

ORDINANCE NO. 2094

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDLANDS AMENDING CHAPTER 18.156 OF THE REDLANDS MUNICIPAL CODE BY ADOPTING AMENDMENT NO. 198 RELATING TO LARGE FAMILY DAY CARE, INCLUDING ELDERLY DAY CARE, USES.

R.P.C. NO. 744

THE CITY COUNCIL OF THE CITY OF REDLANDS does ordain:

SECTION ONE: That Chapter 18.156 pertaining to Development Provisions for Specific Uses be amended as follows:

FAMILY DAY CARE PERMITS
CHILDREN AND ADULTS

Chapter 18.08 DEFINITIONS AND CONSTRUCTION

18.087.77 DAY CARE CENTER

"Day Care Center" means any child day care facility other than a small or large family day care home, and includes infant center, preschools and extended child day care facilities providing non-medical care and supervision of clients in need of supervision and assistance essential for sustaining the activities of daily living and protection of the individual on less than a 24-hour basis.

Chapter 18.156 DEVELOPMENT STANDARDS FOR SPECIFIC USES
SECTION: ARTICLE XII FAMILY DAY CARE HOMES

18.156.570 Purpose of Provisions

The Council finds that affordable, quality licensed child and adult care within the City of Redlands is critical to the well-being of relations, parents, children, and adults in need of supervision. Further, it is the purpose of this article to facilitate the establishment of licensed Family Day Care Homes in the City of Redlands in a manner which simplifies the review and approval process while ensuring conformance with applicable standards to protect residential neighborhoods.

The Council finds that regulation of such facilities is necessary in order to ensure that these facilities will provide a safe client environment while not creating any adverse effects on surrounding properties nor contributing to a general decline of existing single family neighborhoods.

18.156.580 Definitions

As used in this article:

- A. "Provider" means a person who operates a Family Day Care Home.
- B. "Day Care Client" means a child or adult who is receiving care and supervision in a Family Day Care Home or Day Care Center.

- C. "Large Family Day Care Home" means a home which serves as the provider's principal place of residence and which incidentally provides non-medical care, protection, and supervision of:
1. Seven to 12 children under the age of 18 (including those children of the provider or other staff members under the age of 10 who are present), or
 2. Seven to 12 adults in need of and actually receiving care.
- D. "Small Family Day Care Home" means a home which serves as the provider's principal place of residence and which incidentally provides non-medical care, protection and supervision of:
1. Six or fewer children (including those children of the provider and other staff members under the age of 10 who are present), or
 2. Six or fewer adults in need of care and supervision including residents.

18.156.590

APPLICATION REQUIREMENTS

- A. A small Family Day Care Home is a permitted use in any residential zoning district of the City as an accessory use to a principal residential use and shall be exempt from business taxes, local registration fees, use permit fees and fire inspection fees provided that the use complies with all of the standards defined in Section 18.156.610.
- B. Large Family Day Care Home is a permitted use in any single family residential zoning district subject to the approval of a Conditional Use Permit. The use shall be exempt from business taxes, local registration fees, use permit fees and fire inspection fees provided it complies with all applicable standards. The process and required findings shall be those in Section 18.192 unless otherwise stated here.
1. The prospective provider shall submit a completed application to the Planning Department for a Conditional Use Permit.
 2. Once the application is deemed complete the Department shall prepare a notice to all property owners within 100 feet of the proposed site and mail it at least 10 calendar days in advance of a decision by the Community Development Administrator.
 3. The applicant or an interested party may request a public hearing in writing. If no public hearing is requested, then the Community Development Administrator shall approve, conditionally approve, deny or forward to the Planning Commission a request based on the required findings for a Conditional Use Permit.
 4. The decision of the Community Development Administrator shall be final unless appealed to the Planning Commission within 10 days. Upon appeal, the Planning Commission shall conduct a public hearing and

make a final decision to approve, conditionally approve or deny. Planning Commission decisions may be appealed to the City Council.

18.156.610

DEVELOPMENT STANDARDS

A. FAMILY DAY CARE HOMES

1. All Family Day Care Homes shall secure and maintain a valid license from the State of California, Department of Social Services.
2. All Family Day Care Homes shall notify the Police Department of the clientele and capacity for which they are licensed for the purpose of registering the information on the City's Emergency Response System.

B. LARGE FAMILY DAY CARE HOMES

1. No structural changes are permitted which will alter the character of the residential neighborhood, with the possible exception of a wheelchair ramp and rails in the case of an adult care facility. No signs shall be permitted.
2. Each site shall provide a minimum of one on-site parking space per employee or adult supervisor in addition to the required residential parking requirements. A driveway area may be accepted if it does not interfere with the provision of a safe client drop-off/pick-up or encroach on a public sidewalk.
3. Safe client drop-off/pick-up shall be provided. Sites taking access from a major or secondary arterial street must provide circulation that does not back onto the street. The City may also require this for sites taking access from a collector street or other hazardous street.
4. In the case of a day care home for adults, a useable outdoor recreation area shall be provided behind the front yard setback with a minimum dimension of 15 feet and at least 75 square feet per client. In the case of a large family day care home for children, a rear yard open space shall be provided in accordance with Section 18.152.070.G.1 and Section 18.152.070.G.3.
5. Large Family Day Care Homes shall not be located within 300 feet of any two existing day care centers or Large Family Day Care Homes unless special circumstances are shown whereby the area will not be adversely impacted by noise, traffic or any other harm to the general welfare.
6. The provider shall comply with all applicable requirements of the Fire Department and the State Fire Marshall regarding health and safety requirements. These requirements shall include but are not limited to smoke detectors, fire extinguishers, and qualified adult supervision at all times. The annual inspection by the Fire Department is required.
7. The required findings listed in Section 18.192.070 are applicable to Large Family Day Care Homes.

8. The Community Development Administrator or Commission may impose conditions of approval necessary to mitigate noise, traffic, or parking generated by the proposal.
9. Large Family Day Care Home Permits shall be unique to other Conditional Use Permits in that off-site improvements and development impact fees shall not be required in excess of that of the principal residential use unless the City Engineer or Utilities Director finds that there is a specific health or safety need created or worsened by the proposed use.

SECTION TWO: This ordinance shall be in force and take effect as provided by law.

SECTION THREE: The Deputy City Clerk shall certify to the adoption of this ordinance and cause it to be published once in the Redlands Daily Facts, a newspaper of general circulation printed and published in this City.

Carl Desnick
Mayor of the City of Redlands

ATTEST:

Beatrice Sanchez
Deputy City Clerk

I, Beatrice Sanchez, Deputy City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 17th day of October, 1989, by the following vote:

AYES:	Councilmembers Wormser, DeMirjyn, Cunningham, Larson; Mayor Beswick
NOES:	None
ABSENT:	None

Beatrice Sanchez
Deputy City Clerk