

ZONING ADMINISTRATOR DECISION LARGE FAMILY DAYCARE FACILITY



DECISION NO. 2015-021

HEARING DATE: September 3, 2015

DECISION DATE: September 3, 2015

FILE NO.: PLFD15-003

SUBJECT: A request to establish a Large Family Daycare home, with State License approval, for up to 14 children located at 2426 S. Driftwood Place, within the R1 (Low Density Residential) zoning district. (APN: 1083-111-19)

STAFF

RECOMMENDATION: Approval Approval subject to conditions Denial

PART A: BACKGROUND & ANALYSIS

PATRICIA ZICK, herein after referred to as “the applicant,” has filed an application requesting approval of a Large Family Day Care, described as follows:

(a) Project Setting: The project site is comprised of 0.169 acre of land located at 2426 S. Driftwood Place. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site, are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Single Family Residential	Low Density Residential	R1	n/a
<i>North</i>	Single Family Residential	Low Density Residential	R1	n/a
<i>South</i>	Single Family Residential	Low Density Residential	R1	n/a
<i>East</i>	Single Family Residential	Low Density Residential	R1	n/a
<i>West</i>	Single Family Residential	Low Density Residential	R1	n/a

Approved By: _____
 CM Senior Planner

(b) Project Description & Analysis: The applicant currently operates a small family day care program within the home. The applicant has been approved by the State of California to operate a large family day care as stated: Maximum Capacity (when there is an assistant present): 12 children – no more than 4 infants; 14 children, with no more than 3 infants; 1 child in kindergarten or elementary school and 1 child at least age 6 according to State License #364842454. The City of Ontario Ordinance that regulates large family day care facilities is consistent with the State's regulations pertaining to approval. The City requires compliance with thirteen standards in order to operate a day care facility. In compliance with state laws, property owners within 100 feet of the proposed day care use were notified to solicit input from local residents. The large family day care license is administratively approved unless an affected owner requests a hearing on the matter. The ordinance states that if there are no requests of a hearing by any of the affected property owners within a ten (10) day notice, the Zoning Administrator may approve the request. The Planning Department has not received any requests for a hearing regarding this Large Family Day Care Facility.

Planning staff inspected the project site on August 19, 2015. Upon inspection, staff found that the existing house is in good condition, and that all the areas where the children will use, are also in a safe and well maintained condition, including the kids' bedrooms, den, bathroom, and backyard area. Staff recommends approval subject to conditions.

PART B: RECITALS

WHEREAS, the City of Ontario has received a request for a Large Family Day Care approval as described in Part A, above; and

WHEREAS, Ontario Municipal Code Section 9-1.0405(g) provides that the Zoning Administrator has the responsibility and authority to review and act upon Large Family Day Care centers; and

WHEREAS, all members of the Development Advisory Board of the City of Ontario were provided the opportunity to review and comment on the requested Large Family Day Care, and no comments were received opposing the proposed use; and

WHEREAS, not less than 10 days prior to the date of the herein stated decision, the City gave notice, by mail, to all property owners within a 100-foot radius of the exterior boundary of the subject site, as shown on the latest equalized assessment roll of the County of San Bernardino; and

WHEREAS, no written or verbal correspondence in opposition to the proposed large family day care home has been received; and

WHEREAS, the Zoning Administrator has not received a request to conduct a public hearing regarding the proposed large family day care home; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

PART C: THE DECISION

NOW, THEREFORE, it is hereby found, determined and resolved by the Zoning Administrator of the City of Ontario as follows:

- (a) All facts set forth in this Zoning Administrator Decision are true and correct.
- (b) The Zoning Administrator hereby finds and determines that the project identified in this Decision is statutorily exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to Section 15274 of the State CEQA Guidelines.
- (c) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PLFD15-003, subject to the conditions of approval attached hereto and incorporated herein by this reference.



APPROVED by the Zoning Administrator of the City of Ontario on this 3rd day of September 2015.



Scott Murphy
Zoning Administrator



CONDITIONS OF APPROVAL

DATE: August 31, 2015

FILE NO.: PLFD15-003

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- 1) The applicant shall have obtained, or applied for, all required state licenses and permits to operate the facility. A City permit shall not be issued until the applicant presents satisfactory evidence that state permits and licenses have been secured.
- 2) Only one (1) employee who resides away from the provider's home may work at the day care center at any given time.
- 3) Off-street parking for the dwelling unit must be provided in accord with Article 30.
- 4) Any large family day care home located on a standard or divided arterial street as identified in the Master Plan of Streets and Highways must provide a circular driveway or equivalent for use as a drop-off-pick up area.
- 5) Exterior play areas shall not be located within any required setback area and shall be fenced with a minimum 6-foot high fence.
- 6) A day care center may be located in an area in which the measurable noise level does not exceed a CNEL of 65 dBA.
- 7) The operator shall obtain all necessary governmental permits. A City permit shall not be granted until all state and/or County permits have been secured.
- 8) At least two of the children shall be at least 6 years of age.
- 9) No more than three infants shall be cared for during any time when more than 12 children are being cared for.
- 10) The licensee notifies shall notify parents that the facility is caring for two additional school age children and that there may be up to 13 or 14 children in the home at one time.

11) The licensee shall obtain the written consent of the property owner when the family day care home is operated on property that is leased or rented.

Exhibit A – Location Map

2426 S DRIFTWOOD (APN: 108311119)
PLFD15-003 (Applicant: Patricia Zick)



Exhibit B – Site Plan

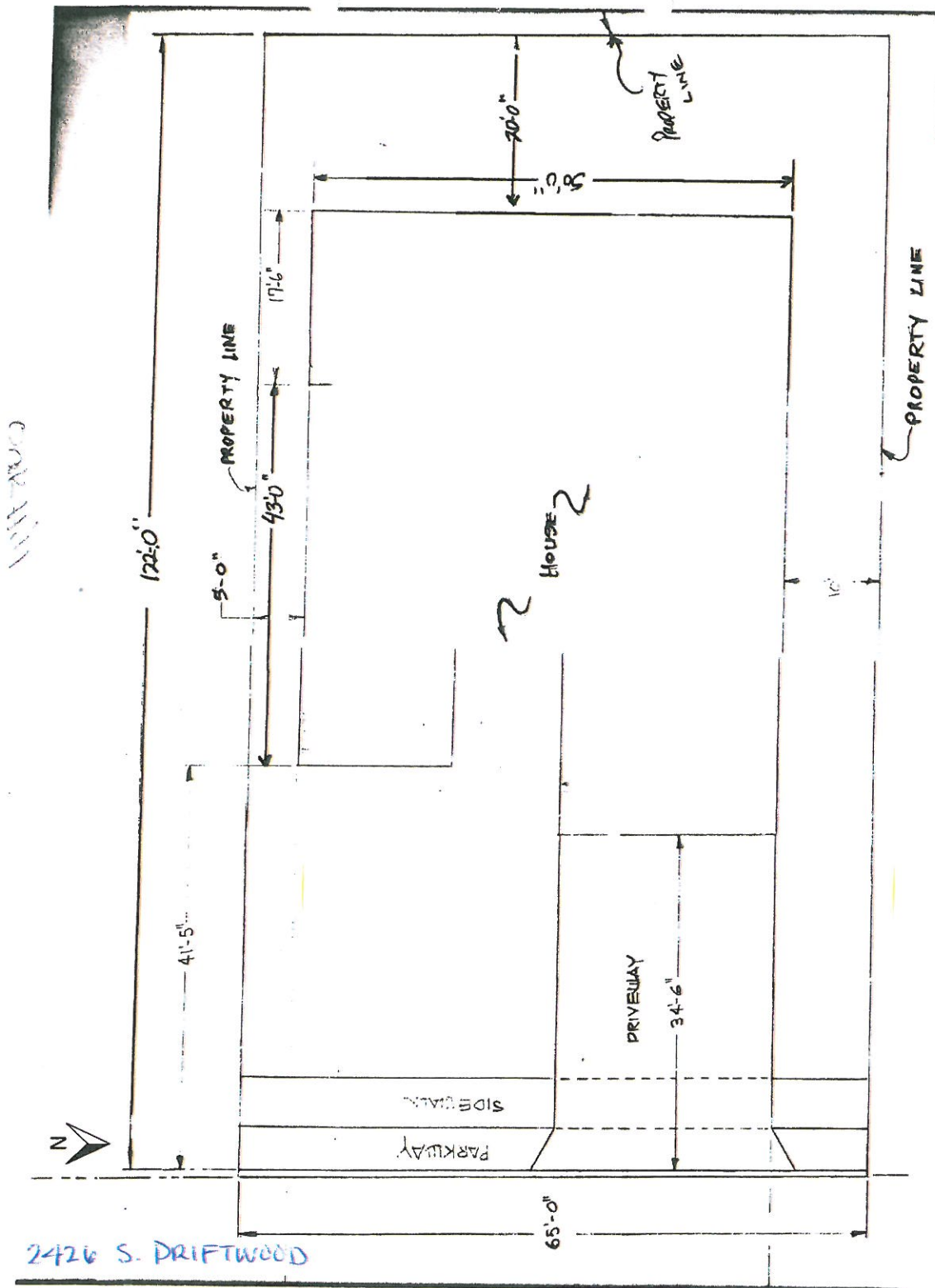
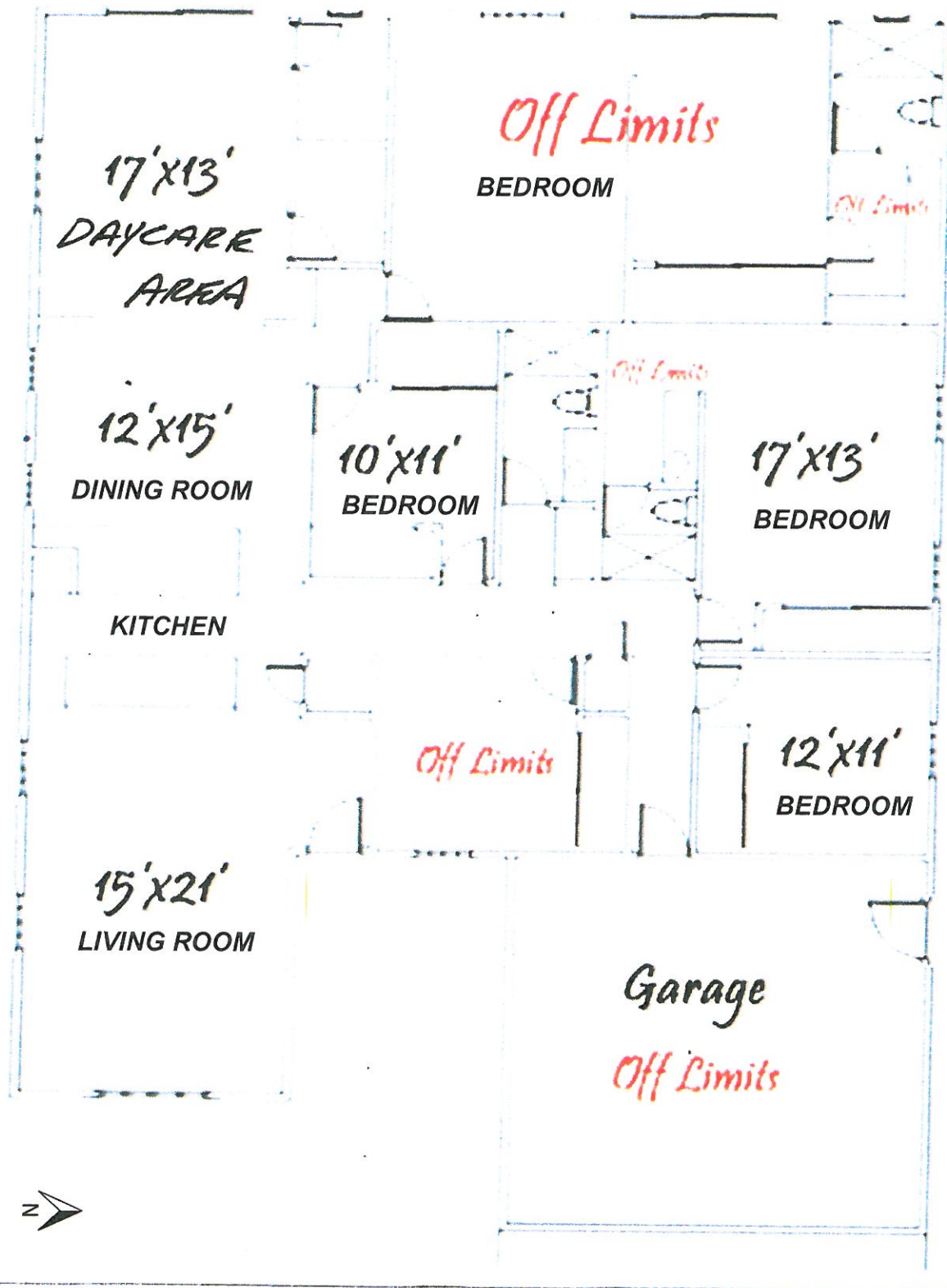


Exhibit C – Floor Plan





CITY OF ONTARIO MEMORANDUM

TO: Jeanie Aguilo, PLANNING DEPARTMENT

FROM: Douglas Sorel, POLICE DEPARTMENT

DATE: August 17, 2015

SUBJECT: PLFD15-003 – Application to establish a large family day care at 2426 S. Driftwood Place

In addition to the “Standard Conditions of Approval”, the Police Department is requiring the following conditions for the approval of the application.

1. The Applicant shall comply at all times with all State and local laws and regulations governing in-home day care centers.
2. The Applicant and all employees shall fully cooperate with any law enforcement or similar official investigation conducted in relation to the business.
3. The applicant shall keep and maintain all relevant information relating to the children in the Applicant’s care that would be necessary in the event of any emergency.

The Applicant is invited to contact Douglas Sorel at (909) 395-2873 regarding any questions or concerns.