

ORDINANCE NO. 2111

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING TITLE 19 OF THE CHULA VISTA MUNICIPAL CODE TO ESTABLISH STANDARDS FOR LARGE FAMILY DAY CARE HOMES IN SINGLE FAMILY ZONES

The City Council of the City of Chula Vista does ordain as follows:

SECTION I: That Section 19.04.094 of the Chula Vista Municipal Code is hereby amended, and Sections 19.04.093 and 19.04.095 are hereby added to read as follows:

Sec. 19.04.093            Family day care.

"Family day care" means regularly provided care, protection and supervision of 12 or fewer children in the provider's own home, for periods of less than 24 hours per days, while the parents or guardians are away.

Sec. 19.04.094            Family day care home, large.

"Family day care home, large" means a home which provides family day care to 7 to 12 children, inclusive, including children who reside at the home.

Sec. 19.04.095            Family day care home, small.

"Family day care home, small" means a home which provides family day care to six or fewer children, including children who reside at the home.

SECTION II: That Section 19.22.030 (R-E Zone) Subsection D of the Chula Vista Municipal Code is hereby amended to read as follows:

Sec. 19.22.030            Accessory uses and buildings.

D. Full-time foster homes and small family day care homes, as defined in Sections 19.04.095 and 19.04.098.

SECTION III: That Section 19.22.040 (R-E Zone) of the Chula Vista Municipal Code is hereby amended by adding a new Subsection E to read as follows:

Sec. 19.22.040 Conditional Uses.

E. Large family day care homes, subject to the provisions of Section 19.58.147.

SECTION IV: That Section 19.24.020 (R-1 Zone) Subsection D of the Chula Vista Municipal Code is hereby amended to read as follows:

Sec. 19.24.020 Accessory uses and buildings.

D. Full-time foster homes and small family day care homes, as defined in Sections 19.04.095 and 19.04.098.

SECTION V: That Section 19.24.040 (R-1 Zone) of the Chula Vista Municipal Code is hereby amended by adding thereto a new Subsection F to read as follows:

Sec. 19.24.040 Conditional Uses.

F. Large family day care homes, subject to the provisions of Section 19.58.147.

SECTION VI: That Section 19.26.040 (R-2 Zone) Subsection D of the Chula Vista Municipal Code is hereby amended to read as follows:

Sec. 19.26.040 Conditional Uses.

D. Small family day care homes, as defined in section 19.04.095.

SECTION VII: That Section 19.28.040 (R-3 Zone) Subsection H of the Chula Vista Municipal Code is hereby amended to read as follows:

Sec. 19.28.040 Conditional Uses.

H. Small family day care homes, as defined in Section 19.04.095.

SECTION VIII: That a new Section 19.58.147 is hereby added to Title 19 of the Chula Vista Municipal Code to read as follows:

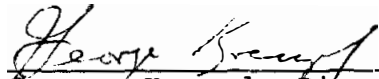
Sec. 19.58.147                      Family day care homes, large.

A large family day care home may be allowed in the R-E and R-1 zones upon the issuance of a conditional use permit by the Zoning Administrator subject to the following conditions:

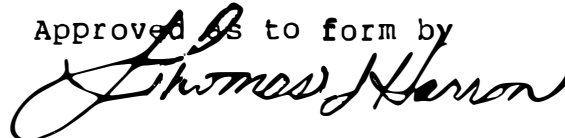
- A. Notice shall be given to properties within 300 feet of the proposed large family day care home at least ten days prior to consideration of the permit.
- B. The permit shall be considered without public hearing unless a hearing is requested by the applicant or other affected party. The applicant or other affected party may appeal the Zoning Administrator's decision to the Planning Commission.
- C. The family day care function shall be incidental to the residential use of the property.
- D. A large family day care home shall not locate within 500 feet of another such facility as measured from the exterior boundaries of the property.
- E. An area shall be provided for the temporary parking of at least two vehicles for the safe loading and unloading of children. In most cases the driveway in front of a two-car garage will satisfy this requirement.
- F. A usable rear yard play area of 1,200 sq. ft. shall be provided. Outdoor play activity shall not be allowed in the front yard and will normally not be allowed in the side yard.
- G. Play areas shall be designed and located to reduce the impact of noise on surrounding properties. The Zoning Administrator may require the installation of a six-foot high block wall around the perimeter of the rear yard to minimize noise impact.

SECTION IX: This ordinance shall take effect and be in full force on the thirty-first day from and after its adoption.

Presented by

  
\_\_\_\_\_  
George Krempf, Director of  
Planning

Approved  to form by

  
\_\_\_\_\_  
Thomas J. Harron, City Attorney

0352as

FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, HELD May 7, 19 85, AND FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD May 14, 19 85, BY THE FOLLOWING VOTE, TO-WIT:

AYES: Councilmen : McCandliss, Scott, Moore, Cox, Malcolm  
NAYES: Councilmen : None  
ABSTAIN: Councilmen : None  
ABSENT: Councilmen : None

*Gregory R. Cox*

\_\_\_\_\_  
Mayor of the City of Chula Vista

ATTEST *Jennie M. Fulasz*  
\_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) ss.  
CITY OF CHULA VISTA )

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2111, and that the same has not been amended or repealed.

DATED \_\_\_\_\_

(seal)

\_\_\_\_\_  
City Clerk

ORDINANCE NO. 2111

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
TITLE 19 OF THE CHULA VISTA MUNICIPAL CODE TO  
ESTABLISH STANDARDS FOR LARGE FAMILY DAY CARE  
HOMES IN SINGLE FAMILY ZONES


By a unanimous vote on May 14, 1985, the City Council  
placed the ordinance on second reading and adoption.

Senate Bill 163 prohibits cities from excluding large  
family day care homes (those serving from 7 to 12  
children) from single family zones. A city may  
either allow such homes as a matter of right or may  
adopt and apply certain local standards via a permit  
process.

This ordinance allows large family day care homes in  
the R-E and R-1 zones upon the issuance of a conditional  
use permit by the Zoning Administrator subject to  
certain conditions.

Copies of the ordinance are available at the office  
of the City Clerk, City Hall, 276 Fourth Avenue,  
Chula Vista, CA.

Dated: 5/16/85

  
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Jennie M. Fulasz, CMC, City Clerk