

Planning Commission Agenda Report

October 11, 2017
Item 6.a.

SUBJECT:	Appeal of P17-0327
APPELLANT:	Gary Sears
APPLICANT:	Jayanti Dixit
PROPERTY OWNER:	Surya LLC
PURPOSE:	Appeal of the Zoning Administrator's approval of an application for a Conditional Use Permit to operate a Large Family Daycare Home for a maximum of 12 children at an existing residence
LOCATION:	2875 Garden Creek Circle
GENERAL PLAN:	Medium Density Residential
ZONING:	PUD-MDR (Planned Unit Development -- Medium Density Residential) District
EXHIBITS:	<ul style="list-style-type: none">A. Zoning Administrator approval letter and conditions of approval dated "June 29, 2017"B. Approved project plans and written narrative, dated "Received June 18, 2017"C. Appeal from Gary Sears dated "Received July 14, 2017"D. Public comment letters/emails submitted to Zoning AdministratorE. Zoning Administrator hearing staff report and minutes dated June 29, 2017F. Location and Notification Map

RECOMMENDATION

Deny the appeal and uphold the Zoning Administrator's approval of Case P17-0327 subject to the conditions of approval applied by the Zoning Administrator (listed in Exhibit A).

If the Commission would like to make further modifications to the project or does not agree with the findings made by the Zoning Administrator, the Commission could:

1. Deny the appeal and approve the project with modified conditions; or
2. Uphold the appeal (therefore denying the Conditional Use Permit for the Large Family Daycare).

EXECUTIVE SUMMARY

Gary Sears, the appellant and resident at 3857 Stone Pointe Way, requests that the Planning Commission deny the Zoning Administrator's approval of a Conditional Use Permit for a Large Family Daycare Home located at 2875 Garden Creek Circle. For the past 10 years, the applicant, Jayanti Dixit, has operated a Small Family Daycare Home with up to six children at the subject property. The appellant stated in the appeal letter that the noise generated from the existing daycare operation has been adversely affecting his daily life and with the proposed Large Family Daycare Home accommodating a maximum of 12 children, the noise impacts would be increased.

A Zoning Administrator hearing was held for the Large Family Daycare Home application on June 29, 2017. The hearing was attended by the applicant and her family, Mr. Sears, and Leonard Robinson, the neighbor to the immediate north of the applicant. Discussion at the hearing primarily related to the noise concerns expressed by Mr. Sears, but also encompassed more general concerns related to land use compatibility. After obtaining agreement between the applicant and Mr. Sears regarding conditions to address Mr. Sears' noise concerns, the Zoning Administrator approved the project subject to 19 conditions (including restrictions on the duration, intensity (number of children), and timing of outdoor recreation), finding the project to be compatible with the existing neighborhood, compliant with the requirements of the Pleasanton Municipal Code (PMC), and consistent with the General Plan policies in the Land Use and Public Facilities and Community Program elements, which support providing additional child care in residential areas in the community. The conditions of approval can be found in Exhibit A.

BACKGROUND

On April 25, 2017, Jayanti Dixit, owner and operator of Garden Creek Daycare, an existing Small Family Daycare Home (which allows for care for up to six children), located at 2875 Garden Creek Circle, submitted an application for a Conditional Use Permit (CUP) to transition from a Small Family Daycare Home facility to a Large Family Daycare Home, which allows for a maximum of 12 children. Ms. Dixit has been operating the Small Family Daycare Home use for the past ten years. In response to staff's notice of the proposed Large Family Daycare Home use application, five neighbors contacted staff to raise concerns relating to lack of adequate parking, noise impacts, traffic congestion and safety, and land use compatibility. Gary Sears requested a hearing with the Zoning Administrator.

On June 29, 2017, a Zoning Administrator hearing was held on the subject proposal. Two neighbors, Gary Sears and Leonard Robinson, and the applicant and family members (daughter and son) attended the hearing. Mr. Robinson expressed general support for the existing and expanded day care operations. Mr. Sears stated that he has been bothered by noise from the children at the current family daycare home since the family daycare opened 10 years ago. Mr. Sears indicated he believed the noise from children at the daycare violated the City of Pleasanton's Noise Ordinance. The Zoning Administrator explained that the human voice is not regulated by the City's Noise Ordinance, as human voices are a typical component of the residential environment. After extensive discussion on the operational aspects of the daycare and viable noise mitigation, the Zoning Administrator was able to obtain agreement between the applicant and Mr. Sears on acceptable noise mitigation.

The Zoning Administrator approved the application with modifications to the staff-recommended conditions of approval plus a new condition of approval that would ensure the maximum number of children engaging in outdoor play would not exceed the maximum number under existing conditions. Key changes to the conditions of approval include:

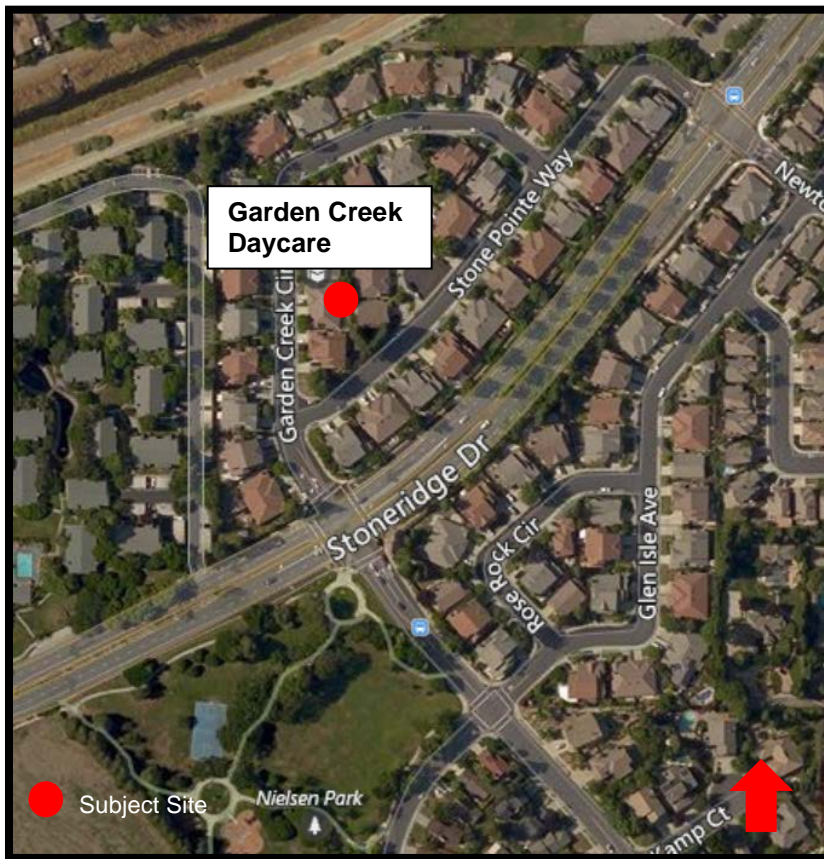
- The outdoor play area shall be supervised by staff at all times. The outdoor play area shall only be occupied by a maximum of five children at any one time and shall only be used from 11 a.m.-noon¹ and 4 p.m. -5:30 p.m. [Modified Condition]
- Windows shall be closed before 8 a.m. on the days when the Large Family Daycare Home is open. [New Condition]

On July 14, 2017, Gary Sears filed an appeal of Zoning Administrator’s approval, citing noise as a primary concern. As such, the application is before the Planning Commission.

SITE AND AREA DESCRIPTION

The subject site, 2875 Garden Creek Circle, contains a single-family attached home. The lot is approximately 3,494 square feet in area and is surrounded by similarly-sized single-family attached homes. A City park, Nielsen Park, is located on the south side of Stoneridge Drive, at the southwest quadrant of Stoneridge Drive and Kamp Drive. The location of the site and the surrounding area is shown in Figure 1 and Exhibit G.

Figure 1: Aerial Photograph of 2875 Garden Creek Circle



¹ The originally proposed playtime in the morning was from 10:30 a.m.- 12 noon. The modified morning outdoor playtime was to respond to Mr. Sears’s concern regarding noise.

PLEASANTON GENERAL PLAN

The City's adopted General Plan acknowledges the importance of providing neighborhood child care and supports Family Daycare located in residential neighborhoods. Included below are policies and excerpts from the General Plan.

Public Facilities and Community Programs Element (Childcare)

"The need for high-quality daycare, preschool, and after-school childcare is growing in Pleasanton. Within the city, each of the nine Pleasanton Unified School District elementary schools has at least one after-school childcare program, although many of these programs are at capacity and cannot service the entire after-school childcare need. The City also has 18 other licensed childcare centers (including preschools) in commercial, industrial, and institutional areas.

"In addition to centers, childcare is also provided within licensed residences that the State of California calls "Family Child Care Homes." A Family Child Care Home must be in the licensee's own home. Family Child Care Homes provide childcare (non-medical) for periods of less than 24 hours. In 2005 the city had 23 large (up to 14 children) Family Child Care Homes and numerous small (up to eight children) Family Child Care Homes.

"As of March 2006, licensed childcare centers and large Family Care Homes had the capacity to care for about 3,530 children in Pleasanton. These two types of facilities had a vacancy rate of eight percent. Within the city in 2004, the unmet childcare demand for these types of facilities was about 2,250 spaces for parents of working families, according to the "Child Care Links Annual Report, 2004." Child Care Links is an agency that focuses on monitoring the availability of childcare, increasing the availability of family-care homes, and improving the overall quality of all childcare. Note that the majority of all childcare is provided by the children's relatives. Other small exempt childcare providers and in-home care also serve up to about 10 percent of the children".

Policy 22: Facilitate the provision of safe, affordable, high quality child-care facilities and services to families.

Program 22. 4: Facilitate the provision of childcare facilities to meet the childcare demand within the City.

Land Use Element (Residential Areas)

"Any housing type (detached and attached single-family homes, duplexes, townhouses, condominiums, and apartments) in addition to religious facilities, schools, **daycare facilities** [emphasis added], and other community facilities, may be allowed in any of the residential designations provided that all requirements of the Zoning Ordinance are met".

Noise Element

The Noise Element of the General Plan identifies land use compatibility standards for different land uses. For instance, noise levels between 60 and 75 decibels on the day-night equivalent level (Ldn) are considered conditionally acceptable in single-family residential districts. Since the Ldn metric represents average sound levels over a 24-hour period (with noises between 10 p.m. and 7 a.m. weighted more heavily), normal daytime activities (including children playing outside) would not result in an exceedance of conditionally acceptable noise levels in the General Plan.

PLEASANTON MUNICIPAL CODE REQUIREMENTS

California State Law (Health and Safety Code) defines two categories of family daycare homes, as paraphrased below:

- A “Small Family Daycare Home” provides family daycare for up to six children, or for up to eight children if the criteria of Section 1597. 44² are met. Enrollment limits include children under age 10 who live in the licensee's home; and
- A “Large Family Daycare Home” provides family daycare for seven or eight and up to 12 children, or for up to 14 children if the criteria of Section 1597. 465³ are met. Enrollment limits include children under age 10 who live in the licensee's home and the assistant/teacher provider's children under age 10.

The subject property is located in the PUD-MDR District. Small Family Daycare Homes are permitted uses in this district, meaning that the applicant does not need a CUP to serve up to eight children at the subject property. However, Large Family Daycare Homes are conditionally permitted uses in order to allow the City to mitigate potential impacts.

PROJECT DESCRIPTION

The proposal is summarized below and the applicant’s narrative and project plans are attached as Exhibit B.

The Large Family Daycare Home is proposed for a maximum of 12 children that currently include: two infants, two toddlers, six preschoolers, and two school-aged children. The licensee does not have children under age 10 who live in the licensee's home and the assistant does not have children under age 10 enrolled in this daycare home. The Large Family Daycare Home would operate from 6:30 a.m.- 6 p.m., Monday through Friday. The Large Family Daycare Home would have three staff members: the applicant, the applicant’s daughter, and a full-time helper. All three staff members would be on site during business hours except for the time when one staff member would leave the premises to drop off and pick up two school-aged children at local school(s). The Large Family Daycare Home would occupy the first floor of the residence. In addition, the approximately 41-foot wide by 15-foot deep rear yard would be used for outdoor play. Indoor activities include free play, circle time, group activities, quiet reading, and puzzles. The outdoor play times for the existing Small Family Daycare Home are from 11 a.m. - 12 noon and 4 p.m.-5:30 p.m. The outdoor playtimes

² (a) At least one child is enrolled in and attending kindergarten or elementary school and a second child is at least six years of age.

(b) No more than two infants are cared for during any time when more than six children are cared for.

(c) The licensee notifies each parent that the facility is caring for two additional schoolage children and that there may be up to seven or eight children in the home at one time.

(d) The licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented.

³ (a) At least one child is enrolled in and attending kindergarten or elementary school and a second child is at least six years of age.

(b) No more than three infants are cared for during any time when more than 12 children are being cared for.

(c) The licensee notifies a parent that the facility is caring for two additional schoolage children and that there may be up to 13 or 14 children in the home at one time.

(d) The licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented.

for the proposed Large Family Daycare Home were from 10:30 a.m.- noon and from 4 p.m.-5:30 p.m. As conditioned by the Zoning Administrator, the outdoor playtimes would be from 11 a.m.-noon and 4 p.m.-5:30 p.m. for up to five children at each playtime.

The subject residence includes a two-car garage that would be used for resident parking. The driveway will be available for use by the daycare parents during drop-off and pick-up times. The one helper who is not a family member does not have a vehicle; thus, no parking space is currently needed for the helper.

ANALYSIS

In response to the growing need for in-home child care, in 1983 a new State law was passed (Senate Bill 163) in order to clearly distinguish Small Family Daycare Homes and set forth the requirements as to how they are to be treated at the local government level. The State Law does not allow a local government body to restrict or regulate Small Family Daycare Homes in any way.

Also under Senate Bill 163, a local government cannot adopt ordinances prohibiting Large Family Daycare Homes on lots zoned for single-family dwellings, but must treat the homes in one of the following ways:

1. Classify Large Family Daycare Homes as a permitted use in residential districts;
2. Grant nondiscretionary permits to Large Family Daycare operations on pre-established sites, subject to operational requirements; or
3. Require the daycare provider to apply for and be granted a CUP if the Large Family Daycare Home complies with local ordinances prescribing reasonable requirements concerning spacing and concentration, traffic control, parking, noise control, and Building and Fire Codes.

The City has adopted an ordinance based on this State law establishing a CUP procedure to evaluate each Large Family Daycare Home on an individual basis. Under this ordinance, the City requires a Large Family Daycare Home provider to meet standards which relate to spacing, traffic control, parking, noise control, and Fire Codes. The City must grant a CUP for a Large Family Daycare Home if it complies with these standards. Conditions of approval may be added to ensure compliance.

It is important to note that by adopting Senate Bill 163, the State:

1. Established the policy that Large Family Daycare Homes are appropriate in single-family residential zoning districts;
2. Established the policy that Family Daycare Homes for children must be situated in normal residential surroundings so as to give children the home environment which is conducive to healthy and safe development;
3. Set procedures to increase and expedite the processing of such facilities; and
4. Made void any deed restrictions which prevent Family Daycare Homes from existing in single-family residential zoning districts.

The subject property is zoned PUD-MDR District, which allows this type of use subject to approval of a CUP and, as discussed above, the use is supported and encouraged by State law and the City's General Plan. Accordingly, it is necessary to acknowledge the State's expressed need for such establishments and the City's responsibility to approve proposals for facilities that can be conditioned to mitigate impacts that would otherwise restrict the land use. Large Family Daycare Homes with seven to 14 children at any time⁴ are conditionally permitted uses in the PUD-MDR District in order to allow the City to mitigate impacts. The applicant has applied for a CUP as required for Large Family Daycare Homes in the PUD-MDR District. Therefore, if the CUP were granted, the Large Family Daycare Home would be consistent with the applicable land use regulations.

As part of the CUP approval, the proposed Large Family Daycare Home is subject to the requirements outlined in Chapter 18. 124. 370(A-E) of the PMC. The relevant text from the PMC and a discussion of the application's compliance with each standard follow:

A. Spacing: No Large Family Daycare Home shall be approved if the site of the proposed use is located within three hundred feet (300 feet) of the exterior boundary of another Large Family Daycare Home or nursery school, unless the Zoning Administrator makes the specific finding that the concentration of such uses will not adversely affect the neighborhood in which it is located due to the cumulative increase in noise, traffic and/or parking requirements.

Staff has verified that the proposed facility is not within 300 feet of another Large Family Daycare Home or nursery school.

B. Traffic Control: Large Family Daycare Homes shall not create any traffic hazard. The Zoning Administrator may prescribe such conditions as may be reasonably required to ensure the safety of all affected by the proposed use, including requiring traffic-control measures reasonably required to avoid any identified adverse effect.

The subject site is located on Garden Creek Circle, a residential street with parking on both sides, lined with single-family attached homes. The expansion of the current Small Family Daycare Home to a Large Family Daycare Home would bring additional vehicles to the neighborhood during drop-off/pickup times. However, conditions of approval would prohibit guardians from double parking, honking the horn, or parking in the middle of the street. In addition, conditions of approval also require the applicant to advise the patrons of the facility to drive safely and follow all traffic regulations on Garden Creek Circle and the surrounding neighborhood, and not to park or make U-turns in the neighboring driveways. Staff believes that, with the imposed conditions and compliance with the conditions, the operation of the proposed Large Family Daycare Home would not create any traffic hazards.

⁴ Under certain conditions, State Law allows day care homes with seven or eight children to qualify as a Small Family Day Care Home.

C. Parking Requirements: Parking spaces, including both off-street and on-street, shall be available for the actual parking demand created by the use, including the applicant's own vehicles, those of employees, and those of persons delivering and picking up children. On-street parking is available for the use if such spaces are within a reasonable distance of the home and can be reached safely from the home by children.

While not likely, as many as 12 parent/guardian vehicles could simultaneously and temporarily park on-site or on Garden Creek Circle or Stone Pointe Way to drop-off and pick-up children two times a day. The drop-off and pick-up times include a two-hour window in the morning and a one-hour window in the afternoon to reduce the chance that all drop-offs (or pick-ups) would occur simultaneously. Moreover, some children may reach the subject residence on foot or be part of a carpool with siblings also attending the Large Family Daycare Home, which would reduce the overall number of vehicles traveling to the site on a daily basis. As stated in the written narrative, the two-car garage would accommodate two resident vehicles and the driveway and on-street parking would be available during business hours for parents' use.

Several neighbors responding to the Zoning Administrator's notice of the proposed Large Family Daycare Home were concerned about parking supply in the neighborhood. Staff made site visits to the project site during the morning and afternoon periods to observe parking supply/demand, and identified adequate availability of on-site and on-street parking spaces within the immediate vicinity of the subject residence. At the Zoning Administrator's hearing, parking sufficiency was not identified as a major concern.

Therefore, staff believes that the identified parking and loading would adequately accommodate the Large Family Daycare Home. The spaces are located within a reasonable distance of the subject residence and can be reached safely by parents and children.

D. Noise Control: Large Family Daycare Homes shall not create noise levels in excess of those allowed in single-family residential areas in the Noise Element of the General Plan or in excess of those allowed in residential property by Chapter 9.04 of the Municipal Code. The zoning administrator may impose reasonable limits on the hours of operation of the Large Family Daycare Home in order to ensure that these limits are met.

Chapter 9.04 of the PMC regulates noise levels for different land uses. Section 9.04.030 Noise Limits-Residential property states: "No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same, on residential property, noise level in excess of 60 dBA [A-weighted decibels] at any point outside of the property plane, unless otherwise provided in this chapter." According to the PMC, "noise level" means the maximum continuous sound level or repetitive peak level produced by a source or group of sources as measured with a precision sound level meter using the "A" weighting scale, with the meter response function set to "slow."

The City's interpretation has been that this standard does not apply to human voices, as human voices (including those associated with children's play and normal conversations) are a typical component of residential neighborhoods in Pleasanton. Human voices also

generally do not contribute to the noise environment in a constant and continuous way that would support a Code Enforcement action. However, the use of mechanized equipment (e.g., musical instruments, amplified speakers), whether a part of a home daycare or a single-family residence, could violate the City's noise standards. Such equipment is not proposed as part of this application. Therefore, the proposed Large Family Daycare would not exceed the thresholds in the Noise Ordinance for residential properties.

The Noise Element of the General Plan identifies land use compatibility standards for different land uses. For instance, noise levels between 60 and 75 decibels on the day-night equivalent level (Ldn) are considered conditionally acceptable in single-family residential districts. Since the Ldn metric represents average sound levels over a 24-hour period (with noises between 10 p.m. and 7 a.m. weighted more heavily), normal daytime activities (including children playing outside) would not result in an exceedance of conditionally acceptable noise levels in the General Plan.

Noise impacts to the neighbor were discussed at the Zoning Administrator hearing. After discussion at the hearing, the Zoning Administrator was able to reach a compromise between the applicant and Mr. Sears requiring that supervised outdoor playtime occur only between 11 a. m. and noon and 4 p.m.-5:30 p.m. with a maximum of five children at any one time, and that the windows of the Large Family Daycare Home be closed before 8 a.m. when the daycare is open. These requirements were acceptable to the applicant and Mr. Sears.

E. Fire Code Requirements: Large Family Daycare Homes shall meet all regulations of the State Fire Marshal adopted as part of the California Administrative Code and relating specifically to Large Family Daycare Homes. (Ord. 1126 § 9, 1984; Prior Code§ 2-11. 20(c))

Health and Safety Code Section 13235 states that family daycare homes must obtain a fire safety clearance by the local fire enforcing agency. Prior to commencement of any Large Family Daycare Home activities, the applicant would be required to pass an inspection from the Livermore/Pleasanton Fire Department to verify compliance with State law.

In general, staff believes that the recommended conditions of approval for the CUP adequately address State law and City ordinance standards and will ensure that the proposed Large Family Daycare Home will not create any adverse impacts on the surrounding properties.

APPELLANT'S CONCERNS

The appeal filed by Mr. Sears focuses on noise impacts from the proposed Large Family Daycare Home. Mr. Sears states that "The huge problem that cannot be effectively mitigated is the *excessive nuisance noise* produced by crying and screaming children in their very small outside play area only 15 feet from the *interior* of my living space. Simply put, the very small size of the rear yards and the close proximity of residences do not facilitate a large daycare business operation on this particular site. "

In his appeal, Mr. Sears indicates that the small size of the outdoor play area and the relatively high density of residences in the area are not conducive to noise-generating Large Family Daycare operations, and urges that the Conditional Use Permit be denied. As indicated in the discussion of noise considerations, above, staff believes that outdoor recreation undertaken as

part of the daycare would not exceed noise limits in the Noise Ordinance or General Plan Noise Element.

In addition, the appeal filed by Mr. Sears suggests that his property values may be diminished by the operation of a daycare facility nearby. The State legislation mandates that local governments allow large family daycare homes within single-family residential districts and outlines the limited discretionary review for such uses by local government. The consideration of an increase or decrease in property values is not within the scope of the discretionary review allowed by the State. That said, staff agrees with the appellant that poorly maintained residences and unkempt yards may have a detrimental effect on property values. However, the effects of a home daycare operating during normal business hours on property values is expected to be minimal as the operation's impacts resemble those of normal property use in a single-family residential district, and daycare operations in and of themselves do not result in physical deterioration of properties.

Please see Exhibit C for the complete text of the appeal.

ALTERNATIVES

Staff recommends the following:

Deny the appeal and uphold the Zoning Administrator's approval of the Large Family Daycare Home subject to the conditions in Exhibit A.

Staff's comments: This option would allow the operation of the Large Family Daycare Home as approved by the Zoning Administrator, but would not fully address the appellant's concerns.

Staff presents the following options for consideration by the Commission:

Option 1: Deny the appeal and approve the Large Family Daycare Home with modified conditions.

Staff comments: This option could allow the Commission to adjust the conditions of approval, based on input from the daycare operator (applicant) and the neighbor (appellant). The Commission could modify conditions or create their own.

Option 2: Uphold the appeal, therefore denying the proposed Large Family Daycare Home.

Staff's comments: This option would allow the existing Small Family Daycare Home use to continue operating as a Small Family Daycare Home, and would not allow for expansion. To take this action, the Commission would have to make alternate findings to those made by the Zoning Administrator and included in this report.

FINDINGS

The Planning Commission could use the following findings as a basis if it decides to approve the Large Family Daycare Home.

A. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purpose of the district in which the site is located.

The objectives of the Zoning Ordinance include: fostering a harmonious, convenient, workable relationship among land uses; protecting existing land uses from inharmonious influences; promoting a safe, effective traffic circulation system; facilitating the appropriate location of community facilities and institutions; protecting and enhancing real property values; and ensuring that public and private lands ultimately are used for the purposes which are most appropriate and beneficial to the City as a whole. As conditioned, the proposed Large Family Daycare Home would be consistent with these objectives because it would retain the residential characteristics of the neighborhood and not generate large volumes of traffic or noise due to its limited scale and size.

The subject site is zoned PUD-MDR District, which allows the uses of the R-1-6,500 one-family zoning district. Some of the purposes of the one-family districts include: reserving appropriately located areas for family living; minimizing traffic congestion; providing necessary space for off-street parking; and protecting residential properties from noise and other objectionable influences. Large Family Daycare Homes are allowed in one-family residential districts subject to the standards of the PMC. As conditioned, the PMC standards are met. Therefore, the CUP for the Large Family Daycare Home is in accordance with the objectives of the zoning district, and the above finding can be made.

B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.

Prior to commencement of any Large Family Daycare Home activities, the applicant would be required to obtain the proper licensing for a Large Family Daycare Home from the State, allowing a maximum of 12 children at the subject residence. To ensure that the transition from a Small Family Daycare Home to a Large Family Daycare Home would generate minimal impact to the adjacent residents as well as to the neighborhood, the applicant is required the garage remain available for parking two vehicles at all times; make the driveway available for daycare patrons; and advise parents/guardians not to double park during pickup/drop off time or use neighbors' driveways to park or make a U-turn. The applicant is also required to allow a maximum of five children to be outside for playtime at any one time, restrict total playtime to 2 ½ hours per day, and keep windows closed before 8 a. m. when the facility is open in order to reduce noise impacts on adjacent properties. With the imposed conditions, the proposed Large Family Daycare Home would be operated in a manner that would not significantly adversely affect the neighborhood.

As proposed and as required by conditions, the proposed Large Family Daycare Home would not be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity and this finding can be made.

C. That the proposed conditional use will comply with each of the applicable provisions of the Municipal Code which apply to Conditional Uses.

As conditioned, the proposed Large Family Daycare Home will comply with the Large Family Daycare Home standards listed in Section 18.124.240 of the Zoning Ordinance, including spacing, traffic control, parking, noise control, and Fire Code requirements. Therefore, the third finding can be made.

PUBLIC NOTICE

Notice of this application was sent to surrounding property owners within 1,000 feet of the site, as shown in Exhibit G. As previously mentioned, prior to and after the June 29, 2017, Zoning Administrator hearing, staff received email and/or phone correspondence from neighbors in opposition to the proposed Large Family Daycare Home. Concerns ranged from lack of adequate parking, noise impacts to neighbors, traffic congestion and safety, and land use compatibility concerns. Written correspondence is provided in Exhibit D.

ENVIRONMENTAL ASSESSMENT

This project is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15301, Existing Facilities, Class 1. Therefore, no environmental document accompanies this report.

CONCLUSION

As referenced in State law and the City's General Plan, it is important to acknowledge the need for family daycare home establishments and the City's responsibility to approve proposals for home daycare home facilities that can be conditioned to mitigate impacts. As conditioned, staff believes that the potential impacts of the proposed Large Family Daycare Home can be adequately mitigated.

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