



one
COUNTY
one
FUTURE

Planning and Development Department (P&D)
Long Range Planning Division

PROPOSED CHILDCARE FACILITIES AND MINOR ORDINANCE AMENDMENTS

Board of Supervisors
Hearing on November 29, 2022

Background



- September 14, 2021 - Board-requested ordinance amendments to:
 - Include provisions and incentives for the development of childcare facilities within the unincorporated county
 - Prioritize processing these amendments separately from other amendments

LUDC and MLUDC Amendments



□ Proposed Inland Area Childcare Amendments:

- Align existing family day care home regulations with current State law
- Land Use Permit (LUP) for smaller (up to 50 children) day care centers
- Relax development standards for day care centers located in or at public/quasi-public facilities used for assembly uses
- Specified parking and loading standards

Article II Amendments



- ❑ Proposed Coastal Zone Childcare Amendments:
 - Align existing family day care home regulations with current State law
 - Coastal Development Permit (CDP) for smaller (up to 50) day care centers
 - Relax development standards for day care centers located in or at public/quasi-public facilities used for assembly uses
 - Specified parking and loading standards

Family Day Care Home



- ❑ Senate Bill 234 (2019) amended Health and Safety Code Section 1596.78:
 - Small and large family day care homes—serving children—must be treated as residential uses
- ❑ Allow “by right” large family day care homes for children in all dwellings
- ❑ Revised glossary definitions to clarify homes serving children, not adults

Day Care Center



□ Day Care Center as an Accessory Use:

- Accessory to Non-Residential Use:
 - Accessory to a non-residential principal assembly use (e.g., school, church, and/or office)
 - Serving up to and including 50 children allowed with LUP or CDP
 - Serving 51 or more children allowed with a Minor Conditional Use Permit (MCUP) including Article II or Conditional Use Permit (CUP) in the MLUDC
- Accessory to Residential Use:
 - Group care for 15 or more children provided in a dwelling
 - Permitted with a MCUP including Article II or CUP

Day Care Center (Cont.)



□ Day Care Center as a Principal Use:

- Group care is the principal use of a lot in a non-residential zone
 - Serving up to and including 50 children allowed with LUP or CDP
 - Serving 51 or more children allowed with a MCUP including Article II or CUP

Parking and Loading Standards



□ Parking and Loading Standards:

- 1 space per 10 children/adults and 1 drop-off/loading space
 - A reduction in required parking may be allowed with the submittal of a parking study and subject to a MCUP

Minor Ordinance Amendments



AMENDMENT TOPIC		APPLICABILITY		
		LUDC	MLUDC	ARTICLE II
1	Exempt Electrical Vehicle Charging Stations and Hydrogen-Fueling Stations	√	√	√
2	Correct Accessory Structure Rear Setback Requirement		√	
3	Home Occupation Correction	√		
4	Delete LUDC Section 35.42.180, Historical Parks	√		
5	Amend Automobile Service Station Definition	√		
6	Correct Typo in Mixed-Light Cultivation Definition			√
7	Add Major Vegetation Removal Definition			√
8	Correct Accessory Storage Section Number Reference			√
9	Correct Section Heading List for Section 35-144Q. Reasonable Accommodation			√
10	Revise Subsection Letter in Section 35-144U.C			√

LUDC Minor Ordinance Amendments



- ❑ Exempt electrical vehicle charging stations and hydrogen-fueling stations
- ❑ Correct an error in Table-13 of Section 35.24.030.A, to allow Home Occupations within dwellings in the CM-LA (Community Mixed-Use Los Alamos Zone)
- ❑ Delete Section 35.42.180, Historical Parks
- ❑ Revise the definition of “automobile service station” to include the sale of alternative fuels and installation/use of electronic vehicle charging stations

Article II Minor Ordinance Amendments



- ❑ Exempt electrical vehicle charging stations and hydrogen-fueling stations
- ❑ Correct a typo in the “cannabis mixed-light cultivation” definition
- ❑ Add “major vegetation removal” definition
- ❑ Correct accessory storage section number reference
- ❑ Correct section heading list for Section 35-144Q, Reasonable Accommodation
- ❑ Correct subsection letter in Section 35-144U.C, General Commercial Cannabis Activities Development Standards

MLUDC Minor Ordinance Amendments



- ❑ Exempt electrical vehicle charging stations and hydrogen-fueling stations
- ❑ Correct an error in the Accessory Structure Rear Setback Requirement (i.e., delete a self-reference in the subsection of Section 35.442.020.B.4.a(1))

Environmental Review



- ❑ CEQA Guidelines Sections 15061(b)(3), 15265, and 15301(p)
 - No significant impacts would occur
 - Consistent with CEQA Guidelines Sections 15061(b)(3), 15265, and 15301(p)



one
COUNTY
one
FUTURE

Planning and Development Department (P&D)
Long Range Planning Division

RECOMMENDED ACTIONS

Board of Supervisors
Hearing on November 29, 2022

Recommend Actions



□ Board letter, page 1:

- Make the required findings for approval, including CEQA findings (Attachment 1)
- Determine that the proposed ordinance amendments are exempt from the provisions of CEQA pursuant to Sections 15061(b)(3), 15265, and 15301(p); and
- Adopt the ordinances (Attachments 3, 5, and 7)



one
COUNTY
one
FUTURE

Planning and Development Department (P&D)
Long Range Planning Division

THANK YOU

QUESTIONS ?

Board of Supervisors
Hearing on November 29, 2022