

# Child Care Center

## Planning Guide



City of  
**Santa Monica**

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## How To Use This Guide



We are delighted you are interested in opening up a child care center in Santa Monica! Since 1991, with the development of the Child Care Master Plan, Santa Monica City Council has demonstrated a strong commitment toward promoting and facilitating the development of quality, licensed child care options to families. This guidebook is part of the City's long-standing effort to help remove barriers for center providers navigating the City's permit process and related building requirements. It provides key information about local and state requirements addressing licensing, property use, facility requirements, parking, health, fire, safety, and access issues.

As you study this Planning Guide, you will discover that providing quality child care may require learning a new language. It also requires interacting with a number of State and City departments and agencies that regulate child care programs. This Guide is intended to help you clarify which regulations govern which types of child care and where you can find assistance as you move through the process.

**Section 1** describes how you can develop a business plan.

**Section 2** summarizes the State licensing requirements and the steps to obtaining your State license.

**Section 3** describes the City's permit process for child care in Santa Monica.

**Sections 4 – 6** explain the building and safety requirements, provides a checklist to help you prepare for your fire inspection, and information about what permits are required if you are planning to construct, alter or change the use of any building.

**Sections 7 – 10** provide additional information about City Boards, Commissions, and Advisory Groups, how to obtain a city business license and insurance, and answers some of the most frequently asked questions when moving through the city permit process.

In addition, this guide includes a City phone directory, glossary of common terms, a diagram explaining City zoning districts, and a child care planning checklist.

Every effort has been made to provide you with the most current information on opening a child care center in Santa Monica. However, regulations and their interpretations do change. **Please use this only as a guide and be sure to research all topic areas before making any financial or construction decisions.**

Please consider the following questions before you decide to open, expand, or remodel a facility:

- Do you have a well-conceived business plan?
- What is the child care need in Santa Monica?
- How much space do you have in your facility, inside and outside, for quality care?
- How many children will you be able to serve with that space?
- How will you finance any necessary renovation or construction?
- What are the costs of start up and operation?
- How long can you allow before you receive any income from fees and other sources?

If, after reading this guide, you would like to further discuss your specific project, please feel free to contact the City's Child Care Coordinator in the Human Services Division at (310) 458-8701, or the City's Planning Division Child Care Planner at (310) 458-8341. The Child Care Coordinator is available to support you through the process along with the Child Care Planner. They will be your central points of contact throughout the process and will assist you in coordinating regulations from various City divisions and departments.

# Section 1: Developing a Business Plan



When starting a child care center, you want it to be successful. Creating a business plan to guide you through the start-up or growth phase, or any endeavor your small business undertakes, is an important first step. A business plan will make you think about your goals, the resources you may need, and help you anticipate problems that might otherwise come up by surprise.

Some things to consider when developing your business plan include:

- **Goals.** Setting short and long term goals will help guide the development of your child care center.
- **Setting fees.** The fees that you charge will provide the financial base for your business and your income. Connections for Children, a nonprofit resource and referral agency, can help you determine fair, competitive fees, and also provide information about serving low-income and other families through the child care subsidy system.
- **Record keeping.** Identify and organize the records you must keep such as attendance, medical and payment records, and emergency contact information. Be sure to find out what other information may be required by state regulations. These records are essential when filing your state and federal income tax returns.
- **Contracts.** Contracts help mitigate any possible misunderstandings between you and the families in your program. Contracts clarify the rights and responsibilities of each party, payment, policies, hours that you provide care, and other important details.
- **Taxes.** Accurate and complete records are essential to running a successful business.
- **Liability insurance.** It is in the best interest of your child care center to carry insurance and get the necessary protection against accidents. Section 6 of this Guide covers issues related to insurance.
- **Marketing.** As soon as you are ready to open, contact Connections for Children to let them know about your child care program. Spread the word about your new business through ads in local Santa Monica newspapers, flyers, schools, and your neighbors!
- **Accreditation.** Once you are established (12 months experience operating a child care center), you may want to consider accreditation through the National Association for Education of Young Children (NAEYC). Accreditation helps parents identify quality child care by ensuring your center meets quality standards in the following areas: relationships, environment, activities, developmental learning goals, safety and health, professional and business practices.

As mentioned above, Connections for Children is a nonprofit resource and referral agency providing technical assistance to child care providers. Connections for Children may also be able to assist you with developing your business plan and identifying potential funding opportunities. In addition to Connections for Children, there are also several national organizations, such as the National Association for Education of Young Children, that produce materials on many of the above topics.

Connections for Children  
2701 Ocean Park Blvd, Suite 253  
Santa Monica, CA 90405  
(310) 452-3202  
(310) 452-3984 (fax)  
[www.cfc-ca.org](http://www.cfc-ca.org)

## Section 2: State Licensing



### Definition of Child Care Center

The State of California Department of Social Services (DSS) defines a child care center as a facility that provides non-medical supervision in a group setting for less than 24 hours per day, not in an individual's place of residence. For the purposes of zoning, a child care center is defined as any day care facility other than a family day home, and includes infant centers, preschools and extended day care facilities (Municipal Code 9.04.02.030.225).

### State Licensing Requirements

In the State of California, the Community Care Licensing Division (CCLD) of the Department of Social Services (DSS) issues child care licenses. The regulations used in licensing are taken from the California Code of Regulations, Title 22, Division 12. You may obtain a copy of the Title 22 Regulations through CCLD's website: <http://cclد.ca.gov>.

The entity seeking a Center License can be an individual, a group of people, a corporation, or an institution.

You must apply for a license if you would like to:

- Open up a new center (part or full-day)
- Purchase an existing center (licenses are not transferable)
- Move your program to a new site (both you and your site are licensed)
- Continue to operate a program after a change in the legal status of the licensee (i.e. individual to corporation)

### Types of Child Care Center Licenses

The State of California, Community Care Licensing Division grants the following types of child care center licenses:

- **Infants:** Care provided for children from birth through two years (or three years in some cases).
- **Toddlers:** Care provided for children from 18 to 30 months. (This age group would be reflected as an optional component of either the infant or preschool portion of the license.)
- **Preschool Age:** Care provided to preschool-aged children from two years to Kindergarten.
- **School Age:** Care usually provided to children from 4 years, 9 months, and enrolled in kindergarten to 12 years. (May be up to 18 years.)

**A child care center license is not required for:**

- Extended care programs operated by certain public and private schools serving their own students.
- Vacation-time activities of an instructional nature in a classroom setting.
- Any program offering temporary child care services where parents remain on the same premises.
- Certain public and private recreation programs for school-aged children that operate for less than 12 weeks per year. These programs must operate during hours other than normal school hours and must be less than 16 hours per week or 12 weeks per year. Preschool age programs must be less than 12 hours per week and 12 weeks per session.
- Cooperative arrangements between parents, where no money is exchanged. (Be aware that strict requirements govern cooperative parent childcare situations. Please contact the CCLD for more information.)
- Adult education classes where child care is operated by a public school district and parents remain on the same premises.

**Always check with the State's Community Care Licensing Division.** If your program fits the description of one of these exempt types of care, write to the CCLD office, describe the planned program, and ask for written verification that the program does not need to be licensed.

## Obtaining a State License

The following information outlines the steps you need to undertake in order to obtain a license from the State's Community Care Licensing Division. Please note that this entire process may take up to one year. Communication with your Licensing Program Analyst (LPA) is a must to be sure you are clear about the requirements for your center.

- Schedule a CCLD child care center orientation meeting. These meetings are required in order to receive a license. They are usually held once a month and booked one month in advance. Separate meetings are held in Spanish. The Community Care Licensing Division of the Department of Social Services for Santa Monica may be contacted at:

Los Angeles Northwest Child Care Regional Office  
6167 Bristol Parkway, Suite 400  
Culver City, CA 90230  
Phone: (310) 337-4335  
Fax: (310) 337-4360  
<http://cclld.ca.gov>

- Attend the CCLD child care center orientation meeting. At this meeting, you will receive information about the application procedures and licensing fees. If you are uncertain about your plans when you attend, the information may help you make a decision. After the orientation, you will receive a certificate confirming successful completion. This certificate is valid for six months and is needed in order to submit an application.
- At orientation, you will also receive a Child Care Orientation Affidavit at the meeting. Complete and return the Affidavit to the Los Angeles Northwest Child Care Regional Office in order to receive an application packet and the California Code of Regulations, (Title 22) for the orientation that you attended. It usually takes about 3 weeks to obtain an application packet after the Affidavit is mailed.
- Begin your search for a site. The process of finding an appropriate site is probably the most challenging and frustrating part of this process. See Section 3 of this guide for the City's Planning requirements. You will need to have a site when you turn in your application.
- Begin to fill out all the required forms and supportive documents as soon as you receive your license application. **Application processing will not begin until all forms in Section A and all documents in Section B have been completed and sent to the State's Community Care Licensing Division.** CCLD will review the information to see that you

meet the minimum requirements for a license. The application fee must be included with the application and is non-refundable. Make a photocopy of your application before you give it to the licensing office. If you need additional forms, make photocopies of the blank forms from the application booklet or contact the Community Care Licensing Office. **Communication with your LPA is critical to completing everything correctly. It is important to refer to the California Code of Regulations, Title 22, Division 12, for more information on State requirements.**

- If other than the applicant, a qualified director for your program must be identified as part of your application.
- If you plan to operate a profit making or not-for-profit corporation, start the incorporation process now. Information on the filing process and fees are available from the Secretary of State, 1500 11th Street, Sacramento, CA 95814, and through their website: <http://www.ss.ca.gov>.
- Obtain a Use Permit from the City of Santa Monica. Different permitting requirements apply to child care centers located in commercial, residential, or industrial zones. Depending on the zone, a Conditional Use Permit may or may not be required. Please refer to the chart in this back of this guide for more information on zoning districts and planning permits. This process should begin simultaneously with the submittal of your Community Care Licensing Application.
- Begin the application process for a business license with the City and start shopping for insurance (fire, liability and theft). If there are any delays due to permit requirements, notify the Community Care Licensing Division office.
- Obtain Fire Clearance. The CCLD Office will notify the City's Building and Safety Division to inspect your site. In addition, the City's Fire Marshall may visit the facility while you are still in the process of obtaining your Conditional Use Permit. Please know that obtaining a Conditional Use Permit does not guarantee that you will receive a fire clearance and vice versa.

- Participate in the site visit. The purpose of the site visit is to ensure that your center meets basic health and safety standards and Title 22 regulations. Inspectors will look for the following:
  - A current disaster and mass casualty plan, earthquake preparedness checklist, and disaster instructions and drills.
  - Properly stored and maintained first aid supplies.
  - Appropriate arrangements for emergency medical care.
  - Arrangements for the location and care of children who become ill.
  - Provisions for naps without distraction or disturbance.
  - Sufficient financial resources to meet operating costs.
  - A clean, safe, sanitary, facility in good repair.
  - Suitable storage space for proper operation, including a “cubby” for each child to hold hats, coats, and other belongings.
  - Drinking water available in each playroom and on the playground.
  - One toilet and one hand-washing fixture for every fifteen children.
  - Appropriate records maintained for each staff member and each child.
  - A sample menu posted for snacks and/or any meals served. (Please note: a minimum of two snacks a day must be served for full-day programs using items from at least two basic food groups.)
  - Operational telephone line.
  - A posted sample daily schedule.
  - Proper set up of furniture. A minimum of 35 square feet of “unencumbered” floor space must exist for each child and infant. (This is space where children can play and excludes any diaper changing areas, kitchen, storage, office, rest rooms, corridors, and/or fixed furniture areas.) Infant programs must include a sleeping area that is physically separate from the activity area.
  - If playground equipment exists, a minimum of 75 square feet of outdoor activity space per child exists. This area must be enclosed by a secure fence at least four feet high and must include shaded rest areas and easy access to drinking water.

## Receipt of License

If any changes are necessary, you will be informed by your Licensing Program Analyst, both verbally and on the written "Report of Field Visit". Additional visits may be scheduled if corrections or changes are required. Also, if you have not done so already, turn in all the Section B documents to CCLD. **Check with your Licensing Program Analyst to see if your application is complete.** Once everything is checked off by your LPA, you will receive your license.

## Staffing Requirements

State licensing regulations mandate a minimum staff-to-child ratio to ensure that health and safety standards are met. The following staffing requirements are the minimum necessary to operate within legal requirements:

- A fully qualified Director, or designated substitute, must be on site at all times. Child Care Center Director qualifications and duties are detailed in the State of California Policies and Procedures Handbook under Section 101215.1 (November 1998).
- An Assistant Director when 25 or more infants are in attendance.
- **Infants** The teacher-child ratio for infants (birth to two or three years) is one teacher for every four infants in attendance, or one teacher directly supervising no more than 12 infants, where each aide is responsible for no more than four infants.
- **Toddlers** The teacher-child ratio for toddlers (children between 18 and 30 months of age) is one teacher to six toddlers, or one teacher and one aide supervising a maximum of 12 toddlers. The maximum group size for this age group is 12 children.
- **Preschool Age** The teacher-child ratio for preschoolers (ages two to Kindergarten) is one teacher for every 12 children. Teacher aides may not supervise children alone but can assist a teacher with a group of up to 15 preschool age children. If the aide is currently completing at least two post secondary semester units (or equivalent) in early childhood education or child development each semester or quarter, 18 children may be included in the group supervised by the teacher and the aide.
- **School Age** One teacher for every 14 children, one teacher and one aide for each group of 15 to 28 children, two teachers and one aide for every 29 to 42 children, or two teachers for groups numbering 43 to 56 children.

In addition to the teaching staff, a child care center must employ sufficient staff to carry out clerical, housekeeping, and maintenance functions.

## Section 3: City Planning



### Zoning Districts and Planning Permits

Dependent on the Zoning District, a planning permit may or may not be required. The location of your project will determine the type and length of the process. We recommend that you discuss your project site with the City's Planning Division before you start spending any money. Contact the City's Child Care Planner at 458-8341.

Child care centers located within some residential and industrial zones must obtain a Conditional Use Permit (CUP). A CUP is intended to allow development in areas that may have special impact or uniqueness where their effect on the surrounding neighborhood cannot be determined in advance of the specific proposed project. Child care centers are not permitted in R1, R2R, M1, BP, and OP1 zoning districts. Please note: child care centers are exempt from the Planning Division's permit fees.

For more information on specific zoning districts, please refer to Appendix 4 of this guide.

### Special Conditions

All child care centers must meet the following special conditions when located in a residential district:

- **Structure** A child day care center must conform to all property development standards of the zoning district in which it is located.
- **Fences and Walls** A fence must enclose outdoor play areas at least four feet in height, except where the required front yard fence height may not exceed 3 ½ feet in height. (If you believe your fence needs to be higher, you may apply for a fence variance, which is a discretionary permit approved by the Zoning Administrator.) Materials, textures, colors, and design of the fence or wall must be compatible with on-site development and adjacent properties. All fences or walls must provide for controlled points of entry. In multi-family zones, fences that require a building permit must undergo an architectural review, either by City staff or the Architectural Review Board (ARB).
- **On-site Parking** On-site parking for child day care centers must meet specific provisions as defined in Section 9.04.10.08 of the City Municipal Code. Specific information about parking is available from the City Planning Division and Transportation Management Division.

- **Passenger Loading** For child care centers, one to four loading spaces are required, depending on the number of children served by the facility (See Municipal Code Section 9.04.10.10.030f). Generally, these spaces are provided on the applicant's property. The Transportation Planning Manager may authorize up to one curbside loading space for designated times if on-street parking spaces are typically available during the requested hours.
- **Organized Outdoor Play Activity** For the purpose of noise abatement in residential districts, organized outdoor play activities are limited to the hours of 7:00 a.m. - 9:00 p.m. (SMMC Section 9.04.14.030e)
- **Lighting** Passenger loading areas may be illuminated. If illuminated, the lighting must be directed away from adjacent properties and of an intensity compatible with the residential neighborhood.

### **Conditional Use Permit Application Process**

The Conditional Use Permit (CUP) application process reviews the location, design, configuration of improvements, and potential impact on the surrounding area. The CUP application process also reviews the impact use will have on the surrounding area based on established standards.

A CUP is subject to the review and approval of the Planning Commission. (Planning Commission decisions may be appealed to the City Council.) Physical changes to the exterior of the property also require Architectural Review Board (ARB) review and approval. The Transportation Management Division must also review and approve the passenger loading and parking plan, if required, prior to final Planning approval.

An application may require six months or longer to process. There are no fees for a child care CUP variance, Architectural Review Board (ARB) review, or California Environmental Quality Act analysis (CEQA). You may obtain an application from:

City Planning Division Public Counter  
 1685 Main Street, Room 111  
 Telephone: (310) 458-8341  
 Hours: Monday – Thursday, 7:30 – 5:00 p.m.  
 Alternate Fridays, 8:00 a.m. – 4:30 p.m.

## Required CUP Application Materials

- **Conditional Use Permit Application Form** Complete one original application for a Conditional Use Permit. All the information requested on the application must be provided.
- **Public Notification Materials** Requirements for Radius Map and Certified List of Property Owners and Tenants with required notification materials are attached to the Conditional Use Permit Application. These instructions must be followed. The property owners' list and two sets of self-adhesive labels of Property Owners and Tenants within a 500' radius of your property is needed to notify neighbors regarding your application.
- **Passenger Loading Plan** If the Transportation Management Division finds during evaluation of a project that a written request for a curbside loading zone is not adequate, the Transportation Management Division may require the applicant to develop a Passenger Loading plan.

If required, the applicant should submit a Passenger Loading plan drawn to scale (1/4" or 1/8" = 1 ft.) showing the passenger loading zone location, size, and access. These plans do not need to be prepared by a professional, but they do need to be scaled and show the outline of the buildings, driveway and parking spaces, alley, and streets. Transportation Management Division staff will be available to answer any questions and provide guidance.

- **Environmental Information Form** Evaluation of the information on the application form will determine if the project is exempt from further environmental review. Applicants for non-exempt projects should consult with City Planning Division staff to determine the environmental review process. Intensification of site use may require an environmental analysis. Processing an environmental analysis can add six months to a year to the review process. Clear knowledge of the specifics of how your program will operate is integral to the determination if an environmental analysis is necessary.
- **Plans** Two full size (not to exceed 24"x 36") sets of plans, folded to a maximum size of 10"x 14" of the following as applicable:
  - Site Plan – Please refer to "The Applicant Guide: Site Plan" available at the Building and Safety Counter, Room 111, Santa Monica City Hall.
  - Dimensioned exterior elevations of the proposed project and adjacent existing buildings. Exterior elevations must show the height of each building dimensioned from Average Natural Grade (ANG) or Theoretical Grade, as applicable. Height calculation

methodology must be shown. Check with the City Planning Division for height and method of calculation relevant to your project. A licensed surveyor or engineer must certify elevation measurements, accompanied by a site survey. In the case of additions to existing buildings, all exterior elevations of both the addition and the existing building are required. For more information, see "Applicant Guide: Site Survey Requirements" available at Building and Safety Counter, Room 111, Santa Monica City Hall.

- Fully-dimensioned floor plans indicating square feet. In the case of remodeling, existing and proposed dimensional floor plans, as well as a demolition plan, are required.
  - Cross-section and longitudinal section calling out building heights.
  - Show size and location of any exterior mechanical equipment on both plot plan and elevation. Indicate existing buildings on adjacent parcels and their zoning (commercial, residential, etc.).
  - Other information, drawings, plans and renderings that may be helpful in assisting the Planning Commission to make their decision.
- **Rent Control Clearance Form** Certification by the Rent Control Administration of the rent control status of properties in residential zones is required to ensure rent control compliance. The City Planning Division will not process a CUP application without this form. Please visit the Rent Control Office, (City Hall, Room 202), to obtain this form.
  - **Statements of Findings Form** Applications must include a Statement of Findings for a Conditional Use Permit or Development Review Permit, as applicable.
  - **Photos** Applications must include two sets of color photographs or color copies mounted on 8 ½ x 11 sheets showing all elevations of project sight and surrounding properties and uses. Photos should be labeled with site address and photo content description. Please note that a total of twenty sets of color print photographs referenced above will be required prior to the Planning Commission hearing.

Once your Project Manager has deemed your application complete, an additional six (6) sets of project plans will be required for distribution to appropriate City Departments.

Prior to the Planning Commission hearing, you will be required to submit twenty additional sets of plans measuring 11" x 17" and one full size set measuring 24" x 36". Additional plans will be required if approval from

other bodies such as the ARB is necessary. You may wish to prepare one set of original plans that qualify for both the Planning Commission and the ARB by providing the additional graphic requirements of the ARB on the drawings.

The Planning Commission will make its final decision at a public hearing. The effective date of approval is 14 calendar days after the date of approval by the Planning Commission. Any interested persons, Planning Commissioner, or City Council member may make an appeal. An appeal will stay all action on the matter until a final decision is reached in a public hearing before the City Council, whose decision will become immediately effective.

Following approval by the Planning Commission, the building's exterior design, landscaping, and new signage, if any, needs to be submitted to the Architectural Review Board, if a new building or building remodel is involved.

Applicants who have successfully negotiated this process can provide you with much assistance and support. While legal representation is not required, a lawyer or other land use professional with experience in handling zoning matters may be of great help, particularly if the project is complex or facing strong opposition.

Personal contact with your closest neighbors or neighborhood groups can go a long way. If your child care center is in a residential neighborhood, contact your neighbors to inform them about the number of proposed children in your care and what the daily routine entails. Once operational, they might also appreciate an invitation to observe your program.

## Section 4: Building and Safety Requirements



### Hire an Architect Early in the Process

With few exceptions, state law requires that a licensed architect prepare plans for the construction or alteration of a child care center. For information about hiring an architect, you may contact:

California Architects Board  
400 R Street, Suite 4000  
Sacramento, CA 95814  
Phone: (916) 445-3393  
Fax: (916) 445-8524

You may want to obtain a copy of the "Consumer's Guide to Hiring an Architect", available online at <http://www.cab.ca.gov>.

### Summary of Building and Safety Code Requirements

There are some important building code requirements applicable to new child care centers to consider when selecting an appropriate child care site. A pre-inspection by an architect, known as a due diligence survey, is advised to determine if existing construction has any violations.

- Buildings must front directly on a public street with a minimum 20-foot-wide right-of-way, unobstructed and maintained only as an access to the street.
- Child care centers generally must be located on the first floor of a multistory building. Certain exceptions exist for various fire life safety improvements such as fire sprinklers, smoke barriers, and additional exits.
- In multistory buildings where the child care center is not located on the ground level or accessible by ramp, installation of an elevator may also be required depending on the building's total floor area, number of stories, and the child care center's proximity to other exits.
- Child care centers must be fully accessible to persons with disabilities. This may include installation or modification of such items as ramps, handrails, parking spaces, restroom facilities, and drinking fountains.
- Doors with panic hardware and an approved fire alarm system are required for any child care center with 50 or more occupants.
- Allowable total travel distances from any point in the child care center to an exit are generally less than that for most other building uses.

- Floors, walls, doors, windows and stairway construction generally need to be more fire-resistive than other building uses.
- Minimum number of water closets and lavatories is generally higher than most other building uses.

## Section 5: Obtaining a Fire Clearance



A Fire Clearance is required to make sure your center is free of fire and life safety hazards, including having proper and sufficient fire prevention devices, evacuation plans, and escape routes.

Once you have completed your child care center application, the State Community Care Licensing Division will notify the City's Fire Department of your pending application. A representative from the Santa Monica Fire Department will contact you to schedule a fire inspection at your facility. Facilities meeting the fire regulations will be issued a Fire Clearance.

The following regulations apply to a child care center with an occupancy load of 50 or more persons, or containing more than one classroom. This checklist will help you prepare for the Fire Inspection.

### **Fire Alarms/Protection**

- ❑ The fire alarm system is approved for a child care center with an occupancy load of 50 or more persons (or containing more than one classroom), and listed with the State Fire Marshall.
- ❑ A hard-wired, switch-operated fire alarm bell, is audible throughout the building
- ❑ In buildings with an automatic fire extinguishing or detection system, the operation of such system shall automatically activate the building fire alarm system, which includes an alarm mounted on the exterior of the building.
- ❑ A portable fire extinguisher with a minimum rating of 2A10BC is required to be mounted and serviced annually, or immediately after use, whichever occurs first. Travel distance to the extinguisher shall not exceed 75 feet.

### **Emergency Planning**

- ❑ An emergency pre-fire plan is be posted and includes the Fire Department's phone number, the assignment of a person responsible to call the Fire Department in case of emergency, evacuation routes leading to a public way, and instructions to be followed by teachers.
- ❑ At least one gate shall be provided and as many as necessary to ensure access in event of an emergency.

**Exits**

- ❑ Exit doors and gates open from the inside without the use of a key or any special knowledge or effort.

**Hazardous Materials Storage**

- ❑ No flammable liquids shall be placed, stored or used, except in approved quantities as necessary in approved utility rooms, and such liquids shall be kept in tight or sealed containers when not in actual use, and shall be stored within a storage cabinet for flammable liquids approved by the fire department.

**Annual Operating Permit**

- ❑ Obtain a Fire Department Operating Permit. This permit must be reissued each year as a condition to operate.

## Section 6: Construction Permit and Approval Process



Building permits are required to construct, alter, add to, or change the use or occupancy of any building. Unless you are buying an existing child care center and do not intend to alter it, your project will most likely require a building permit. You must obtain your construction loan before permits are processed. The following steps will help guide you through the construction permit and approval process.

### **Step 1: Apply for A Building Permit**

After receiving any necessary approvals from the Planning Commission, Architectural Review Board, and/or Zoning Administrator, you may submit your construction drawings and building permit application to the City's Building and Safety Division. Normally six sets of plans will be required with your application so the City may route your drawings to all appropriate City departments. Depending on the scope of your project, you may also need to submit other documents such as structural calculations, an energy efficiency report, and a soil report.

To help you navigate the permit process, the City has adopted the project manager system for permit applicants. The project manager acts as your main point of contact at City Hall and facilitates problem solving during the process. Your project manager will be the staff member from the City Planning Division who reviews your application.

### **Step 2: Complete the Plan Review Process**

Normally within six weeks after document submittals, applicants will receive a comprehensive list of any outstanding requirements from City departments. All City staff members who review your application will be available for assistance. Contact information for your project manager and all staff reviewers will be included with your review comments.

Most submitted plans require some modifications to conform to local requirements. After making any necessary corrections to the plans and providing any additional documentation requested, resubmit your plans to the Building and Safety Division. Resubmitted documents normally take three weeks to review. Once City staff verifies that any needed plan corrections were made and any remaining concerns have been addressed, the building permit will be ready to issue.

### **Step 3: Obtain Your Construction Permit**

After completion of the plan review process, the property owner or a licensed contractor may obtain the permit upon payment of all required fees.

Contractors must have a state contractor's license, City business license, and worker's compensation insurance to obtain the permit. Property owners must have proof of ownership and complete the Owner/Builder verification form describing how they intend to build the project in conformance with State contractors' license law. Tenants of buildings can also obtain the permit as an agent for the owner with proof of authorization.

**Step 4: Have Construction Work Inspected**

Most construction work requires periodic City inspections. Generally, no work may be covered until the appropriate City inspector has inspected and approved it. Since each project proceeds at its own rate, the contractor or owner must request inspections when any work is completed to the point that a progress inspection is required. You will be given the information on how to request an inspection when you obtain your permit.

**Step 5: Obtain Final Approvals and Permission to Occupy**

Upon completion of any required construction and approval from the necessary City departments, the Building and Safety Division will issue a Certificate of Occupancy that will authorize you to use the building as a day care center. This is the final step of the construction approval process.

## Section 7: Boards, Commissions, and Advisory Groups



### **Planning Commission**

The Planning Commission conducts two regular meetings per month on alternate Wednesday evenings to consider development permits, appeals, and planning policy matters. The Planning Commission must consider the most appropriate use of buildings, structures, and land for residents, commerce, trade, industry, and other purposes. Letters or written materials regarding agenda items may be submitted to the Planning Division staff prior to or at all the Commission meetings. The Planning Commission also serves as an advisory board to the City Council on certain items of City business.

Contact: City Planning Division at (310) 458-8341

### **Architectural Review Board (ARB)**

The Architectural Review Board reviews and approves plans and elevations of all the proposed structures, additions, and signs to be erected in the City, with the exception of single-family residential development in the R1 zone. Members of the ARB review building plans, exterior colors and materials, landscaping, location and type of signage. The ARB meets twice per month on alternate Monday evenings.

Contact: City Planning Division at (310) 458-8341

### **Child Care and Early Education Task Force (CCEETF)**

The Santa Monica Child Care and Early Education Task Force address child care issues within the City of Santa Monica. The Task Force typically meets on the third Wednesday of each month. The primary objectives of CCEETF are as follows:

- Address urgent and long-range public policy issues
- Bring together child care and early education providers with government agencies and other interested parties to share information, ideas, and issues related to child care and early education
- Support continuous improvement in the quality, accessibility, and affordability of child care, early education, and after school programs

Contact: Human Services Division at (310) 458-8701

## Section 8: Obtaining a City Business License



All child care centers in Santa Monica are required to obtain a City business license. City business licenses are non-transferable. If you are the new owner of a child care center, you must apply for a business license in your name at the address of the child care center facility.

If you are opening up a second location for your child care center, a separate license is required for each site. Each location must also comply with zoning regulations, as discussed in Section 3 of this guide.

If you are developing a new child care center, the City Planning Division must approve the Business License Application to make sure the project complies with City zoning requirements. If a Conditional Use Permit (CUP) is required, a business license cannot be approved until the CUP conditions of approval have been approved.

To obtain a City business license, you may apply in person, by fax, or online. Applications are available from the Business License Office or on the City's web site: <http://pen.ci.santa-monica.ca.us/finance/licenses/index.htm>.

City of Santa Monica Business License Office  
1685 Main Street, Room 103  
Santa Monica, CA  
(310) 458-8745  
Office hours: Monday-Thursday, 7:30 a.m. – 5:30 p.m.  
Alternate Fridays, 8:00 a.m. – 5:00 p.m.

### **Non-Profit Child Care Centers**

A child care center defined as a nonprofit corporation is exempt from paying the business license tax, however you must submit an application to ensure that you meet various other City requirements.

### **For-Profit Ownership or Corporation**

When a child care center opens as a for-profit business, the business pays the minimum fee when it begins operation. At renewal time, an additional fee is charged based on actual gross receipts applicable to the first year of operation, less the minimum paid for the business license when the original license was obtained. For further information on the business license tax for child care center operators, contact the Business License office.

## Section 9: Obtaining Insurance



Please be aware that State law does not require child care centers to acquire insurance. However, the greatest risk a provider of child care faces is if a child gets injured. It is in the best interest of the center to carry insurance and get the protection you need. Medical or accident insurance will pay for doctor and hospital bills. If a lawsuit occurs, liability policies will usually pay for any damages awarded by the court.

**It is important to research the insurance company that is right for you.** Evaluate all options carefully before making any decisions. Ask the same questions about each policy and write down the answers so you can evaluate the policy after discussing it with each insurance agent. Here are some questions you may want to ask prospective agents or brokers:

- What is your experience in developing an insurance program for a child care center?
- What are the best interests for my particular center?
- What is and is not covered by the policy, such as accidents that occur while transporting children, serving food, employees, or physical and sexual abuse?
- How does the company limit its risks, such as by the number of children cared for by the provider?
- What are the premiums? Are there deductibles?
- What are the liability and medical payments limits?
- Is the policy an occurrence form or a claims made form?
- How long have you been in business? What is the company's reputation?
- Who will handle my claims? Is the agent knowledgeable and helpful?
- How has the company been rated in its ability to pay claims promptly and completely?
- Can you provide references of child care centers you currently insure?

For more information about obtaining insurance, there are several websites, such as the National Child Care Information Center ([www.nccic.org](http://www.nccic.org)), and Child Care Law Center ([www.child\\_carelaw.org](http://www.child_carelaw.org)), that produce materials on this topic. Connections for Children is also available to provide technical assistance to child care centers.

## Section 10: Frequently Asked Questions and Responses



### **Does the Americans with Disabilities Act (or ADA) apply to child care centers?**

Enacted in 1990, the Americans With Disabilities Act is a federal law designed to prohibit discrimination and ensure equal opportunities for persons with disabilities. Child care centers, both private and public, must comply with Title III of the ADA. This includes children served by the center, as well as employees. There are some exceptions for child care centers run by religious entities. However, private centers operating on the premises of religious institutions are generally not exempt. You can obtain more information about your obligations by contacting Public Counsel’s Child Care Law Project at (213) 385-2977. For more information about the ADA and how to include children with special needs and disabilities in your center, contact Connections for Children at (310) 452-3202, or Westside Regional Center at (310) 258-4096.

### **I operate an exercise studio and want to offer child care for moms. Do I need a license?**

Programs that offer temporary child care services where parents remain on the premises do not usually require a license. We recommend that you always check with Community Care Licensing and receive written verification that the program does not need to be licensed.

### **I found a house in a residential neighborhood that I want to buy and convert to a child care center. Is that okay?**

Different permitting requirements apply to child care centers located in commercial, residential, or industrial zones. Please refer to Sections 3 & 4 of this guide for more information.

### **Do I need to hire an architect?**

If you plan to do any construction, you will most likely need a licensed architect to prepare the construction drawings to obtain a building permit. Architects can also assist in obtaining planning approvals, providing cost estimates, hiring contractors, and advising on building code concerns or violations in existing facilities. Most persons find the services of the architect essential to timely completion of the process.

**Is there financial help?**

There are different types of financial resources available for development of child care facilities. Some banks provide loans for real estate acquisition, working capital, and equipment financing through their Community Development programs. The California Department of Housing and Community Development has developed a Child Care Facilities Financing Program. In addition, some foundations may provide grants or help with financing of child care centers.

**Do I need insurance?**

While there are no City or state regulations that require child care centers to carry insurance, most child care centers are insured. Please refer to section 9 for more information on insurance.

**I found an empty warehouse. How much is it going to cost me to remodel it for use as a child care center?**

It is not possible to detail the exact cost for construction or remodel of a child care center. Close attention must be given to the project budget and construction costs. Costs for your individual project may include the costs of architects, child care consultants, equipment and furnishings, outdoor play area costs, and retrofit of an existing building.

# Appendices



**Appendix 1: City Telephone Directory**

**Appendix 2: Glossary of Common Terms**

**Appendix 3: Child Care Center Planning Process**

**Appendix 4: City of Santa Monica Zoning Districts**

**Appendix 5: Child Care Center Planning Reminder Checklist**

# Appendix 1: City Telephone Directory



**Building and Safety**.....(310) 458-8355  
Counter Hours: Monday-Thursday 7:30 a.m. - 5:00 p.m.  
Alternate Fridays 8:00 a.m. - 4:30 p.m.

**Business Licenses**.....(310) 458-8745  
Counter Hours: Monday-Thursday 7:30 a.m. – 5:30 p.m.  
Alternate Fridays 8:00 a.m. – 5:00 p.m.

Application available online at [www.santa-monica.org](http://www.santa-monica.org).  
(Click on Communications, then Business License Renewal & Application Forms.)

**Civil Engineering**.....(310) 458-8721

**City Planning** ..... (310) 458-8341  
Counter Hours: Monday-Friday 7:30 a.m. – 5:00 p.m.  
Alternate Fridays 8:00 a.m. – 5:00 p.m.

**Environmental and Public Works Management**..... (310) 458-8221

**Fire Department**.....(310) 458-8669

**Human Services Division**  
Child Care Coordinator .....(310) 458-8701

**Transportation Management**.....(310) 458-8291  
Counter Hours: Monday-Friday 7:30 a.m. – 5:00 p.m.  
Alternate Fridays 8:00 a.m. – 5:00 p.m.

**Rent Control** ..... (310) 458-8751

City Hall is closed on alternate Fridays.  
City counters operate on a first-come, first-served basis.

## Appendix 2: Glossary of Common Terms



### **California Environmental Quality Act (CEQA)**

This State law requires the governing agency with authority over a proposed development to analyze any environmental impacts that a proposed development may cause, and how to reduce or remove those impacts.

### **Child Day Care Facility**

The Santa Monica Municipal Code defines a child day care facility as any facility providing non-medical care to children less than eighteen years of age in need of personal service, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual. Child day care facility includes day care centers and family day care homes.

### **Commercial District**

A Commercial District is designated by the letter C, and either followed by a letter or number to further describe the zoning requirement. Commercial districts consist of predominately commercial uses (although residential use is often permitted).

### **Conditional Use Permit (CUP)**

A discretionary permit reviewed and approved by the Planning Commission that allows land use, physical or operational, provided the developer meets certain conditions.

### **Density**

The maximum number of dwelling units or floor area permitted on a site. The minimum number of square feet of lot area required for each dwelling unit or building square feet regulates density.

### **Environmental Impact Report (EIR)**

A thorough environmental analysis of the effects of a proposed discretionary project, including the identification of alternatives and disclosure of possible ways to reduce or avoid a possible environmental impact. An EIR provides the public with information that they may comment on during a required public comment period.

### **Family Child Care**

Small Family Day Care Regularly provides early care and education of children in the provider's own home for periods of less than 24 hours per day to a maximum of eight children, including the provider's own children under the age of ten.

Large Family Day Care Regularly provides care and early education in the provider's own home for periods of less than 24 hours per day to a maximum of fourteen children, including the provider's own children under the age of 10.

**Human Services Division**

The City division that oversees the planning, research, and evaluation of the City's human and community service needs. The City's Community Development Program is administered through this division, providing funding for the support of nonprofit human service and housing development organizations. In carrying out the City's Child Care Policy, the Human Services Division is charged with providing the leadership that will enable the City to meet its child care needs. The City's Human Services Division Child Care Coordinator advises and makes policy recommendations, and is involved in a wide-range of activities that focus on building capacity, improving quality and increasing child care access for families.

**Performance Standards Permit (PSP)**

Large family child care homes are governed by performance standards permits comprised of building codes and zoning permits governing residential uses of property. The PSP application process reviews the location, design, potential impact on the surrounding area, and rent control status of the proposed large family day care home.

**Planning Commission**

Volunteer regulatory commission appointed by the City Council to review planning projects and zoning law changes.

**Planning Division**

The City division that oversees land use issues and controls zoning changes, zoning variances, and Conditional Use Permits.

**Residential District**

Areas of the City that may be developed for some type of housing. These districts are indicated by the code R or OP (for Ocean Park), and followed by a number to further describe the zoning requirement. A child care center is permissible in some residential districts.

**Zoning**

Developmental regulations used by cities and counties to determine where residential, commercial, industrial, or other uses may be located. These regulations also control the size and types of such uses.

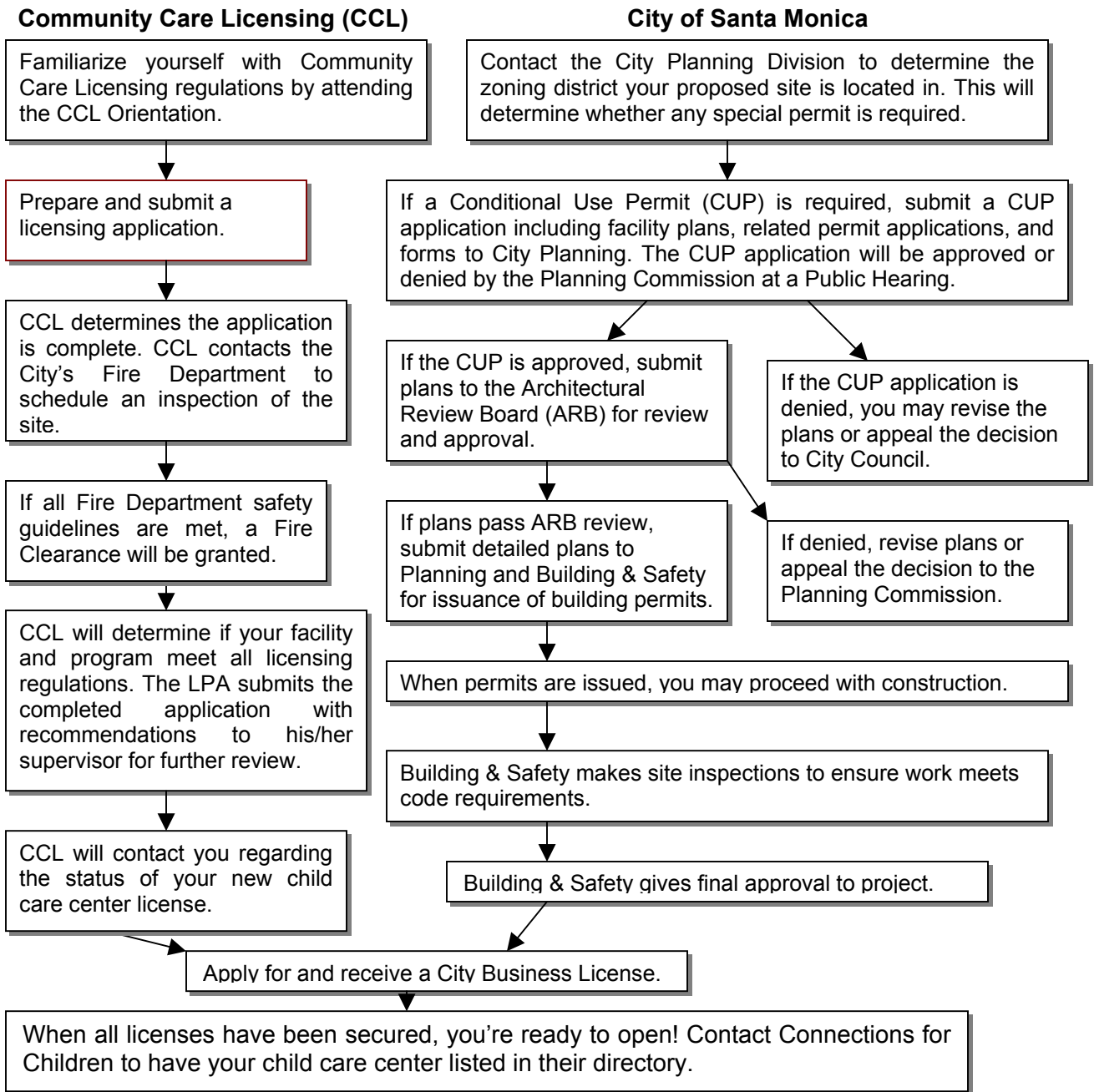
**Zoning Variance**

A waiver granted by the City to certain standard zoning requirements. For example, a reduction of the number of required parking spaces. Zoning Variances require community notification and a public hearing.

# Appendix 3: Child Care Center Planning Process



Getting your new Child Care Center off the ground doesn't have to be confusing! This diagram outlines the steps to a successful start of the State Community Care Licensing (CCL) and City of Santa Monica planning process. For transfers of ownership, please follow the CCL process.



# Appendix 4: City of Santa Monica Zoning Districts



## Child Care and Zoning

There are 28 separate zoning districts in Santa Monica. Only Designated Park (DP) and M1(Manufacturing) zones do not permit any type of child care. However, some types of child care facilities require special planning permits depending on the zoning district in which they are located. You may find out if you need a special permit by using the chart below. If you do not know what zone your property is located in, please call the Planning Division at (310) 458-8341.

## May I Use the Location I Have Chosen?

	<b>Yes.</b> Permitted Without a Planning Permit In Zones...	<b>No.</b> Not Permitted At All In Zones...	<b>Maybe.</b> A Planning Permit is Needed...
<b>Small Family Child Care Home</b>	OP1, OP2, OP3, OP4, OP-D, R1, R2, R3, R4, R2B, R2R, R3R, R-MH	BCD, BP, BSCD (1-4), C2, C3, C4, C5, C6, CM (1-4), CP, C3C, CC, DP, LMSD, M1, RVC	
<b>Large Family Child Care Home</b>		BP, BSCD1 to BCSD4, C3, C4, C5, C6, CC, CM (1-4), CP, C3C, DP, LMSD, M1, RVC	If your site is located in BCD, BP, C2, OP1, OP2, OP3, OP4, R1, R2, R3, R4, R2B, R2R, R3R, R-MH, you need a Performance Standards Permit (PSP).
<b>Child Care Center</b>	BCD, BSCD (1-4), C2, C3, C4, C5, C6, CM (1-4), CP, C3C, CC, N	R1, R2R, DP, M1, BP, OP1	If your site is located in LMSD, OP-D, OP2, OP3, OP4, R2, R3, R4, R2B, R3R, R-MH, RVC, you need a Conditional Use Permit (CUP).

### Key to Zoning District Abbreviations

- |                       |  |
|-----------------------|--|
| BSCD1 to BSCD4        | Bayside Commercial Districts             |
| C2 to C6, CM, C3C, CP | Commercial Districts                     |
| CC                    | Civic Center District                    |
| LMSD                  | Light Manufacturing & Studio District    |
| M1                    | Industrial Conservation District         |
| N                     | Neighborhood Commercial Overlay District |
| OP1 to OP4, OP-D      | Ocean Park Residential Districts         |
| R1-R4, R2B, R3R       | Residential Districts                    |
| R-MH                  | Residential Mobile Home Districts        |
| RVC                   | Residential Visitor Commercial District  |

## Appendix 5: Child Care Center Planning Reminder Checklist



As you go through the Child Care Center development process, this list will help you track your progress and remember what still needs to be done.

### Have I....

- Contacted the City's Human Services Child Care Coordinator and Child Care Planner?
- Contacted City Planning to determine the City's zoning of the proposed Child Care Center site?
- Determined if there is a need for remodeling, renovation, or new construction?
- Determined the type of permit needed from City Planning?
- Determined if it is necessary to hire an architect, engineer, or other building professional?
- Obtained approval from the City's Transportation Management Division for parking circulation layout and other loading/unloading areas?
- Called the State of California Community Care Licensing Division (CCLD) to obtain a child care center orientation meeting schedule?
- Attended CCLD orientation, received a certificate of attendance, and obtained a license application and current fee information?
- Completed the CCLD application forms and submitted them?
- Submitted required application materials for a CUP or PSP to City Planning, including:
  - Neighborhood notification materials including a certified list of property owners and tenants?
  - Two sets of mailing labels with names & addresses of owners within the required radius?
  - A radius map?
- Environmental Information form?
- Two sets of plot plans, exterior elevations, floor plans, and cross-sections?
- Rent Control Status form?
- Statement of Findings form?
- Photos?
- Demolition Permit application (if applicable)?
- Submitted an Architectural Review Board Application?
- Submitted plans for a plan check?
- Applied for a Building Permit?
- Obtained a preliminary Engineering Division review?
- Contacted Connections for Children?
- Obtained a clearance from the Fire Department and an Annual Operating Permit?
- Scheduled a site visit with a State Licensing Program Analyst?
- Received fingerprint clearances for all staff?
- Obtained a City Business License?

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