Location: Citywide

Request for: Amendments to the Child Care regulations in the Zoning Ordinance to allow large family child care homes by right, allow child care centers with up to 60 children by right in mixed-use and commercial districts, remove requirements for child care centers to be located only alongside schools or churches in residential districts, and create parking standards for child care centers.

CEQA: The proposed changes implement the General Plan and were analyzed as part of the General Plan EIR and the California Environmental Quality Act (CEQA). Additional analysis included in attached CEQA Memo.

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Reason for the Request: Any amendment to the Zoning Ordinance requires review and recommendation by the Planning Commission prior to City Council adoption.

Key Considerations: Furthering the intent of the Zoning Ordinance and General Plan.

Public Notice: On November 20, 2020, more than ten days before to the hearing date, notice of the Planning Commission hearing was posted on the City website and placed in the San Mateo Daily Journal.

Staff Recommendation:

✓ Recommend City Council adopt the Zoning Code Amendments.
Adoption of resolution recommending City Council approval of zoning text amendments related to large family child care homes and child care centers.
BACKGROUND
The Zoning Ordinance requires regular updates to keep up with ongoing changes in the City. There are existing regulations that are no longer applicable, that require updating due to changes in State law, or that require process improvements.

On July 21, 2020, the Planning Commission held a study session to discuss potential amendments to the Zoning Ordinance, including child care-related changes and miscellaneous updates. Upon Planning Commission request, staff has split these amendments into two separate agenda items: miscellaneous updates and child care. This report addresses changes related to child care.

At the study session, staff provided an overview of the new State law requirements and provided policy questions for discussion. The following themes emerged from the study session discussion:
- As required, comply with new State law to allow large family child care homes for up to 14 children by right in all dwellings in the City.
- Support for removing the mandate for child care centers to be located within a school or church in residential districts.
- Support to allow child care centers in residential areas with a Use Permit.
- Support for considering child care by right in commercial and mixed-use districts.
- Study potential floor area incentives with commercial development at a later date.

ANALYSIS
Child care facilities include family child care homes, which are facilities located within a residence and child care centers, which are located within a standalone facility including commercial spaces. Although cities have the ability to impose regulations on these facilities, the State heavily regulates child care facilities for health and safety considerations and the City’s Fire Department ensures the site provides safe conditions for children.

Child care aligns with one of the City Council’s Strategic Initiatives (Children and Youth). Based on a 2017 Child Care Needs Assessment there is a large need for all types of child care, see Figure 1 below. In Redwood City alone, over 9,000 children below the age of 13 need child care. The intent of the proposed zoning amendments is to increase the number of viable child care locations and streamline the review process to result in more affordable child care across the City to serve local residents and people who work in Redwood City.

<table>
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<th>Age Cohort</th>
<th>No. Resident Children Needing Care</th>
<th>No. Out of County Children with Parents Working in City Needing Care</th>
<th>Total No. Estimated to Need Child Care</th>
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<td>0 – 1 year</td>
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<tr>
<td>5 – 12 years</td>
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<tr>
<td>Total</td>
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<table>
<thead>
<tr>
<th>Age Cohort</th>
<th>No. Estimated to Need Child Care</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 – 2 years</td>
<td>578</td>
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<tr>
<td>3 – 4 years</td>
<td>805</td>
</tr>
<tr>
<td>5 – 12 years</td>
<td>1,878</td>
</tr>
<tr>
<td>Total</td>
<td>3,261</td>
</tr>
</tbody>
</table>

(Source: 2017 San Mateo County Child Care Needs Assessment)
Large Family Child Care Homes
A large family child care home, or daycare, is generally limited to no more than 14 children with some variation depending on age groups. State Bill SB 234 passed last year (effective January 1st) prohibits cities from requiring a Use Permit for large family child care homes and requires Large Family Child Care Homes to be treated as a residential use of the property that does not fundamentally alter the nature of the underlying residential use. Current City regulations for large family child care homes require a Use Permit, limit permissible zoning districts, and regulate pickup and drop-off areas, outdoor play time, and playground equipment. Small family child care homes allow up to eight children and are allowed by-right in all dwellings.

The City is required to allow large family child care homes by-right in all dwellings in any zoning district to comply with State law. This would also eliminate current City regulations that allow neighbors to request a public hearing and limit the City's ability to regulate land use issues beyond building and fire safety. Staff recommends amendments allowing large family child care homes by right in all zoning districts in order to comply with State law.

Child Care Centers – Residential Zoning
A child care center is a facility that provides supervision, education, personal care, or assistance on a less than a twenty-four (24)-hour basis to children under the age 18 years of age. Current regulations require a Use Permit and public hearing to allow a child care center in conjunction with a school or church and do not allow child care centers anywhere else in lower density residential areas. A Use Permit is required for child care centers within the R-4 and R-5 zoning districts.

A child care center may operate on a school or church site to utilize the parking and open space of the facility. These centers typically operate as an accessory use to existing facilities and should not require the additional analysis demanded from a Use Permit, including centers that operate independently or during off-hours. Staff recommends allowing child care centers by right in conjunction with an existing school or church and to remove any requirements for a Use Permit.

At the study session, Planning Commissioners expressed support for also allowing child care centers in residential areas without mandating operation with an adjoining school or church. Although schools and churches contain existing facilities that are supportive to child care, they represent a proportionately small number of sites across the City's residential areas. In neighboring cities, child care centers may convert existing residential structures into child care centers. Residential structures comprise an overwhelming majority of sites located in residential districts and child care centers best serve the community when located in proximity to the users. Existing regulations, Section 31.10 of the Zoning Ordinance, require a Use Permit for the change of a residential structure to a commercial use. Staff recommends allowing child care centers in residential districts, including converted residential structures, with a Use Permit and to allow child care centers by-right when in conjunction with an adjoining school or church.

Child Care Centers – Commercial and Mixed-Use Zoning
Current regulations require a Use Permit and public hearing to allow a standalone child care center in a commercial area. Child care centers are allowed by right in commercial areas only in conjunction with an adjoining business and are required to only serve the children of employees of that adjoining business.

Planning Commissioners expressed support for allowing standalone child care centers within commercial and mixed-use areas by-right. The 2010 General Plan EIR recommends policies to encourage child care close to employment areas to offset the anticipated impacts created from new development from the General
Plan. The General Plan included Program BC-34 to explore updating Zoning Ordinance provisions regarding small child care centers up to 24 children to be located in all residential zones, however this could be applied to commercial and mixed use area which have less sensitive surroundings. Staff has interviewed child care providers and commercial realtors who have stated child care centers that only serve 24 children would not be a feasible size for successful operation and recommended the City explore a larger threshold for more viable child care centers. City staff has identified 60 children as a feasible and more appropriate threshold for child care centers and determined that these child care centers would result in limited impacts. The General Plan EIR analyzes child care as a mitigation measure to development and the increased need for public services and not as a significant overall impact (see Attachment 2 CEQA Memo for additional analysis).

The State heavily regulates child care centers for health and safety considerations and the City’s Fire Department ensures these sites provide safe conditions for children. Considering the safety regulations already in place and established General Plan policies, staff analyzed current regulations to find ways to streamline permitting of child care centers in commercial zones.

Staff recommends the following:
- Allow child care centers of up to 60 children by-right in all commercial and mixed-use areas and to require a Use Permit for centers with more than 60 children.
- Allow child care centers in conjunction with an adjoining business by-right, without a requirement to only service the employees of the business.

Child Care Centers: Standardized Requirements
Staff is recommending standardized requirements to facilitate child care centers in both residential and commercial areas. The recommended updates include standardized requirements for child care centers for play equipment locations, signage, and off-street parking. Larger child care centers of more than 60 children would be subject to Use Permits and require additional site specific analysis.

Standardized requirements:
- Obtain child care center license with the State.
- Accessory child care centers do not need to exclusively serve the primary use.
- Play equipment required to meet underlying zoning setbacks and could not be located in the front yard.
- Prohibit large commercial signage in residential areas.
- One parking space per employee, plus one additional space for every 10 employees.

Floor Area Bonus
There is an existing State law that allows a floor area bonus for new development over 50,000 sq. ft. that includes a child care centers, but limits the bonus at 2% of the total square footage with additional requirements for minimum indoor and outdoor space. Planning Commissioners expressed general support for a local FAR bonus that would provide incentives beyond the existing State law, but recommended that additional analysis should consider the benefits of a program and prevent unintended consequences during implementation. Staff will determine the level of environmental review required, initiative public outreach, study the size of suitable development projects, and the appropriate size of a FAR bonus or exemption for child care centers. In the interim, staff is recommending moving existing child care FAR bonus language from the definitions and individual zoning district sections to Article 39 - Child Care for better visibility.
GENERAL PLAN CONFORMANCE
The proposed zoning amendments would further the City Building Community Element’s policies and programs that promote child care across residential neighborhoods and employment areas. Child care impacts were examined in combination with increased demands for public schools in the 2010 General Plan EIR. The increase in development and population generated by the 2010 General Plan created additional demands for child care services where a deficit of appropriate, affordable facilities to house additional child care programs already existed. The 2010 General Plan includes policies and implementation programs that would encourage the establishment of child care facilities in close proximity to employment centers in the plan area to offset the anticipated impacts. Specific General Plan programs, goals, and policies are cited below:

**Goal BC-10**: Accommodate community needs for safe, high-quality, and affordable childcare services and facilities, both for Redwood City residents and people who work in Redwood City.

**Policy BC-10.2**: Integrate the child care needs of those who live and work in the city into the City’s planning processes. Locate child care services, where possible, in or near housing, transportation, and employment centers so as to be convenient to residents and workers.

**Program BC 34**: Child Care Zoning. Ensure that Zoning Ordinance standards and permitting processes for child care facilities facilitate their provision at appropriate locations throughout Redwood City.
- Consider Zoning Ordinance revisions to support the establishment of large family child care homes and centers through a simplified, streamlined review process.
- Consider Zoning Ordinance changes that include performance standards for childcare centers located in Commercial Office and Mixed-Use zoning districts, and in school, church and other public/quasi-public buildings in residential zones to simplify the approval process for these facilities.
- Explore updating the Zoning Ordinance provisions regarding small childcare centers (up to 24 children) to be located in all residential zones.

The proposed updates are in keeping with the General Plan goals and policies related to child care. The zoning amendments increase the number of viable locations and streamline the review process to reduce barriers to child care. The proposed updates would allow large family child care homes by right in all dwellings which would increase child care in residential zoning districts. The proposed updates would allow child care centers up to 60 children by-right in all commercial and mixed-use zoning districts and to increase child care in employment centers. Locating child care in residential areas would help local residents and locating child care in employment centers would help serve people who work in Redwood City. Increasing the availability of child care and streamlining the review process is meant to result in more affordable child care across the City.

ENVIRONMENTAL REVIEW
This activity has been reviewed with respect to California Environmental Quality Act (CEQA) as defined in CEQA Guidelines, because the proposed changes implement the General Plan and were analyzed as part of the General Plan EIR. The CEQA memo in Attachment 2 further describes this analysis.
ALTERNATIVES
   1. Request modifications to the proposed zoning amendments.
   2. Do not recommend zoning code amendments relating to child care.

ATTACHMENTS
   1. Resolution
   2. CEQA Memo

LINKED DOCUMENTS
   3. PC Staff Report – July 21, 2020

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