utilities/Service Systems, Population/Housing, Recreation, Public Services, and Transportation, as discussed in this report. Such impacts when combined with the impacts of past, current and future projects is also anticipated to be less than significant. No mitigation measures are required.

Source: New Child Care Facilities Ordinance.

SECTION E: RESPONSIBLE AGENCIES. Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
Bay Area Air Quality Management District			
Caltrans			
City			
California Coastal Commission	X		Local Coastal Program Amendment
County Airport Land Use Commission (ALUC)			
Other: _____			
National Marine Fisheries Service			
Regional Water Quality Control Board			
San Francisco Bay Conservation and Development Commission (BCDC)			
Sewer/Water District:			
State Department of Fish and Wildlife			
State Department of Public Health			
State Water Resources Control Board			
U.S. Army Corps of Engineers (CE)			
U.S. Environmental Protection Agency (EPA)			
U.S. Fish and Wildlife Service			

SECTION F: MITIGATION MEASURES

	<u>Yes</u>	<u>No</u>
Mitigation measures have been proposed in project application.	X	
Other mitigation measures are needed.		X

SECTION G: DETERMINATION (to be completed by the Lead Agency).

On the basis of this initial evaluation:

 X I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Planning Department.

 I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

 I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.



(Signature)

November 12, 2020

Camille Leung, Senior Planner

Date

(Title)

Attachments:

1. Draft Child Care Facilities Ordinance
2. Proposed Changes to County Zoning Regulations Relating to Child Care Facilities
3. Map of San Mateo County Unincorporated Areas (For Reference Only)
4. Maps of Zoning Districts Primarily Affected by the New Ministerial Process of the Child Care Ordinance (NOTE: These maps are 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 Pubic Facility structures. The maps may include

some properties unaffected by the Ordinance which do not meet the criteria of the Ordinance and do not qualify for a ministerial permit.):

a. Outside Coastal Zone

- i. *Areas Zoned or Designated by the General Plan for Institutional; Commercial; and Commercial/Residential Mixed-Use [Non-Coastal/Non-Residential] uses in the following areas:* Broadmoor, Unincorporated Colma, North Fair Oaks, Sequoia Tract, West Menlo Park, Ladera, La Honda, Emerald Lake Hills, San Mateo Highlands, and Menlo Oaks)
- ii. *Residential Zoning Districts [Non-Coastal/Residential] in the following areas:* Broadmoor, Unincorporated Colma, Country Club Park, Burlingame Hills, Palomar Park, Emerald Lake Hills, North Fair Oaks, Menlo Oaks, Sequoia Tract, San Mateo Highlands, Devonshire, West Menlo Oaks, Stanford Lands, Ladera, Sky Londa, La Honda, and Los Trancos Woods.

b. Inside Coastal Zone

- i. *Areas Zoned or Designated by the General Plan for Institutional or Commercial uses [Coastal/Non-Residential] uses in the following areas:* Montara, Moss Beach, El Granada, Rural Midcoast, Unincorporated Half Moon Bay, San Gregorio, and Pescadero.
- ii. *Residential Zoning Districts [Non-Coastal/Residential] in the following areas:* Midcoast (Miramar, El Granada, Moss Beach, Montara), San Gregorio, and Pescadero.