

# Child Care Centers

Ordinance No. 2022-37  
County File #CDZT22-00002

BOARD OF  
SUPERVISORS

DECEMBER 6, 2022



# Child Care Facilities licensed and regulated by CA Department of Social Services

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- Small and Large Family Child Care Homes
  - Provide care to up to 14 children in the residence of the child care provider
  - Subject to other location, facility, and safety regulations
- Child Care Centers
  - Any child care facility other than a family child care home
  - Any capacity, dependent on facility size
  - Subject to other location, facility, and safety regulations.

Under CA law, a residence may be used as a small or large family child care home by right in residential zoning districts



# Ordinance No. 2022-37

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Proposed Ordinance No. 2022-37 would:

- Authorize the establishment of a child care center with the issuance of a land use permit in residential, recreation, office, agricultural, business, and commercial zoning districts
- Clarify that, in accordance with State law, the establishment of a family child care home is a permitted use in the residential, recreation, and limited agricultural zoning district
- Delete references to “nursery” in the Code, consistent with State licensing and County permitting practices



**ORDINANCE NO. 2022-37****ZONING DISTRICTS WHERE CHILD CARE FACILITIES ARE ALLOWED**

<b>ZONING DISTRICTS</b>	<b>Small or Large Family Child Care Home</b> (includes facility providing care to up to 14 children in the home of the care provider)	<b>Child Care Center (w/ LUP)</b> (includes any child care facility of any capacity other than a family day care home)
Single-Family Residential (R-)	X	X
Two- Family Residential (D-)	X	X
Multi-Family Residential (M-)	X	X
Water Recreational (F-1)	X	X
Forestry Recreation (F-R)		X
General and Heavy Agriculture (A-2, A-3)	X	X
Exclusive Agriculture (A-20, A-40, A-80)		X
Limited Office (O-1)		X
Business (C-B, N-B, R-B)		X
Commercial (C)		X



# Consistency with the County General Plan

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The proposed zoning text amendment complies with the County General Plan as an allowed use.

- The General Plan land use designations of single-family residential and multiple-family residential permit child care facilities.
- The agricultural land use designations also permit child care facilities as an accessory of residential uses.

The zoning text amendment would also be consistent with the following County General Plan Goals and Policies under the Public Facilities Services Element:

- 7-AU. To assist and encourage the development of adequate, affordable and quality childcare in Contra Costa County.
- 7-AV. To maximize parental choice for childcare options in the community.
- 7-147. The development of high quality childcare and preschool facilities shall be encouraged in appropriate locations, especially in conjunction with schools, church facilities and centers of concentrated employment such as business parks.
- 7-151. In order to increase parental choice, the location of childcare facilities shall be encouraged in residential neighborhoods, employment centers, at school sites, hospitals, religious facilities, parks and along transit routes.



# Staff Recommendations

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1. OPEN the public hearing on Ordinance No. 2022-37, RECEIVE testimony, and CLOSE the public hearing.
2. DETERMINE that adoption of Ordinance No. 2022-37, is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines sections 15061(b)(3) and 15724.
3. ADOPT Ordinance No. 2022-37, authorizing the establishment of child care centers that have obtained all required state and local agency approvals and licenses in residential, recreation, office, agricultural, business, and commercial zoning districts with the issuance of a land use permit.
4. DIRECT the Department of Conservation and Development to file a CEQA Notice of Exemption with the County Clerk.



# Questions?

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