

RESOLUTION NUMBER R- **316234**

DATE OF FINAL PASSAGE **JUN 05 2025**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO SUPPORTING CALIFORNIA ASSEMBLY
BILL 752 RELATING TO CHILD DAYCARE FACILITIES,
FOR THE 2025-2026 CALIFORNIA LEGISLATURE
REGULAR SESSION.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. Affordable and accessible childcare is critical to San Diego families and the local economy. Yet, zoning and regulatory restrictions often limit where childcare providers can operate, especially in dense urban areas.

B. The California Child Day Care Facilities Act governs the licensure, maintenance, and operation of daycare centers and family daycare homes. Under existing law, the use of a home as a small or large family daycare home is considered a residential use of property and a use by right for the purposes of all local ordinances, including zoning ordinances, and a local jurisdiction is prohibited from imposing a business license, fee, or tax for the privilege of operating a small or large family daycare home. Existing law also exempts small and large family daycare homes from the provisions of the California Environmental Quality Act (CEQA).

C. Assembly Bill 752 (AB 752), authored by Assembly Member Ávila Farías, seeks to extend similar protections to daycare centers that are colocated with multifamily housing or legally established community amenities, such as community centers, public recreational facilities, public parks, places of worship, schools, and libraries.

D. AB 752 would add Section 1597.22 to the California Health and Safety Code, and would require a daycare center, when colocated with multifamily housing or legally established community amenities, to be considered a residential use of property and a use by right for the purposes of all local ordinances. The bill would similarly prohibit local jurisdictions from imposing a business license, fee, or tax for the privilege of operating a daycare center that is colocated with multifamily housing or legally established community amenities and would exempt a daycare center colocated with multifamily housing or legally established community amenities from the provisions of CEQA.

E. AB 752 preserves local authority to apply building codes, health and safety rules, and other ordinances, so long as those regulations are applied equally to colocated uses.

F. The Council is committed to supporting families by increasing access to quality childcare options. Therefore, the Council formally supports AB 752 and urges the Legislature and the Governor to enact this critical legislation.

G. The Office of the City Attorney prepared this Resolution based on the information provided and verified by City staff, with the understanding that this information is complete and accurate.


ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council declares its full support for AB 752, which seeks to amend the California Health and Safety Code extending protections to daycare centers that are colocated with multifamily housing or legally established community amenities.

2. The Council requests the City's Government Affairs Department staff transmit this Resolution to the City's state lobbyists and other appropriate individuals to ensure this Resolution is received by state representatives and made part of the official record of support for AB 752.

APPROVED: HEATHER FERBERT, City Attorney

By 
David J. Karlin
Senior Deputy City Attorney

DJK:cm
April 15, 2025
Or.Dept: Council District 7
Doc. No. 4039350

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
JUN 03 2025

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 6/5/25
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 03 2025, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 05 2025.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

(Seal)

TODD GLORIA
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *Dinda Krwin*, Deputy

Office of the City Clerk, San Diego, California

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