

ORDINANCE NO. 2269

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING TITLE
19 OF THE CHULA VISTA MUNICIPAL CODE PERTAINING TO
LARGE FAMILY DAYCARE PERMITS

WHEREAS, the purpose of this ordinance is to make application for large family daycare home permits as cost effective, streamlined and simple to grant as possible in order to insure adequate day care for children placed in family daycare homes while not placing an undue burden on the providers.

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

SECTION I: Sections 19.70.013 and 19.70.014 are hereby added to Chapter 19.70 to read as follows:

Sec. 19.70.013 Large Family Daycare Homes

Notwithstanding the provisions of Section 6156(y), large family daycare homes shall be permitted for a single family dwelling within an RS zone subject to approval of a large family daycare permit by the Zoning Administrator, and in compliance with the following standards:

- A. Notice shall be given to properties within 300 feet of the proposed large family daycare home at least 10 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 daycare function shall be incidental to the residential use of the property.
- D. A large family daycare home shall not locate within 1200 feet of another large family daycare facility on the same street 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. If in the opinion of the Zoning Administrator there is a potential for significant traffic problems, the Zoning Administrator shall request review of the application by the City Traffic Engineer. The City Traffic Engineer may impose accessory requirements for the daycare permit in these instances to insure maintenance of traffic safety levels within the vicinity of the home.
- G. A usable rear yard play area of 1,200 sq. ft. shall be provided. Outdoor play activity shall not be allowed in the front or exterior side yard of the home.
- H. Play areas shall be designed and located to reduce the impact of noise on surrounding properties. The Zoning Administrator may impose reasonable requirements to alleviate noise, including but not limited to installation of a 6 ft. high block wall around the perimeter of the rear yard.

Sec. 19.70.014 Large Family Daycare Homes Within Multiple Family Zones

Notwithstanding the provisions of Sections 6156(y), 2104, and 2144, large family daycare homes may be permitted for a single family dwelling within the RV, RD, RM, and RU residential zones upon issuance of a minor use permit granted by the Zoning Administrator.

SECTION II: Section 19.58.147 of Chapter 19.58 of the Chula Vista Municipal Code is hereby amended to read as follows:

Sec. 19.58.147 ~~Family ~~day/care~~ Daycare~~ Homes, Large

A large family ~~day/care~~ daycare home ~~may~~ shall be allowed in the R-E and R-1 zones, and within the PC designated RE and RS zones, upon issuance of a ~~conditional use permit~~ large family daycare permit by the Zoning Administrator, ~~subject to the following conditions~~ and in compliance with the following standards:

- A. Notice shall be given to properties within 300 feet of the proposed large family daycare home at least 10 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.

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- C. The family daycare function shall be incidental to the residential use of the property.
- D. A large family daycare home shall not locate within 1200 feet of another large family daycare facility on the same street 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. If in the opinion of the Zoning Administrator there is a potential for significant traffic problems, the Zoning Administrator shall request review of the application by the City Traffic Engineer. The City Traffic Engineer may impose accessory requirements for the daycare permit in these instances to insure maintenance of traffic safety levels within the vicinity of the home.

~~F/~~ G. A usable rear yard play area of 1,200 sq. ft. shall be provided. Outdoor play activity shall not be allowed in the front or exterior side yard of the home. ~~and normally not be allowed in the side yard.~~

~~G/~~ H. Play areas shall be designed and located to reduce the impact of noise on surrounding properties. The Zoning Administrator may ~~reasonable~~ impose reasonable requirements to alleviate noise, including but not limited to installation of a six-foot high block wall around the perimeter of the rear yard. ~~to minimize noise impact.~~

SECTION III: Section 19.22.030, Subsection G, of Chapter 19.22 of the Chula Vista Municipal Code is hereby amended to read as follows:

Sec. 19.22.030 Accessory Uses and Buildings.

G. Large family daycare homes subject to the provisions of Section 19.48.147.

SECTION IV: That Section 19.22.040, Subsection E, of Chapter 19.22 of the Chula Vista Municipal Code, is hereby repealed.

Sec. 19.22.040 Conditional Uses.

~~E/ Large family daycare homes subject to the provisions of Section 19.48.147.~~

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SECTION V: That Section 19.24.030 of Chapter 19.24 of the Chula Vista Municipal Code is hereby amended by adding a new Subsection J to read as follows:

Sec. 19.24.030 Accessory Uses and Buildings.

J. Large family daycare homes subject to the provisions of Section 19.58.147.

SECTION VI: That Section 19.24.040, Subsection F, of Chapter 19.24 of the Chula Vista Municipal Code is hereby repealed.

Sec. 19.24.040 Conditional Uses.

~~F. Large family daycare homes subject to the provisions of Section 19.58.147.~~

SECTION VII: That Section 19.26.040 of Chapter 19.26 of the Chula Vista Municipal Code is hereby amended by adding a new Subsection E to read as follows:

Sec. 19.26.040 Conditional Uses.

E. Large family daycare homes as defined in Section 19.04.094, within a single family dwelling.

SECTION VIII: That Section 19.28.040 of Chapter 19.28 of the Chula Vista Municipal Code is hereby amended by adding thereto a new Subsection K to read as follows:


Sec. 19.28.040 Conditional Uses.

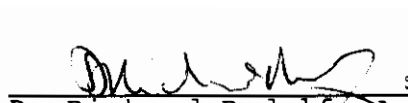
K. Large family daycare homes as defined in Section 19.04.094, within a single family dwelling.

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

Presented by

Approved as to form by


George Krempel, Director of Planning
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 5/17/11
D. Richard Rudolf, Assistant City Attorney

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FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY CHULA VISTA, CALIFORNIA, HELD May 10, 19 88, AND FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD May 17, 19 88, BY THE FOLLOWING VOTE, TO-WIT:

YES: Councilmen Moore, Malcolm, Nader
AYES: Councilmen None
ABSTAIN: Councilmen None
ABSENT: Councilmen Cox, McCandliss

Gregory R. Cox
Mayor of the City of Chula Vista

TESTE 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. 2269, and that the same has not been amended or repealed.

DATED _____



City Clerk