

Introduced by Councilmember

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17, (THE ZONING CODE) OF THE PASADENA MUNICIPAL CODE TO ALLOW LARGE FAMILY DAY CARE HOMES IN ZONING DISTRICTS IN WHICH RESIDENTIAL USES ARE PERMITTED AND TO ESTABLISH A SET OF DEVELOPMENT STANDARDS TO EVALUATE LARGE FAMILY DAY CARE HOMES WITH AN OVER-THE-COUNTER REVIEW PROCESS.

SECTION 1. This ordinance, due to its length and the corresponding costs of publication, will be published by title and summary as permitted by Section 508 of the Charter. The approved summary of this ordinance reads as follows:

"Summary

The purpose of this ordinance is to allow large family day care homes to be permitted uses in all zoning districts where residential uses are permitted subject to an over-the-counter review. Large family day care homes will be subject to development standards related to noise, traffic, parking and distance requirements from other large family day care facilities and child day care centers.

Ordinance No. _____ shall take effect upon the expiration of 30 days after its publication by title and summary."

SECTION 2. Subsection C of Section 17.16.020 of said code entitled, "**Residential use classifications**" is amended as follows:

"C. Family Day Care Homes. A home that regularly provides care, protection and supervision of 14 or fewer

9/21/98
9.B.1.

children, in the provider's home, for periods of less than 24 hours per day while the parents or guardians are away."

[The remainder of this subsection remains unchanged.]

SECTION 3. Section 17.20.020 of said code entitled, "**Land use regulations**" is amended as follows:

(a) By amending the schedule entitled, "**RS-1, RS-2, RS-4 AND RS-6 DISTRICTS: LAND USE REGULATIONS**" as shown in Exhibit 1, attached hereto and incorporated by this reference.

(b) By amending subsections (A) and (M) of the schedule entitled, "**RS-1, RS-2, RS-4 AND RS-6 DISTRICTS: ADDITIONAL LAND USE REGULATIONS**" as follows:

"(A) See Chapter 17.64, Regulations for child day care facilities."

"(M) Not used."

SECTION 4. Section 17.22.020 of said code entitled, "**Land use regulations**" is amended as follows:

(a) By amending the schedule entitled, "**RM-12 DISTRICT: LAND USE REGULATIONS**" as shown in Exhibit 2, attached hereto and incorporated by this reference.

(b) By amending subsections (A) and (B) of the schedule entitled, "**RM-12 DISTRICT: ADDITIONAL LAND USE REGULATIONS**" as follows:

"(A) See Chapter 17.64, Regulations for child day care facilities.

(B) See Chapter 17.64, Regulations for private schools."

SECTION 5. Section 17.24.020 of said code entitled, "Land use regulations" is amended as follows:

(a) By amending the schedule entitled, "RM-16, RM-32, AND RM-48 DISTRICTS: LAND USE REGULATIONS" as shown in Exhibit 3, attached hereto and incorporated by this reference.

(b) By amending subsections (D) and (M) of the schedule entitled, "RM-16, RM-32, RM-48 DISTRICTS: ADDITIONAL LAND USE REGULATIONS" as follows:

"(D) See Chapter 17.64, Regulations for child day care facilities."

"(M) See Chapter 17.64, Regulations for private schools."

SECTION 6. Section 17.28.020 of said code entitled, "Land use regulations" is amended as follows:

(a) By amending the schedule entitled, "CO, CL, CG AND COR DISTRICTS: LAND USE REGULATIONS" as shown in Exhibit 4, attached hereto and incorporated by this reference.

(b) By amending subsection (E) of the schedule entitled, "CO, CL, CG AND COR DISTRICTS: ADDITIONAL LAND USE REGULATIONS" as follows:

"(E) See Chapter 17.64, Regulations for child day care facilities."

(c) By adding a new subsection (QQ) of the schedule entitled, "CO, CL, CG AND COR DISTRICTS: ADDITIONAL LAND USE REGULATIONS" as follows:

"(QQ) See Chapter 17.64, Regulations for private schools."

SECTION 7. The tables entitled, "CD DISTRICT: LAND USE REGULATIONS PART I AND PART II" contained in Section 17.33.040 of said code are amended to read as shown in Exhibit 6, attached hereto and incorporated by this reference.

SECTION 8. Table 17.33.050 of said code entitled, "CD CENTRAL DISTRICT: ADDITIONAL LAND USE REGULATIONS" is amended as follows:

(a) By amending subsection (B) as follows:

"(B) See section 17.64, Regulations for child day care facilities."

(b) By adding a new subsection (DD) as follows:

"(DD) See Chapter 17.64, Regulations for private schools."

SECTION 9. Section 17.40.030 of said code entitled, "Land use regulations" is amended as follows:

(a) By amending the schedule entitled, "PS DISTRICT: LAND USE REGULATIONS" as shown in Exhibit 5, attached hereto and incorporated by this reference.

(b) By amending subsection (F) of the schedule entitled, "PS DISTRICT: ADDITIONAL LAND USE REGULATIONS" as

follows:

"(F) See Chapter 17.64, Regulations for child day care facilities."

(c) By adding a new subsection of the schedule entitled, "**PS DISTRICT: ADDITIONAL LAND USE REGULATIONS**" as follows:

"(O) See Chapter 17.64, Regulations for private schools."

SECTION 10. Section 17.64.020 entitled, "**Relocated buildings**" is renumbered to read as section 17.64.030 and Section 17.64.015 entitled "**Mini-malls**" is renumbered as Section 17.64.020. Chapter 17.64 is amended by repealing section 17.64.040. Chapter 17.64 is amended by adding a new section 17.64.040 to read as follows:

"17.64.040 Regulations for child day care facilities.

A. Large Family Day Care Home. Prior to the establishment of a large family day care home, an application shall be filed with the zoning administrator. Such application shall be approved upon determination that the application complies with the following regulations:

1. Within a residential district, there shall be no more than one large family day care home permitted within a distance of 300 feet of another large family day care home or a child day care center. If a large family day care home is within 300 feet of an other large family day care home or

child day care center, then a minor conditional use permit shall be required.

2. Large family day care homes shall meet the requirements of Chapter 9.36 regulating noise.

3. The applicant shall submit a plan showing the location of a loading and unloading area for children.

4. Parking shall be 1 space for each employee other than the resident. Parking may be tandem and located on a driveway that leads to covered parking.

5. Play equipment shall not be located within the front yard.

6. Signs shall meet the requirements of the zoning district in which the facility is located.

B. Child Day Care Center. Child day care centers shall meet the following regulations:

1. Outdoor play area shall be a minimum of 75 square feet per child.

2. No outdoor play area shall be within 25 feet of a residential use on an abutting lot in an RS, RM, CD-7 or CD-7A zoning district.

3. A fence or wall shall surround the outdoor play area. The minimum height of the fence or wall shall be equivalent to the maximum height of a fence or wall in the district in which the site is located or 6 feet whichever is less. If a fence with perforations through more than 50

percent of the surface area is provided, vertical landscaping shall be provided to screen the outdoor play area from adjacent properties.

4. For side yards and rear yards adjacent to RS districts, landscaping shall be used to buffer noise. The following minimum density of plant materials shall be maintained in these areas: for each 100 square feet of yard area or fraction, 0.10 canopy trees (23 inch box or larger), 0.20 understory trees (15 gallons or larger), and 2.0 shrubs (5 gallons or larger). Where mature landscape elements are retained on the site, it may be counted as double in meeting these minimum requirements (e.g. where 2 canopy trees are required, 1 existing canopy tree may be used to meet this requirement).

5. Loading and unloading areas shall be reviewed by the Public Works and Transportation Department.

6. A refuse storage area that is completely enclosed with a solid masonry wall shall be provided.

7. Lighting shall be directed away from adjacent properties.

8. Hours of operation in a residential district are to be determined by the conditional use permit.

9. Outdoor activities shall only be conducted between the hours of 7:00 a.m. and 7:00 p.m. in residential districts and 6:00 a.m. and 7:00 p.m. in all other

districts.

10. The requirements of Chapter 17.68 shall be met. Parking shall not be located in a front yard or corner yard unless located on a driveway leading to covered parking.

SECTION 11. Chapter 17.64 is amended by adding a new section 17.64.050 to read as follows:

17.64.050 Regulations for private schools.

Private schools shall meet the following regulations:

A. Indoor classroom area. Indoor classroom area (exclusive of hallways, offices, kitchens, bathrooms and other non-classroom space) shall be 24 square feet per child enrolled.

B. Outdoor Play Area.

1. In residential districts and in CD-1, 3, 7, 7A, 13 and 13A, a minimum of 125 square feet shall be provided for each child enrolled.

2. In nonresidential districts and in CD-2, 4, 6, 8, 9, 10, 11, 12, 14, 15, and 16, a minimum of 75 square feet shall be provided for each child enrolled. No outdoor play area shall be in a front or corner yard or within 25 feet of a residential use.

C. Traffic Control Plan. The applicant shall submit a traffic control plan showing how loading and unloading of school children will occur with a minimum disruption to traffic.

D. Parking. The requirements of Chapter 17.68 shall be met.

E. Noise. Noise shall not exceed the requirements of chapter 9.36."

SECTION 12. Schedule A of Section 17.68.030 of said code entitled, "**OFF-STREET PARKING AND LOADING SPACES REQUIRED**" is amended as shown in Exhibit 7, attached hereto and incorporated by this reference.

SECTION 13. This ordinance shall take effect upon the expiration of thirty days from its publication by title and summary.

Signed and approved this _____ day of _____, 1998.

Chris Holden
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council on the City of Pasadena at its regular meeting held on _____, 1998, by the following vote:

AYES:

NOES:

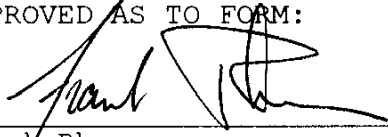
ABSENT:

ABSTAIN:

Published:

Jane L. Rodriguez
City Clerk

APPROVED AS TO FORM:



Frank Rhemrev
Senior Deputy City Attorney

EXHIBIT 1 - Ordinance Amending Title 17 (Zoning Amendments - Large Family Day Care Homes)

RS-1, RS-2, RS-4, AND RS-6 DISTRICTS:					
LAND USE REGULATIONS					
Use Classifications	RS-1	RS-2	RS-4	RS-6	Additional Use Regulations
Residential					
Adult Day Care, Limited	P	P	P	P	
Family Day Care Homes:					
Small	P	P	P	P	(M)
Small	P	P	P	P	
Large	MC	MC	MC	MC	(M)
Large	P	P	P	P	(A)
Residential Care, Limited	P	P	P	P	
Single-family Residential	P	P	P	P	(C)
Public and Semi-Public					
Adult Day Care, General	C	C	C	C	(D)
Cultural Institutions	C	C	C	C	(D)
Child Day Care Center	C	C	C	C	(M)
Park and Recreation Facilities	C	C	C	C	
Public Safety Facilities	C	C	C	C	(D)
Religious Assembly	C	C	C	C	(D)(E)
With Columbarium	MC	MC	MC	MC	(G)
With Temporary Homeless Shelter	C	C	C	C	(I)
Utilities, Major	C	C	C	C	(D)
Utilities, Minor	P	P	P	P	
Commercial					
Commercial Filming	C	C	C	C	(O)
Horticulture, Limited	C	C	C	C	
Wireless Telecommunications					
Antenna Facility: Minor (excluding building mounted and co-located facilities)	MC	MC	MC	MC	(F)
Accessory					
Accessory Uses	P/C	P/C	P/C	P/C	
Home Occupations	P	P	P	P	(H)
Temporary					

Deleted language scored, underlined language added.

EXHIBIT 2 - Ordinance Amending Title 17 (Zoning Amendments - Large Family Day Care Homes)

RM-12 DISTRICT:		
LAND USE REGULATIONS		
Use Classifications	RM-12	Additional Use Regulations
Residential		
Adult Day Care, Limited	P	
Family Day Care Home		
Small	P	(B)
Small	P	
Large	MC	(B)
Large	P	(A)
Multifamily Residential	P	
Residential Care, Limited	P	
Single-Family Residential	P	
Public and Semi-Public		
Adult Day Care, General	C	(C)
Cultural Institutions	C	(C)
Child Day Care Center	C	(B)
Child Day Care Center	C	(A)
Park and Recreation Facilities	C	
Public Safety Facilities	C	(C)
Religious Assembly	C	(C)(D)
With Columbarium	MC	(H)
With Temporary Homeless Shelter	C	(J)
Schools, Public or Private	C	(B)(C)
Utilities, Major	C	(C)
Utilities, Minor	P	
Commercial		
Commercial Filming	C	(E)
Horticulture, Limited	C	
Offices:		
Business and Professional	C	(F)
Wireless Telecommunications Antenna Facility:		
Minor (excluding building-mounted and co-located facilities)	MC	(G)
Accessory		
Accessory Uses	P/C	

Deleted language scored, underlined language added.

EXHIBIT 3 - Ordinance Amending Title 17 (Zoning Amendments - Large Family Day Care Homes)

RM-16, RM-32 AND RM-48 DISTRICTS:				
LAND USE REGULATIONS				
Use Classifications	RM-16 RM-16-1 RM-16-2	RM-32	RM-48	Additional Use Regulations
Residential				(B)(C)
Adult Day Care, Limited	P	P	P	
Family Day Care Home:				
Small	P	P	P	(D)
Small	P	P	P	
Large	MC	MC	MC	(D)
Large	P	P	P	(D)
Group Residential		P	P	
Residential Hotel			C	
Multifamily Residential	P	P	P	
Residential Care, Limited	P	P	P	
Single-Family Residential	P	P	P	
Public and Semi-Public				(B)
Adult Day Care, General	C	C	C	(E)
Charitable Institutions			C	(E)(F)
Clubs and Lodges			C	
Convalescent Facilities		C	C	(E)
Cultural Institutions	C	C	C	(E)
Child Day Care Center	C	C	C	(D)
Park and Recreation Facilities	C	C	C	
Public Safety Facilities	C	C	C	(E)
Religious Assembly	C	C	C	(E)(F)
Residential Care, General	C	C	C	(E)
Schools, Public or Private	C	C	C	(D)(E)
Schools, Public or Private	C	C	C	(E)(M)
Utilities, Major	C	C	C	(E)
Utilities, Minor	P	P	P	
Commercial				
Commercial Filming	C	C	C	(G)
Horticulture:				
Limited	C	C	C	
Offices:				
Business and Professional	C	C	C	(H)(I)
Medical			C	(H)
Visitor Accommodation:				

Deleted language scored, underlined language added.

EXHIBIT 4 - Ordinance Amending Title 17 (Zoning Amendments - Large Family Day Care Homes)

CO, CL, CG AND COR DISTRICTS:					
LAND USE REGULATIONS					
Use Classifications	CO	CL CL-1 CL-2	CG CG-1	COR	Additional Use Regulations
Residential					(GG)
Adult Day Care, Limited	P	P			
Caretaker's Quarters	P	P	P		(B)
Family Day Care Home:					
Small	P	P			(E)
Small	P	P			
Large	P	P			(E)
Group Residential		P			
Multifamily Residential	P	P			
Residential Care, Limited	P	P			
Single-Family Residential	P	P			
Single-Room Occupancy Residential			P		(KK)
Public and Semi-Public					(CC)(GG)
Adult Day Care, General	C	C	C		(C)
Charitable Institutions	C	C	C		(C)
Clubs and Lodges	C	C	P		(A)(F)(EE)
Colleges and Universities	C	C	C		(C)
Convalescent Facilities	C	C			(C)(D)
Cultural Institutions	P	P	P		(C)(F)
Child Day Care Center	P	P	P		(E)
Governmental Offices	P	P	P		(C)
Heliports			C		
Hospitals			C		(C)
Maintenance and Service Facilities			C		
Park and Recreation Facilities	C	C	C		
Public Safety Facilities	C	C	C		(C)
Religious Assembly	C	P	P		(C)
With Columbarium	P	P	P		(MM)
With Temporary Homeless Shelter	C	P	P		(PP)
Residential Care, General	C	C			(C)
Schools, Public or Private		C	C		(C)(E)
Schools, Public or Private		C	C		(C)(QQ)
Transportation Terminals	0		C		
Utilities, Major	C	C	C		
Utilities, Minor	P	P	P		

Deleted language scored, underlined language added.

EXHIBIT 5 Continued - Ordinance Amending Title 17 (Zoning Amendments - Large Family Day Care Homes)

Use Classifications		CD DISTRICT: LAND USE REGULATIONS PART I (Continued)												ADJ. LAND USE REG.			
		(1)			(2)			(3)			(4)				(5)		
		OLD PASADENA			COLORADO BOULEVARD			CIVIC CENTER			LAKE/CORDOVA						
		A	B	C	A	B	C	A	B	C	A	B	C	A	B	C	
Government Offices		P			P			P			P						
Park and Recreation Facilities		C		C	C		C	C		C	C		C				
Pedestrian Bridges								C		C							(C)
Public Safety Facilities		C		C	C		C	C		C	C		C	C		C	(D)
Religious Assembly		P		P	P		P										(A)
With Columbarium		P		P	P		P										(BB)
With Temporary Homeless Shelter		P		P	P		P										(A)
Residential Care, General		C		C	C		C	C		C	C		C	C		C	(B)
Schools, Public or Private		C		C	C		C	C		C	C		C	C		C	(DD)
Schools, Public or Private		C		C	C		C	C		C	C		C	C		C	
Transportation Terminals		C		C	C		C	C		C	C		C	C		C	
Utilities, Major		C		C	C		C	C		C	C		C	C		C	
Utilities, Minor		P		P	P		P	P		P	P		P	P		P	
Commercial					(1,3)		(1)	(1)		(1)	(1)		(1)	(1)		(1)	(A)(XX)
Ambulance Services					P												
Animal Sales and Services																	
Animal Grooming		P		P	P		P	P		P	P		P	P		P	
Animal, Retail Sales		P		P	P		P	P		P	P		P	P		P	

Deleted language scored, underlined language added.

EXHIBIT 5 Continued - Ordinance Amending Title 17 (Zoning Amendments - Large Family Day Care Homes)

Use Classifications	CD DISTRICT: LAND USE REGULATIONS PART II (Continued)															
	(6)	(7)	(7A)	(8)	(9)	(10)	(11)	(12)	(13)	(13A)	(14)	(15)	(16)	(16)	ADDP. LAND USE REGS.	
	GREEN STREET	PASADENA IN-TOWN	BELLEVIEW- PLEASANT	LOS ROBLES- CORDOVA	ARROYO PARKWAY	CENTRAL PARK	WEST DOWNTOWN	CALIFORNIA- FAIR OAKS	WALNUT STREET	NORTH OAKLAND	NORTH LAKE AVENUE	MEMORIAL PARK	COLORADO- LOS ROBLES	ADDP. LAND USE REGS.		
Maintenance and Service Facilities	C	C	C	C	P	C	C	C	C	C	C	C	C	C		
Park and Recreation Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Public Safety Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Religious Assembly	C	C	C	C	C	C	C	C	C	P	C	C	C	C	(D)	
With Columbarium	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	(A)	
With Temporary Homeless Shelter	C	C	C	C	C	C	C	C	C	C	C	C	C	C	(BB)	
Residential Care, General	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Schools, Public or Private	C	C	C	C	C	C	C	C	C	C	C	C	C	C	(B)	
Schools, Public or Private	C	C	C	C	C	C	C	C	C	C	C	C	C	C	(DD)	
Transportation Terminals																
Utilities, Major	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Utilities, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Commercial	(1)			(1)			(1)		(1)	(1)			(1)	(1)	(A)(X)	
Ambulance Services					C		C				C		C	C		
Animal Sales and Services:																
Animal Boarding					P		C									
Animal Grooming							P				P		P	P		
Animal Hospitals							C									
Animal, Retail Sales	P				P		P				P		P	P		

Deleted language scored, underlined language added.

EXHIBIT 7 - Ordinance Amending Title 17 (Zoning Amendments - Large Family Day Care Homes)

OFF-STREET PARKING AND LOADING SPACES REQUIRED

Use Classification:	Schedule A: Off-Street Parking Spaces	Schedule B Group Number: Off-Street Loading Spaces
Residential		
Family Day Care Homes: -Large	1 per employee.	
Group Residential (Dormitory-style housing)	1 covered space for every 2 residents	
Multifamily Residential:		
Affordable Housing	Residential developments which provide affordable units (as defined herein)pursuant to a density bonus, may increase the compact parking ratio to maximum of 60 percent by right.	
RM-12, RM-16, RM-32, RM-48	2 covered parking spaces per unit 550 sq. ft. or larger; 1 covered parking space per unit less than 550 sq. ft. of net floor area. Developments with 20 units or more shall also provide 1 guest parking space for each 10 units.	
Senior Citizens' Housing	Subject to conditional use permit making findings required in Section 17.68.050; no less than .50 spaces per unit. For density bonus projects, no conditional use permit is required.	
CD-1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, and 16	1.5 covered per unit 550 sq. ft. or larger. 1 covered per unit less than 550 sq. ft.	
Single Family Residential	2 covered/unit	

Deleted language scored.