

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: County of San Mateo Child Care Facilities Ordinance, when adopted and implemented, will not have a significant impact on the environment.

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FILE NO.: PLN 2020-00014

APPLICANT: County of San Mateo, Planning and Building Department, 455 County Center 2nd Floor, Redwood City, Ca. 94063

CONTACT PERSON: Camille Leung, Senior Planner, 650/363-1826, cleung@smcgov.org

OWNERS/ ASSESSOR'S PARCEL NOS.: Properties, as specified under "Location", in Unincorporated areas of San Mateo County

LOCATION: Outside of the Coastal Zone, the adoption of the Ordinance would create a ministerial permit process for child care centers to be located in areas zoned or designated by the General Plan for Commercial, Institutional, or Commercial/ Residential Mixed Use land uses, or zoned for Residential (Single- and Multiple-Family) land uses, in urban and rural areas. Inside the Coastal Zone, the adoption of the Ordinance would create a ministerial permit process for child care centers to be located in areas zoned or designated by the General Plan for Commercial or Institutional land uses, or zoned for Single-Family Residential land uses, in urban and rural areas. The Ordinance would also allow under a ministerial permit process child care centers on properties containing existing institutional buildings or public facilities, as defined by the Ordinance, in and outside of the Coastal Zone.

PROJECT DESCRIPTION

The Child Care Facilities Ordinance would establish specific permitting requirements for child care centers in the unincorporated areas of San Mateo County, where specific requirements currently only apply to Large Family Day Care Homes (Section 6401.2 of the Zoning Regulations). The Child Care Facilities Ordinance (Ordinance) would replace that section. The Ordinance would not regulate Small or Large Family Day Care Homes as these uses are allowed by right by State law. Currently, a use permit, which is granted at a public hearing, is required in most instances to operate a child care center pursuant to the regulations for each zoning district and Section 6161(k)1 of the County's Zoning Regulations which allows "schools" with a use permit in the R-1, R-2 and R-3 residential zoning districts. The Ordinance would streamline the process and set consistent requirements for establishing child care centers (CCC) to relieve the shortage of care facilities in San Mateo County.

The Ordinance would ease restrictions for a child care center to locate within an existing building of similar use (such as commercial and institutional buildings) or compatible use (such as single- and multiple-family residential) and allows for limited expansion of such buildings according to environmental and locational criteria.

For Areas Outside of the Coastal Zone, the Ordinance establishes qualification for a ministerial permit for child care centers based on CEQA categorical exemption criteria. The adoption of the Ordinance would create a ministerial permit process for child care centers to be located in areas zoned or designated by the General Plan for Commercial, Institutional, or Commercial/ Residential Mixed Use land uses, or zoned for Residential (Single- and Multiple-Family) land uses, in urban and rural areas. The Ordinance would also allow under a ministerial permit process child care centers on properties containing existing institutional buildings or public facilities, as defined by the Ordinance. In general, a child care center involving expansion of an existing building meeting Classes 1 (Existing Facilities) and 3 (New Construction or Conversion of Small Structures) of CEQA categorical exemptions, and compliant with additional criteria set by the Ordinance, would qualify for a ministerial permit. In general, a child care center involving construction of a new child care building meeting Classes 2 (Replacement or Reconstruction) and 3 of CEQA categorical exemptions, and compliant with additional criteria set by the Ordinance, would qualify for a ministerial permit.

For Areas inside of the Coastal Zone, the Ordinance establishes qualification for a ministerial permit for child care centers based on criteria for exemption from a Coastal Development Permit (CDP), per Section 6328.5 (Exemptions) of the Coastal District (CD) Zoning District. The adoption of the Ordinance would create a ministerial permit process for child care centers to be located in areas zoned or designated by the General Plan for Commercial or Institutional land uses, or zoned for Single-Family Residential land uses, in urban and rural areas. The Ordinance would also allow under a ministerial permit process child care centers on properties containing existing institutional buildings or public facilities, as defined by the Ordinance. In general, a child care center involving expansion of an existing non-residential building meeting Category B (Existing Structures Other Than Single-Family Residences or Public Works Facilities) of the CDP Exemption Worksheet, and compliant with additional criteria set by the Ordinance, would qualify for a ministerial permit. In general, a child care center involving expansion of an existing residential building meeting Categories A (Existing Single-Family Residences) and E (Single-Family Residence Categorical Exclusion Area) of the CDP Exemption Worksheet, and compliant with additional criteria set by the Ordinance, would qualify for a ministerial permit. Construction of a new child care building in the Coastal Zone would not qualify for a ministerial permit.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that the project WILL NOT:

1. Adversely affect water or air quality or increase noise levels substantially.
2. Have adverse impacts on the flora or fauna of the area.
3. Degrade the aesthetic quality of the area.
4. Have adverse impacts on traffic or land use.
5. Create impacts which have the potential to degrade the quality of the environment.

6. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
7. Create impacts for a project which are individually limited, but cumulatively considerable.
8. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant. Mitigation measures have been included in the project to avoid potentially significant effects. No additional mitigation measures are necessary.

RESPONSIBLE AGENCY CONSULTATION: California Coastal Commission

REVIEW PERIOD: Thursday, November 12, 2020 – Monday, December 14, 2020.

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the contact person listed here, no later than **5:00 p.m., on Monday, December 14, 2020.**

SCHEDULED PUBLIC MEETINGS OR HEARINGS:

Midcoast Community Council – 7 p.m. on December 9, 2020 (Date to be confirmed; remote meeting)

North Fair Oaks Community Council – 7 p.m. on January 28, 2021 (Date to be confirmed; remote meeting)

Planning Commission Meeting – 9 a.m. on February 10, 2021 (Date to be confirmed; remote meeting)

Board of Supervisors – Date to be determined

California Coastal Commission – Date to be determined

ADDRESS OF AVAILABLE DOCUMENTS FOR REVIEW: Pursuant to the Shelter in Place Orders issued by the San Mateo County Health Officer and the Governor and the Governor's Executive Order N-29-20, the Planning and Building Department office is closed. The Negative Declaration and all documents incorporated by reference are available at: <https://planning.smcgov.org/cega-docs>