

(O-87-257)

ORDINANCE NUMBER O- 16950 (NEW SERIES)

ADOPTED ON OCT 12 1987

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE BY
ADDING SECTION 101.0580 RELATING LARGE FAMILY
DAY CARE PERMIT.

BE IT ORDAINED, by the Council of The City of San Diego, as
follows:

Section 1. That Chapter X, Article 1, Division 5, of the San
Diego Municipal Code be and the same is hereby amended by adding
Section 101.0580 to read as follows:

SEC. 101.0580 LARGE FAMILY DAY CARE PERMIT

A. PURPOSE AND INTENT

A large family day care permit is a nondiscretionary,
administrative permit for day care providers within the
single-family (R1) zones caring for seven (7) to twelve (12)
children in the provider's residence, including children residing
at the home, for periods of less than twenty-four (24) hours per
day. The City of San Diego shall rely upon adherence to all
State of California Department of Social Services requirements
for large family day care centers.

B. APPLICATION - FORM AND CONTENT

Application for a large family day care permit shall be made
by the owner or lessee of the property. The application shall be
filed with the Planning Department upon forms provided. The
application shall state fully the circumstances and conditions

relied upon as grounds for the application and shall be accompanied by a legal description of the property involved, adequate site development plans and building floor plans in sufficient detail to indicate all the following:

1. Location of all on-site and street parking spaces available;
2. Location of outside play area to be used for day care purposes; and
3. Location and heights of all walls and fences in the yard area, including gate locations and type of fence materials.

C. EVALUATION

In evaluating the request, the Zoning Administrator shall assess compliance of a large family day care proposal with the following standards set forth in this section. After considering the facts presented in the application, a permit shall be issued if it is concluded that:

1. The proposal adheres to all State of California Department of Social Services requirements for large family day care centers;
2. The proposed use will comply with all the relevant regulations in this Code;
3. The large family day care center is not within three hundred (300) feet of any other such licensed facility, unless topography constraints and/or arterial roadways separate neighborhoods; and

4. The City's Fire and Building Inspection Departments approve clearance for a large family day care center within the single-family structure.

D. STANDARD REQUIREMENTS

1. All outdoor play areas shall be enclosed by a natural barrier, wall, solid fence or other solid structure having a minimum of six (6) feet in height and shall additionally conform to standards and requirements set forth in Section 101.0620 of this Code.

2. All outdoor play areas shall be adequately separated from vehicular circulation and parking areas.

3. No portion of a day care center site may be located within three hundred (300) feet of gasoline pumps, underground gasoline storage tanks, or any other storage area for explosive materials.

4. Garages shall be prohibited for use as a family day care use unless it is established that all proposals that include the use of the garage shall not cause the elimination of required off-street parking.

5. The single-family dwelling proposed to be used for the day care center shall be:

a. Provided with a minimum of two (2) on-site parking spaces observing all requirements of Division 8 of this Article. There shall exist one (1) off-street parking space available per employee.

b. Occupied and used for residential use purposes concurrently with day care use.

6. There shall exist an adequate area located in front of the home for temporary automobile parking where children may be safely loaded and unloaded, such as the driveway, approved parking area, or directly in front of the facility.

7. There shall be one (1) wall or free standing sign with a maximum area of eight (8) square feet permitted for identifying the day care operation.

8. All noise generated by the large family day care center activity shall conform to the noise standards and requirements set forth in Section 59.5.0101 of this Code.

9. The City's Fire Department and/or Building Inspection Department shall conduct an on-site inspection which includes, but is not limited to, the following:

a. Gas water heaters, to insure proper ventilation and for permanent installation that is safe from children.

b. Fire extinguisher or smoke detector device, or both, which meets standards established by the State Fire Marshal.

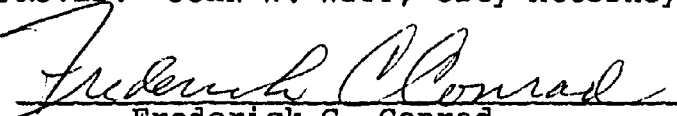
c. Iceboxes, to insure that they are properly sealed shut if not in use and/or contain a locking device if in use.

d. All potential fire/safety hazards that may endanger the children at the large family day care center.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By



Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:600
06/24/87
Or.Dept:Plan.
O-87-257
Form=o.code

Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

OCT 12 1987

| Council Members | Yeas | Nays | Not Present | Ineligible |
|------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Abbe Wolfsheimer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bill Cleator | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Gloria McColl | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| District 4 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ed Struiksma | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mike Gotch | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Judy McCarty | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Celia Ballesteros | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Maureen O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

VACANT

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Maybell G. Portenow*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

SEP 22 1987

OCT 12 1987

....., and on

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Maybell G. Portenow*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16950

OCT 12 1987

Adopted

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1987 NOV -3 AM 11:41
SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: MAYDELL L. PONTECORVO

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE

ORDINANCE NUMBER O-16950 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0580 RELATING TO LARGE FAMILY DAY CARE PERMIT.

This ordinance amends the Municipal Code by adding thereto Section 101.0580 Large Family Day Care Permit, which section establishes the procedures for obtaining a permit to operate a large family day care center serving not to exceed 12 children. The section provides development and locational criteria used to evaluate an application for a permit.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

INTRODUCED ON SEPTEMBER 22, 1987

Passed and Adopted by the Council of The City of San Diego on OCTOBER 12, 1987

AUTHENTICATED BY: MAUREEN O'CONNOR

Mayor of The City of San Diego, CA

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, CA

by MAYDELL L. PONTECORVO, Deputy

(SEAL)

Pub: October 29

94291

I, THOMAS D. KELLEHER, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-16950 (NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

OCT. 29

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 29 day of OCT., 19 87.

Thomas D. Kelleher

(Signature)

26 Lines x .98 x 2 = \$50.96
(2.5 x 10.75 x 2 = \$53.50)