

ZONING ADMINISTRATOR DECISION LARGE FAMILY DAYCARE FACILITY



DECISION NO. 2015-030

HEARING DATE: December 7, 2015

DECISION DATE: December 16, 2015

FILE NO: PLFD15-004

SUBJECT: A request to establish a Large Family Daycare home, with State License approval, for up to 14 children located at 319 East "J" St, within the R1 (Low Density Residential) zoning district. (APN: 1048-064-20)

STAFF

RECOMMENDATION: Approval Approval subject to conditions Denial

PART A: BACKGROUND & ANALYSIS

PEGGY L. RAYMOND, 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 0.157 acres of land located at 319 East "J" St. 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

(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

Approved By:

-1-

____ RA _____ Senior Planner

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 #364818540. 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 November 4, 2015. Upon inspection, staff found that the existing house is in good condition, and that all the areas the children will use are also in a safe and well maintained condition, including the bedrooms, living room, bathroom, and backyard areas. 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 to date; 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. PLFD15-004, 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 16th day of December 2015.



Scott Murphy
Zoning Administrator



CONDITIONS OF APPROVAL

DATE: November 23, 2015

FILE NO.: PLFD15-004

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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 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

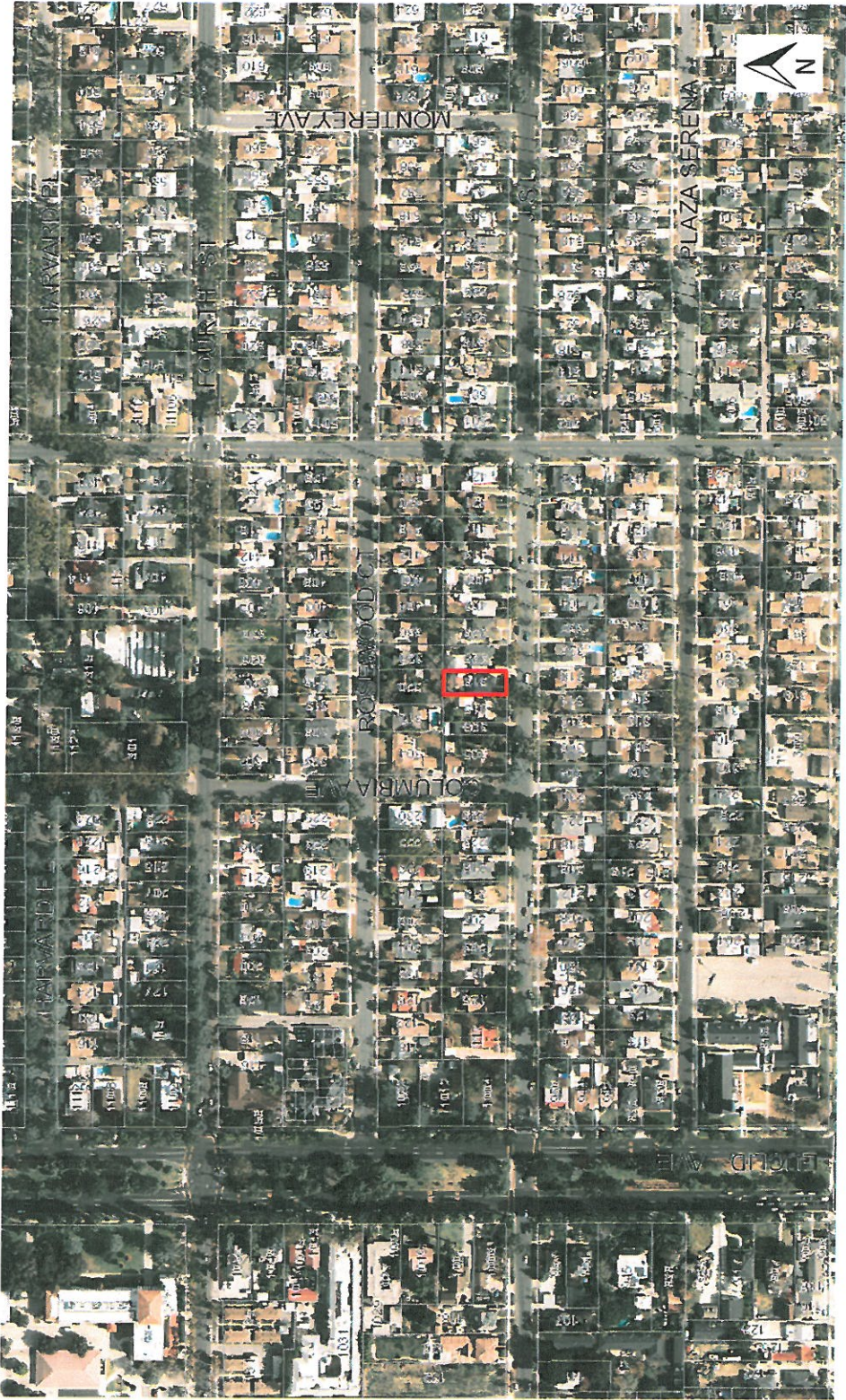


Exhibit B – Site Plan

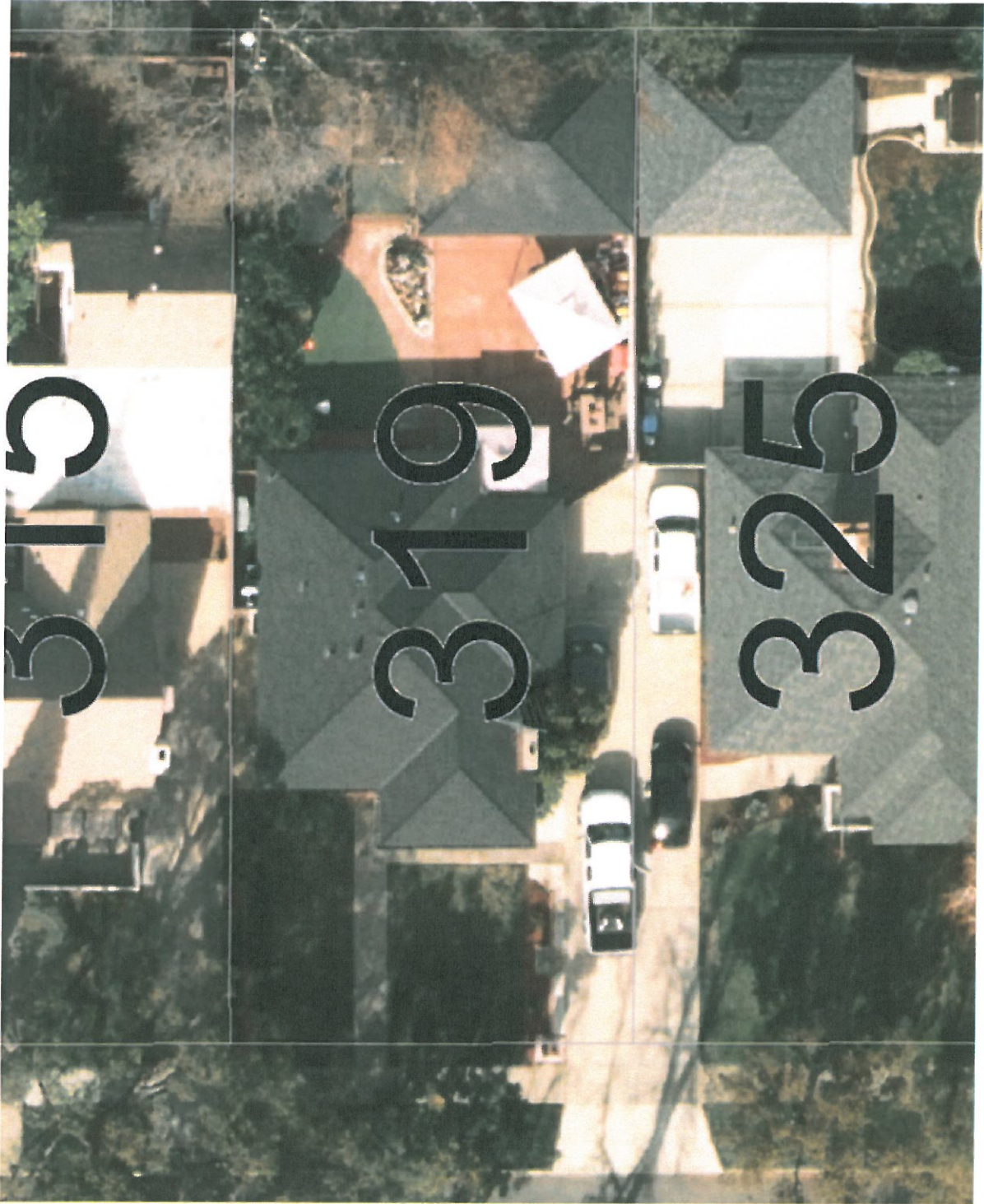


Exhibit C – Floor Plan

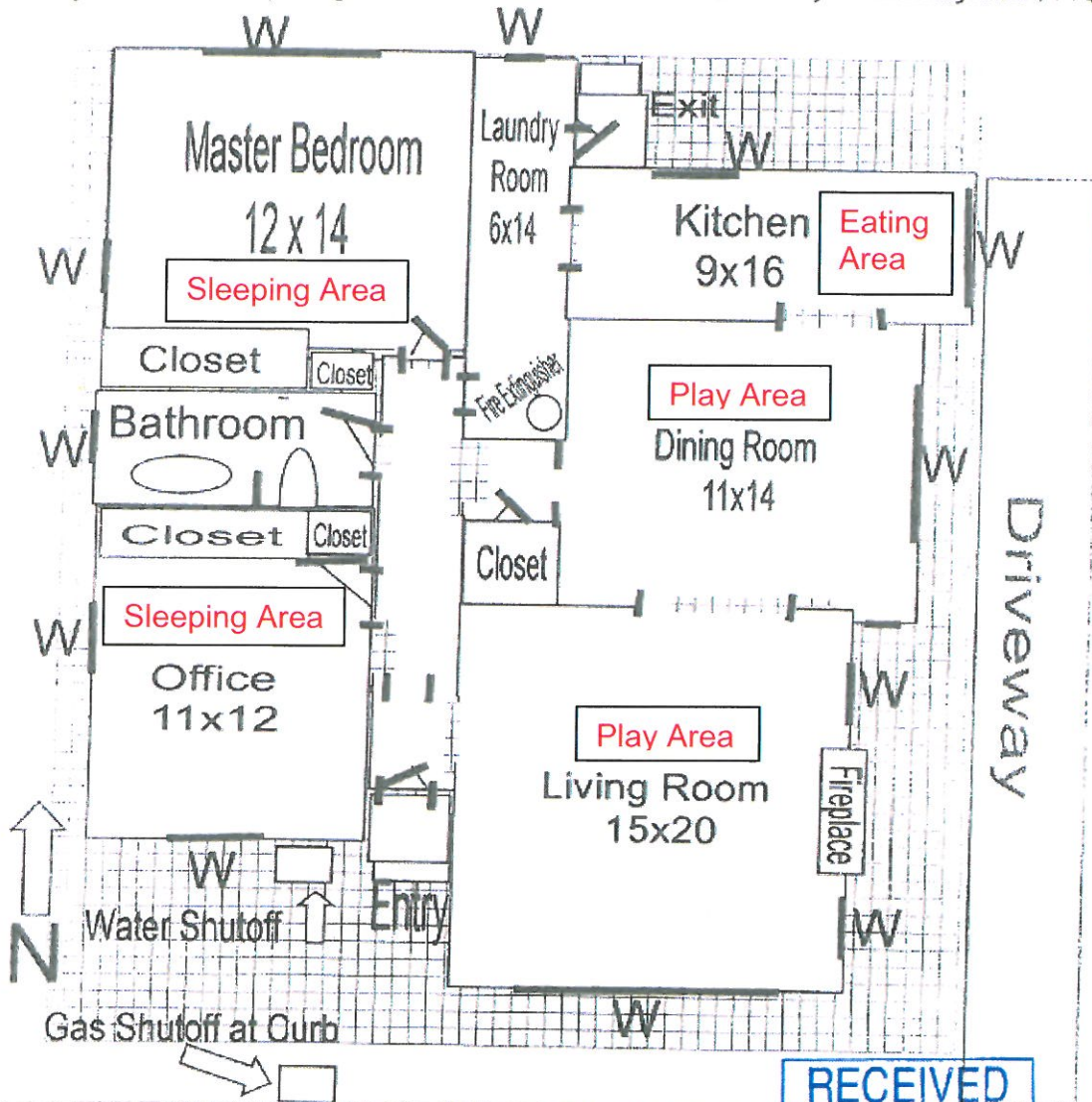
STATE OF CALIFORNIA - HEALTH AND HUMAN SERVICES AGENCY

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES
 COMMUNITY CARE LICENSING

FACILITY SKETCH (Floor Plan)

Applicants are required to provide a sketch of the floor plan of the home or facility and outside yard. The floor sketch must label rooms such as the kitchen, bath, living room, etc. Circle the names of the rooms that will be used by staff/residents/clients/children. Door and window exits from the rooms must be shown in case of an emergency (see Emergency Disaster Plan). Show room sizes (e.g. 8.5 x 12). Keep close to scale. Use the space below. See back for yard sketch.

Facility Name: Raymond Family Daycare ADDRESS: 319 E. J Street, Ontario, CA 91764



ENCLOSURE

319 E. J Street, Ontario, CA 91764

PLFD15-004

RECEIVED
 OCT 27 2015
 City of Ontario
 Planning Department



CITY OF ONTARIO
MEMORANDUM

TO: Otto Kroutil, Development Director
Scott Murphy, Planning Director
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Raymond Lee, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Sheldon Yu, Municipal Utility Company
Doug Sorel, Police Department
Art Andres, Deputy Fire Chief/Fire Marshal
Brent Schultz, Housing and Neighborhood Revitalization Director (Copy of memo only)
Julie Bjork, Housing Manager
Tom Danna, T. E., Traffic/Transportation Manager
Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
Steve Wilson, Engineering/NPDES
Bob Gluck, Code Enforcement Director

FROM: Melissa Garrety,

DATE: October 27, 2015

SUBJECT: FILE #: PLFD15-004 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Tuesday, November 10, 2015**.

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: Application to establish a large family daycare, maximum capacity of 14 children, at 319 E J Street, Ontario California

- The plan does adequately address the departmental concerns at this time.
- No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

POLICE
Department

DOUGLAS SOREL
Signature

MGMT ANALYST
Title

11/9/15
Date