



BOARD OF SUPERVISORS

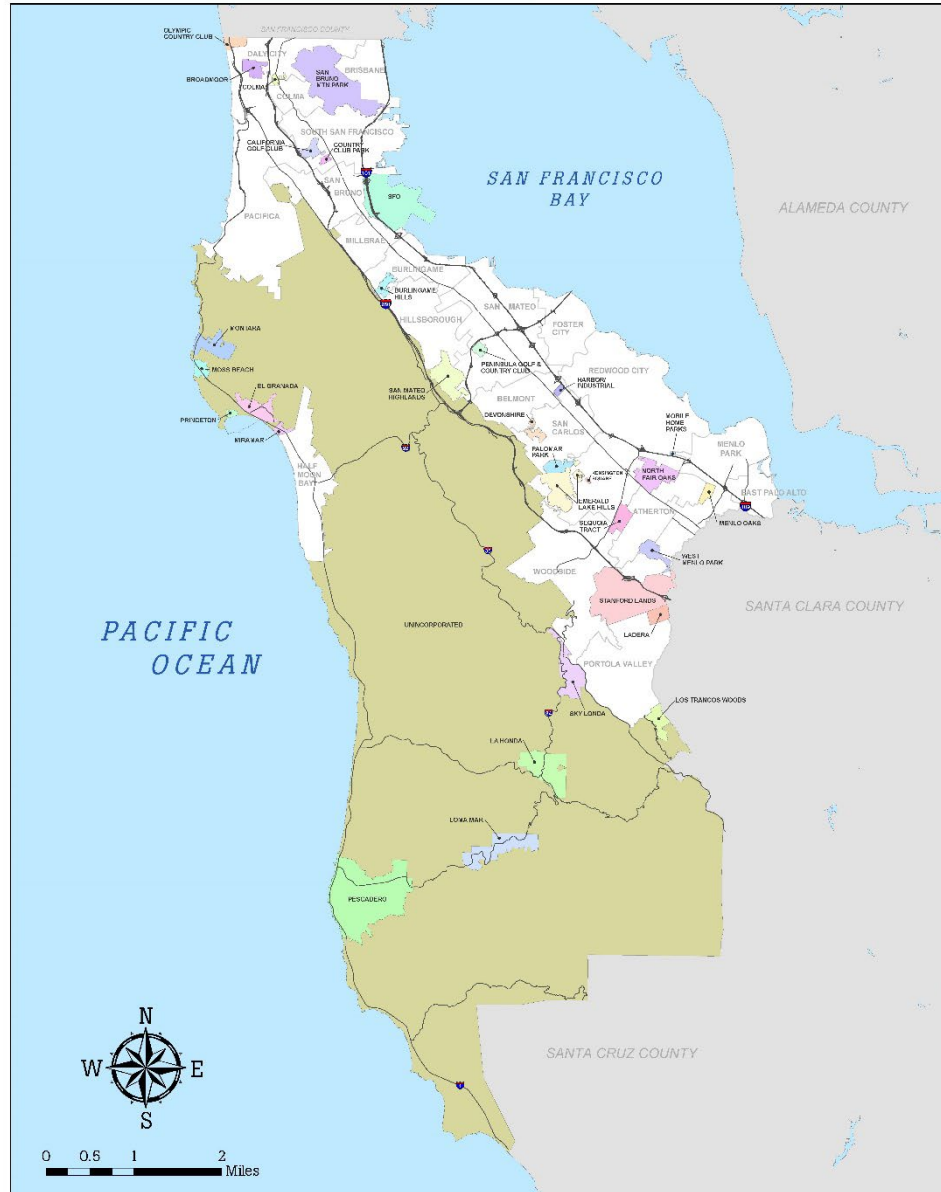
Board of Supervisors Chambers
400 County Center, Redwood City

ITEM #5

Owner: **Owners of Properties in Coastal Zone**
Applicant: **County of San Mateo**
File Number: **PLN 2020-00014**
Location: **Properties in Coastal Zone**

Project Description:

Consideration of an ordinance amending Chapter 22.2, "Child Care Centers" of the Zoning Regulations, applicable to the County's Coastal Zone, to accept and adopt modifications suggested by the California Coastal Commission



SMC Child Care Center Ordinance

Ordinance Applies to:
Unincorporated Areas of San Mateo
County; Excludes areas in City Limits

Amendment Applies to:
Area of County's Jurisdiction in Coastal
Zone only



CHRONOLOGY OF CHILD CARE CENTER ORDINANCE

- On **May 4, 2021**, the Board of Supervisors adopted the ordinance adopting a new Chapter 22.2 of the Zoning Regulations to regulate child care centers.
- On **October 14, 2022**, the CA Coastal Commission considered the County's amendments and conditionally certified the amendments, with 2 minor modifications. If the County does not accept the modifications, the Ordinance will not be certified in the Coastal Zone.
- On **January 25, 2023**, Planning Commission reviewed the Ordinance and recommended adoption by the Board of Supervisors.

CHILD CARE CENTER ORDINANCE

- Establishes **Ministerial Permit for Child Care Centers meeting criteria:**
 - Outside of Coastal Zone: Allows centers in new non-residential buildings; or within or as an addition to existing residential and non-residential buildings
 - In Coastal Zone: Allows centers within or as an addition to existing non-residential and residential buildings.
- **Maintains Use Permit process for other projects.**
 - Streamlines appeals process and eliminates Use Permit renewal requirement
- **No permits required for Small and Large Family Day Care Homes**

COASTAL COMMISSION MODIFICATION 1

1. Update **Table 2** to clearly state that a **conversion of a single-family residence** to a child care center constitutes an intensification of use requiring a Coastal Development Permit (CDP)

COASTAL COMMISSION MINOR MODIFICATION 1

- Proposed Change **Table 2: Locational Criteria for Child Care Centers (CCC):**
 - Original Ordinance allowed for Conversion of Single-Family Residence on Parcel > 10,000 sq. ft. in a Residential Zoning District to a CCC, including expansion.
 - Modification: Conversion of Single-Family Residence in a Residential Zoning District to a CCC requires a Use Permit & CDP
- No Change to Locational Criteria for Child Care Centers within Existing buildings in an Institutional or Commercial Zoning District or in an existing Institutional Building or Public Facility, including expansion.

COASTAL COMMISSION MODIFICATION 2

1. Clarify that **State density bonus law provisions** related to child care centers will only apply after submission and certification of the County's separate LCP amendment regarding density bonus provisions.

COASTAL COMMISSION MODIFICATION 2

Added language to Section 6420.5 which relates to State Density Bonus Provision:

Within the coastal zone only: State Density Bonus Law provisions associated with Zoning Regulations **Chapter 22.6 [County's Density Bonus Regulations]** (or its successor) shall only apply to child care center development if (1) Zoning Regulations Chapter 22.6 is updated and certified by California Coastal Commission after October 14, 2022*; and (2) the so certified Chapter 22.6 allows for its application to child care center development.

**October 14, 2022: Date of Coastal Commission approval of amendments, if modified by County.*

COASTAL COMMISSION MODIFICATIONS

1. If the County does not accept the modifications, the Child Care Center Ordinance will not be certified in the Coastal Zone.

ORDINANCE



RECOMMENDED ACTION:

- A. Adopt an **ordinance** amending the County Ordinance Code, Division VI, Part One (Zoning Regulations) Chapter 22.2 (Child Care Centers) to adopt the California Coastal Commission's suggested modifications, previously introduced to the Planning Commission on January 25, 2023, and waiving reading of the ordinance its entirety; and
- B. Adopt a **resolution** acknowledging receipt of the California Coastal Commission resolution of conditional certification of the County's Child Care Center Regulations; agreeing to issue Coastal Development Permits subject to the Child Care Center Regulations, and the Local Coastal Program, incorporating the California Coastal Commission's modifications; and directing submittal of the amended Child Care Center Regulations to the Executive Director of the California Coastal Commission for review.



BOARD OF SUPERVISORS

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ITEM #3

Owner: **Owners of Properties in Coastal Zone**
Applicant: **County of San Mateo**
File Number: **PLN 2020-00014**
Location: **Properties in Coastal Zone**

Project Description:

Consideration of an ordinance amending Chapter 22.2, "Child Care Centers" of the Zoning Regulations, applicable to the County's Coastal Zone, to accept and adopt modifications suggested by the California Coastal Commission

ORIGINAL TABLE 2 - Locational Criteria for a Ministerial Permit for Child Care Centers

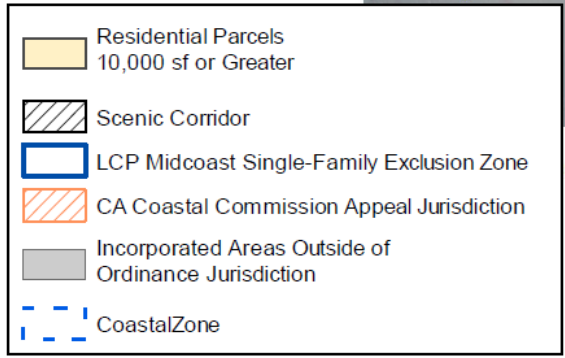
Project Types	Ministerial Permit	Use Permit and CDP
[2.] Conversion of Single-Family Residence on Parcel \geq 10,000 sq. ft. in a Residential Zoning District to a CCC, including expansion		
Parking Requirement Met: 6 children enrolled for each on-site parking space	X	
Parcel size is 10,000 sf or larger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

AMENDED TABLE 2 - Locational Criteria for a Ministerial Permit for Child Care Centers

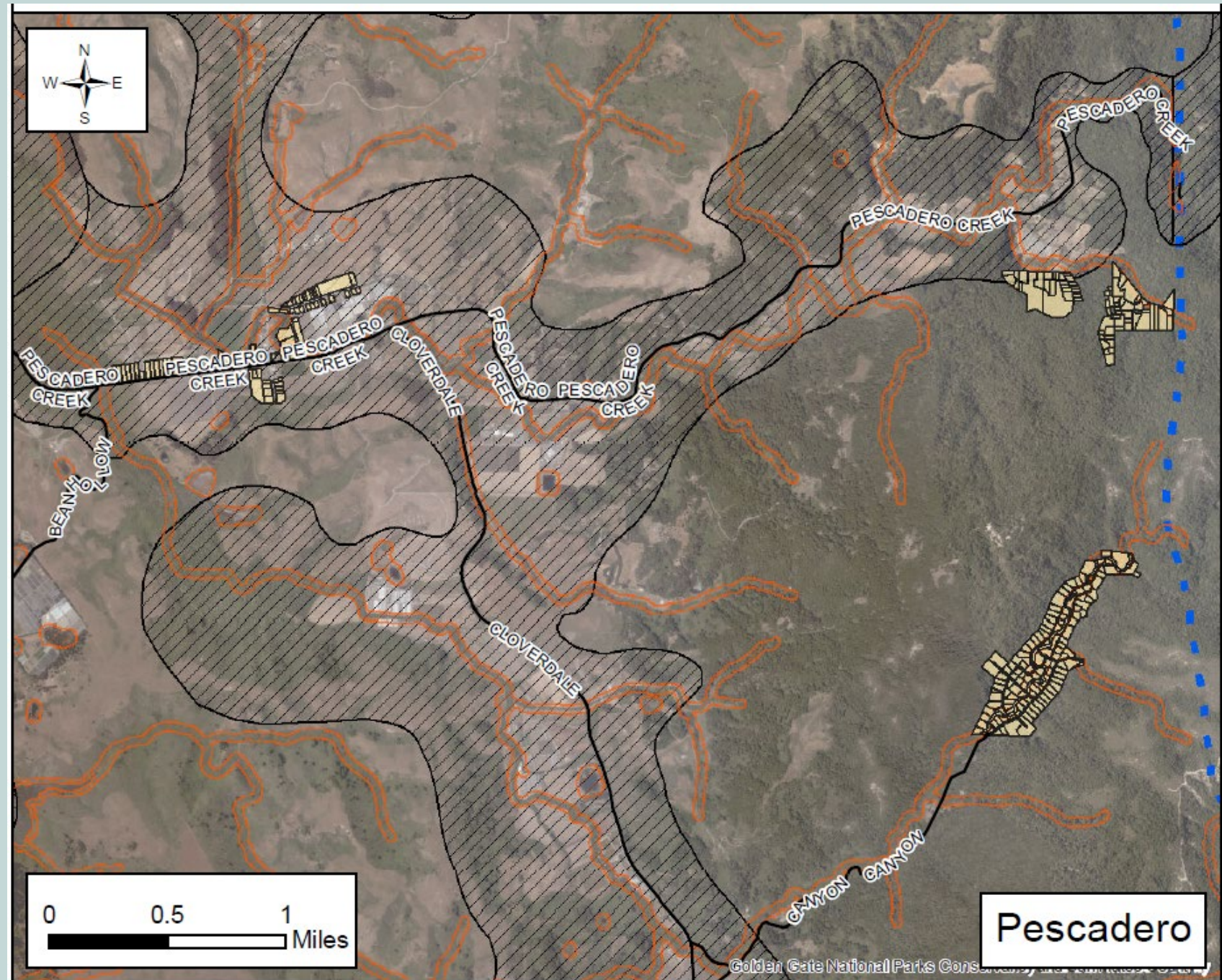
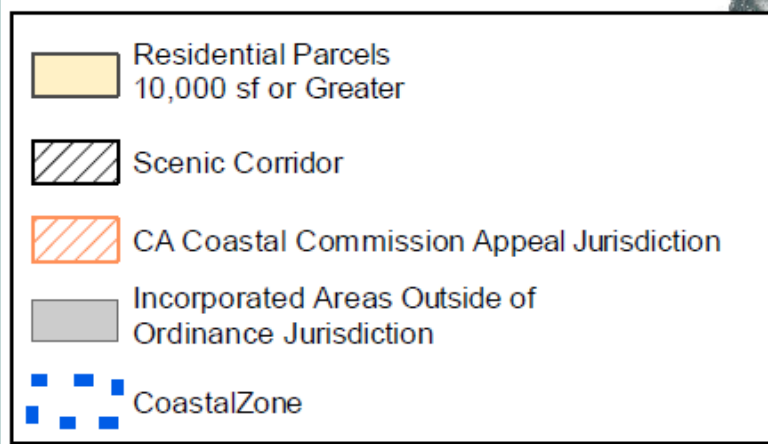
Project Types	Ministerial Permit	Use Permit and CDP
[2.] Conversion of Single-Family Residence in a Residential Zoning District to a CCC		X
[3.] New CCC building or replacement or reconstruction of an existing building		X

MIDCOAST R-1 PARCELS

10,000 SF OR LARGER

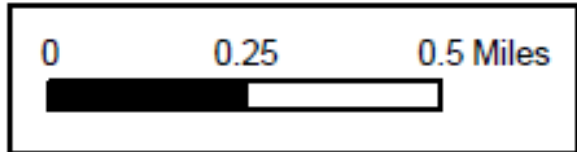


PESCADERO R-1 PARCELS 10,000 SF OR LARGER

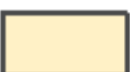






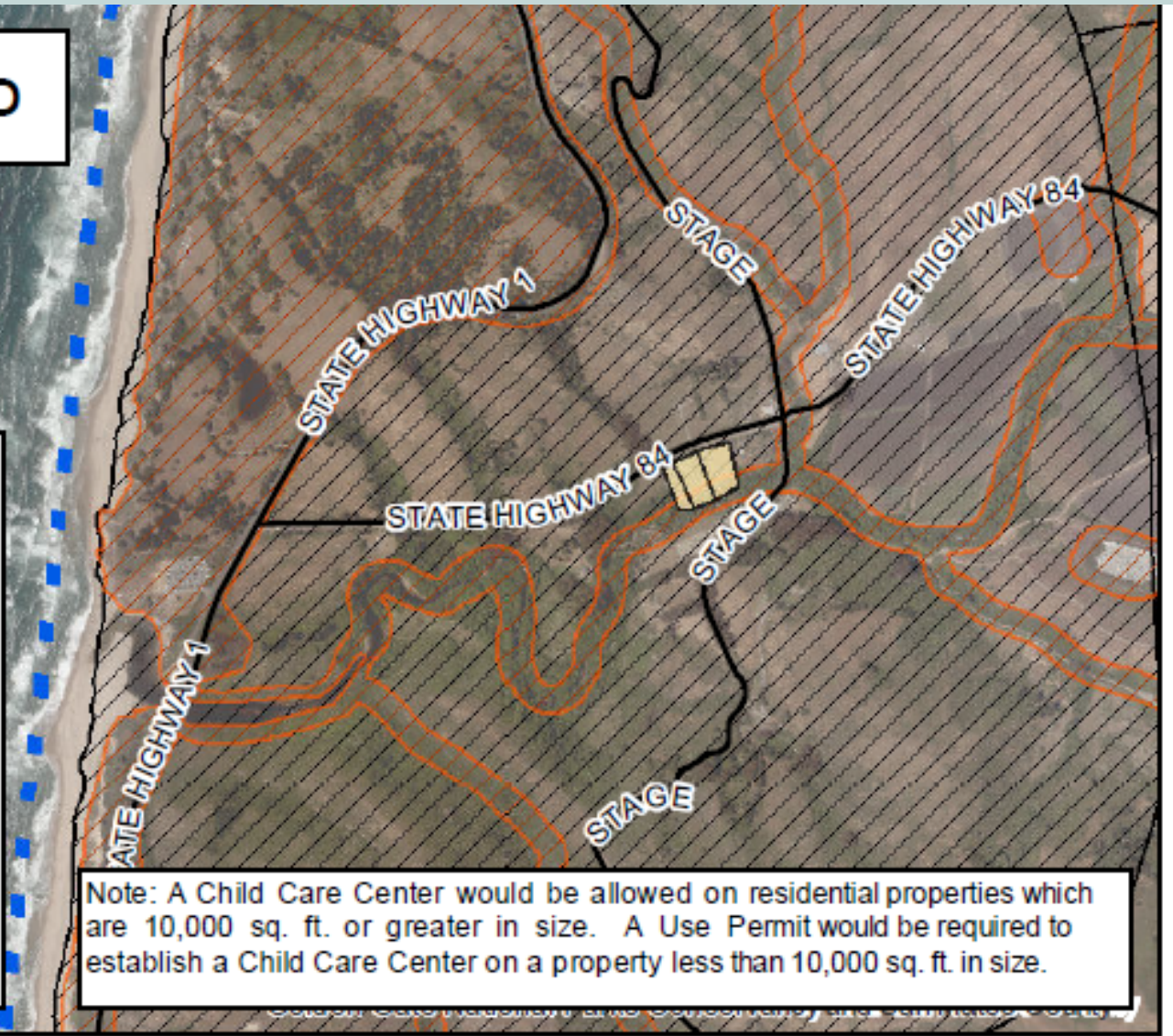
SAN GREGORIO R-1 PARCELS

10,000 SF OR LARGER

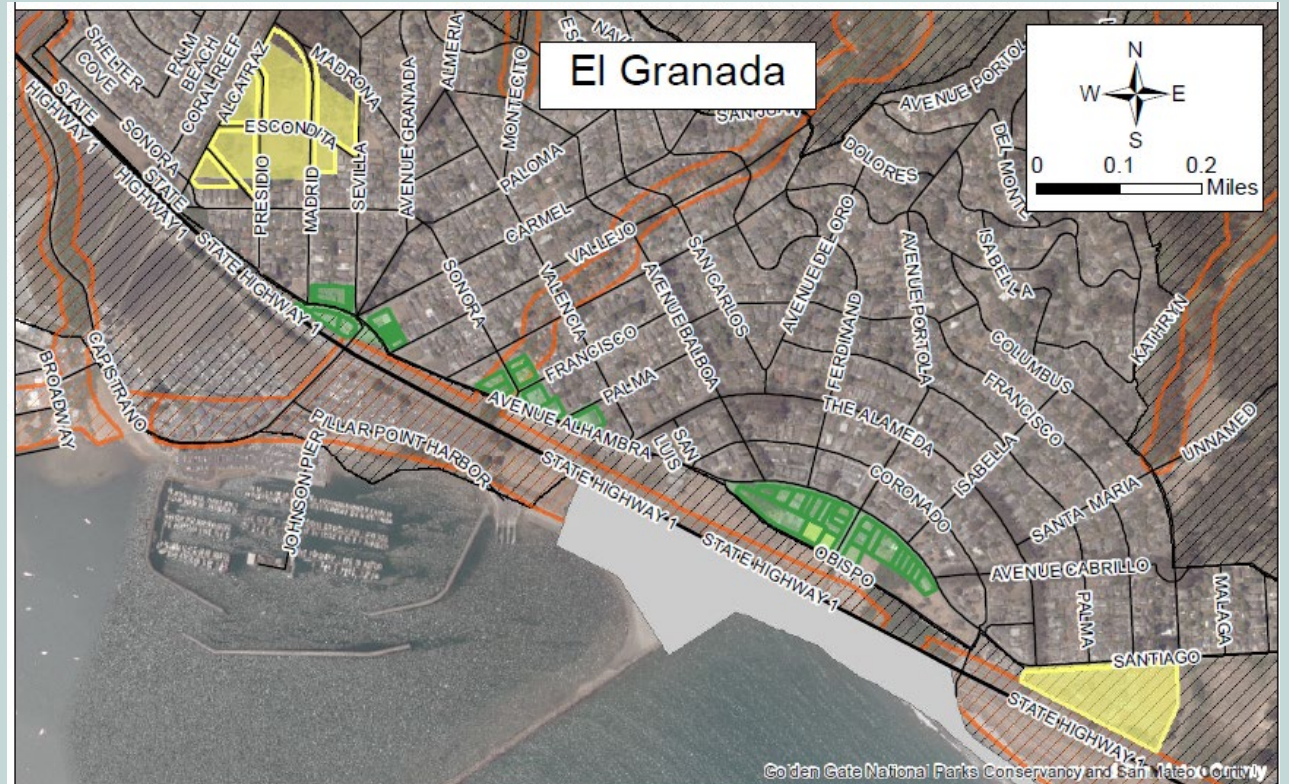
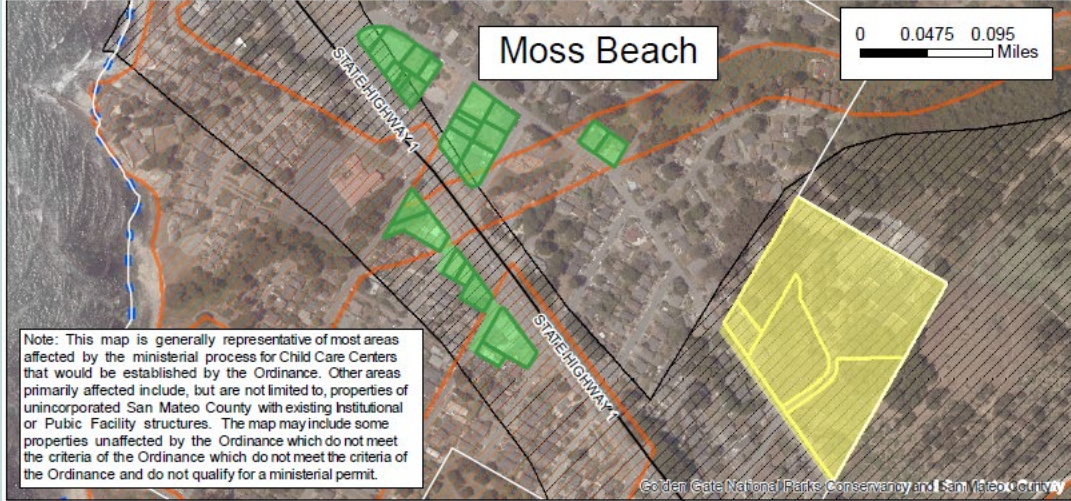
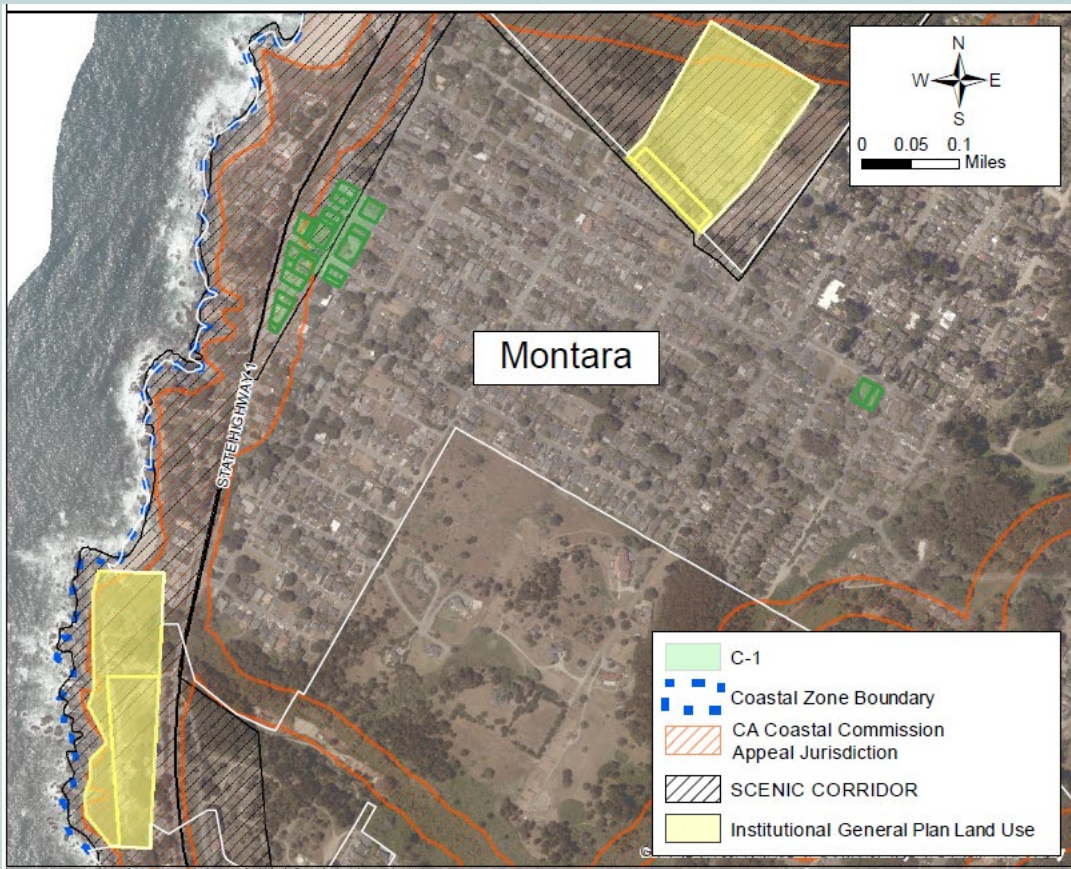


San Gregorio

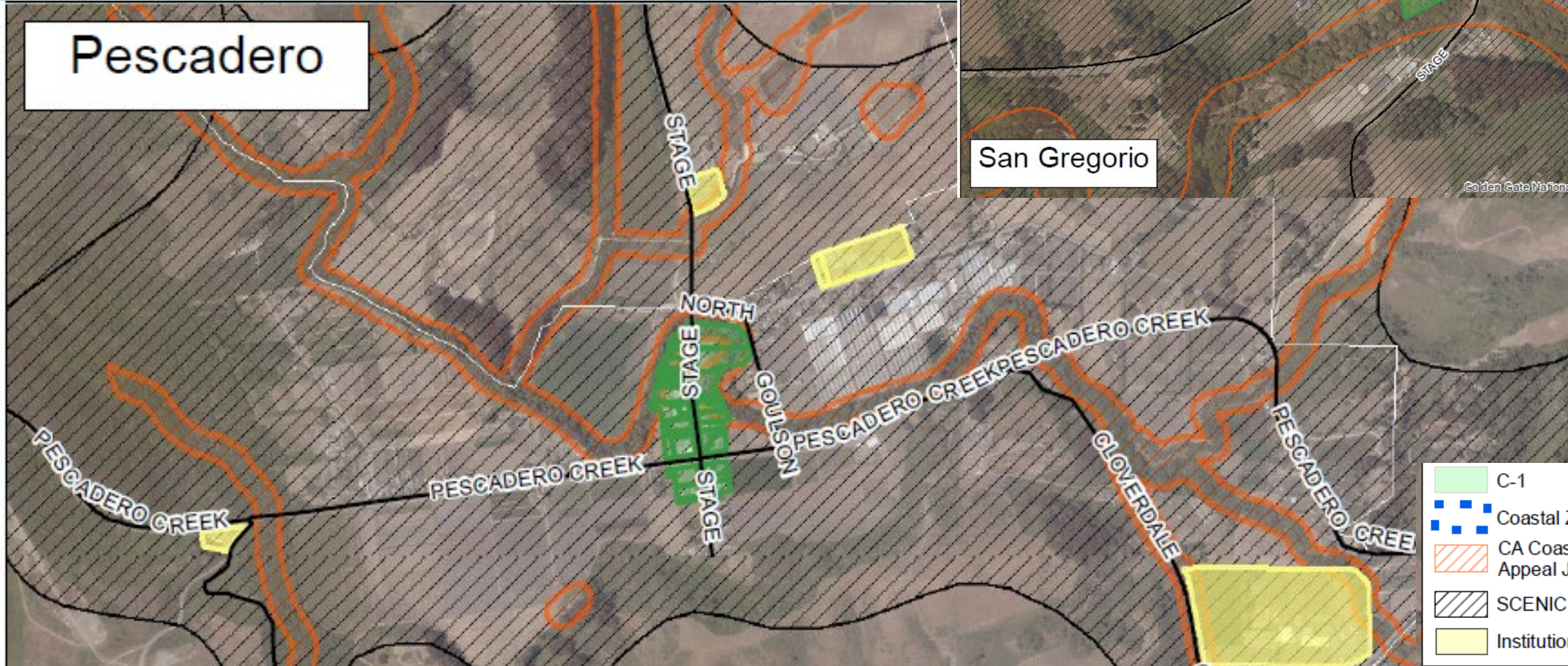
-  Residential Parcels 10,000 sf or Greater
-  Scenic Corridor
-  CA Coastal Commission Appeal Jurisdiction
-  Incorporated Areas Outside of Ordinance Jurisdiction
-  CoastalZone



Note: A Child Care Center would be allowed on residential properties which are 10,000 sq. ft. or greater in size. A Use Permit would be required to establish a Child Care Center on a property less than 10,000 sq. ft. in size.



Pescadero



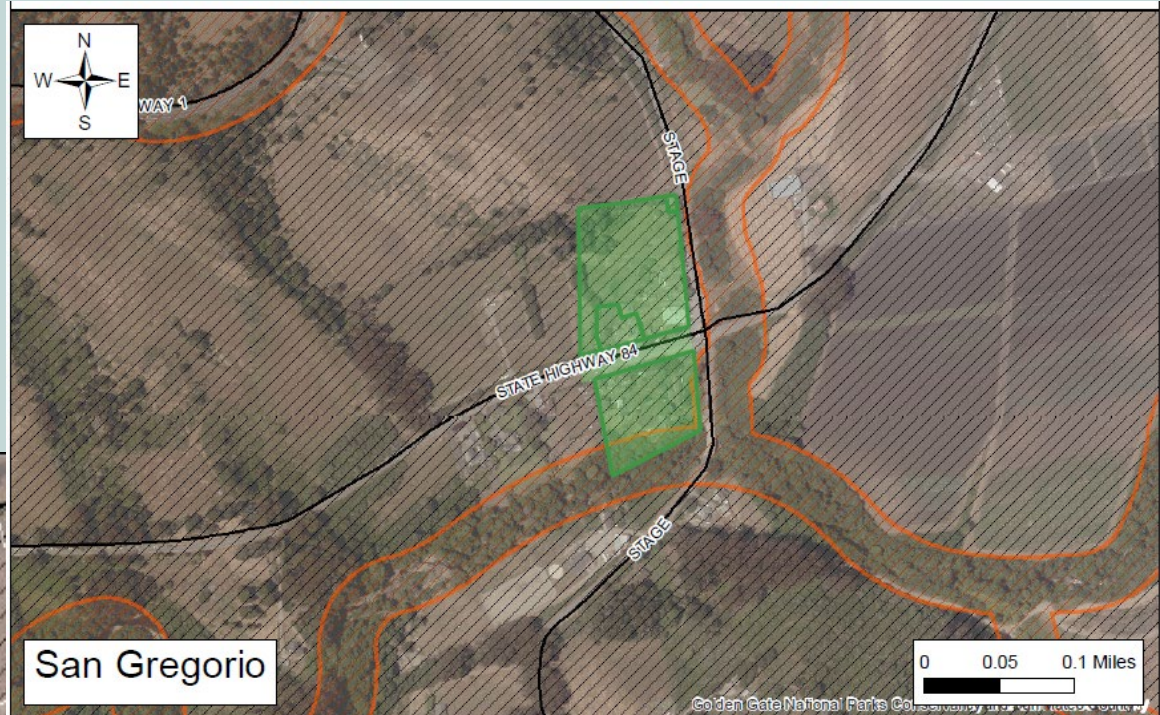
WAY 1

STATE HIGHWAY 84

STAGE

STAGE

San Gregorio



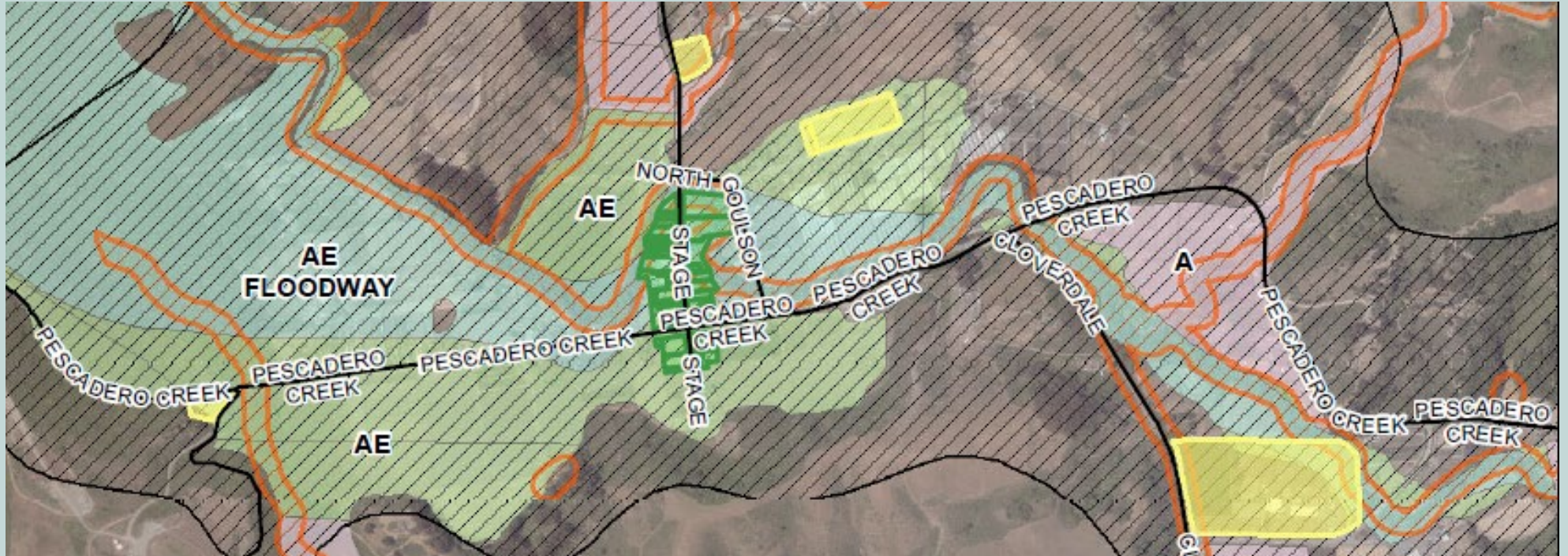
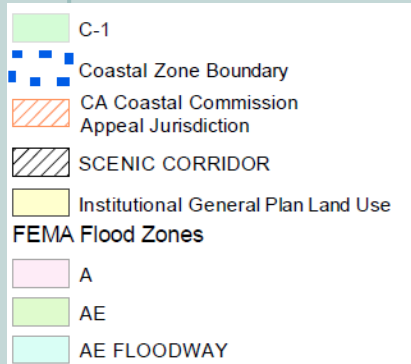
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Golden Gate National Parks Conservancy

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

BUILDINGS IN THE C-1 ZONE OF PESCADERO

Buildings on subject parcels are potentially 1-3 feet below the Base Flood Elevation (BFE)



- **INTENSIFICATION OF USE:** If the project increases the intensity of the existing use, improvements will be required to raise the floor elevation to BFE
- **SUBSTANTIAL IMPROVEMENT:** If “substantial development” (over 50% valuation) threshold is proposed, improvements will be required to raise the floor elevation to BFE+1 feet
- Evacuation plans would be required for all new child centers within the floodplain or floodway

NON-INTENSIFICATION OF USE

County does not consider the conversion of a single-family residential use to a Child Care Center (CCC) use as an “intensification of use”

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

PUBLIC ENGAGEMENT



- NEGATIVE DECLARATION
 - Public Review Period: November 12 to December 14, 2020
- RESPONSIBLE AGENCY: CA COASTAL COMMISSION
 - Presentation on November 30, 2020
- CHILD CARE PARTNERSHIP COUNCIL, San Mateo County Office of Education
 - May 21, 2018; August 14, 2018
- TRANSPORTATION WORKING GROUP, San Mateo County C/CAG
 - July 1, 2020
- MIDCOAST COMMUNITY COUNCIL - January 27, 2021
- NORTH FAIR OAKS COMMUNITY COUNCIL – January 28, 2021
- PLANNING COMMISSION – March 10, 2021

Upcoming

- BOARD OF SUPERVISORS – April/May 2021