

ORDINANCE NO. 1171

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMARILLO,
CALIFORNIA, AMENDING CERTAIN SECTIONS OF TITLE 19 (ZONING)
OF THE CAMARILLO MUNICIPAL CODE PERTAINING TO FAMILY DAY
CARE HOME REGULATIONS**

THE CITY COUNCIL OF THE CITY OF CAMARILLO ORDAINS AS FOLLOWS:

SECTION 1. General Findings. The City Council finds as follows:

A. Under recently enacted Senate Bill 234, a city must allow certain daycare uses in all residentially zoned areas and may not impose a business license, fee, tax, or other local restriction before a person or entity may commence operating a large family day care home. Senate Bill 234 further prohibits a city from requiring special zoning permits to operate a large family daycare.

B. The City desires to amend certain sections of Title 19 (Zoning) of the Camarillo Municipal Code (CMC) to update the provisions applicable to day care uses to comply with the changes required by Senate Bill 234 and other state law.

C. On February 18, 2020, the Planning Commission conducted a duly noticed public hearing to consider these municipal code amendments and voted to recommend to the City Council that they adopt this ordinance.

D. On March 11, 2020, the City Council conducted a duly noticed public hearing to consider this ordinance.

E. After reviewing the evidence presented, the City Council finds that this ordinance is consistent with the City's General Plan.

SECTION 2. Environmental Review. The City Council exercises its independent judgment and finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, Section 15274 ("CEQA does not apply to establishment or operation of a large family day care home ... [or] the establishment or operation of a small family day care home..."). Because the activity underlying this ordinance is statutorily exempt from CEQA, no further review is necessary.

SECTION 3. Amendment to the Camarillo Municipal Code. Title 19 (Zoning) of the Camarillo Municipal Code (CMC) is amended as follows:

A. CMC Section 19.04.258 (Day care, large family) is amended and restated as follows: "'Large family day care" has the same definition as a large family daycare home, as set forth in California Health and Safety Code Section 1596.78(b)."

B. CMC Section 19.04.259 (Day care, small family) is amended and restated as follows: "Small family day care" has the same definition as a small family daycare home, as set forth in California Health and Safety Code Section 1596.78(c)."

C. CMC Section 19.10.020.Q is amended and restated as follows: "Q. Day care, small and large family."

D. CMC Section 19.12.020.D is amended and restated as follows: "D. Day care, small family and large family."

E. CMC Section 19.14.020.I is amended and restated as follows: "I. Day care, small family and large family."

F. CMC Section 19.16.020.B is amended and restated as follows: "B. Day care, small family and large family."

G. CMC Section 19.21.040.D is amended and restated as follows: "D. [intentionally deleted];"

H. CMC Chapter 19.21 is amended to add Section 19.21.136, as follows:

"19.21.136 – Day care within residential units.

Small family day care and large family day care uses are permitted within residential units that are in compliance with this chapter."

I. CMC Chapter 19.23 is amended to add Section 19.23.136, as follows:

"19.23.136 – Day care within residential units.

Small family day care and large family day care uses are permitted within residential units that are in compliance with this chapter."

J. CMC Chapter 19.25 is amended to add Section 19.25.45, as follows:

"19.25.45 – Day care within residential units.

Small family day care and large family day care uses are permitted within residential units that are in compliance with this chapter."

K. CMC Table 19.44.050.8 is deleted.

L. CMC Section 19.65.020.A is amended and restated as follows: "A. A home occupation permit is required prior to commencing any business activity in a single residential detached unit, except for a small family day care, a large family day care, or a cottage food operation, which requires a special cottage food operation permit under Chapter 19.74 of this code. The application for a home occupation permit must be filed on an application form provided by the department of community development and accompanied by the applicable filing fee."

M. CMC Section 19.65.020.C.21 is deleted.

SECTION 4. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 5. Publication. The City Clerk is directed to certify the adoption of this ordinance and cause it to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED Mach 25, 2020.



Mayor

Attested to on: 3/26/2020



City Clerk

I, Jeffrie Madland, City Clerk of the City of Camarillo, certify Ordinance No. 1171 was introduced by the City Council at a meeting held March 11, 2020, and subsequently passed and adopted by the City Council at a regular meeting held March 25, 2020, by the following vote:

AYES: Councilmembers: Craven, Kildee, Mulchay, Santangelo, Mayor Trembley
NOES: Councilmembers: None
ABSENT: Councilmembers: None



City Clerk

