

Pleasanton Municipal Code

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18.124.070 Findings.

The city planning commission shall make the following findings before granting a use permit:

- A. That the proposed location of the conditional use is in accordance with the objectives of this chapter and the purposes of the district in which the site is located;
- 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;
- C. That the proposed conditional use will comply with each of the applicable provisions of this chapter.
(Prior code § 2-11.08)

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Article II. Use Permits for Large Family Day Care Homes**18.124.190 Procedure.**

Applications for large family day care homes shall be processed in accordance with the provisions of this article. (Ord. 1126 § 9, 1984; prior code § 2-11.20(a))

18.124.200 Application.

Application for a large family day care home use permit shall be filed with the zoning administrator in accordance with the requirements of Section 18.124.020 of this chapter. (Ord. 1126 § 9, 1984; prior code § 2-11.20(a)(1))

18.124.210 Notice.

No less than 10 days prior to the date on which the decision will be made on the application, the zoning administrator, or his or her designee, shall give notice of the proposed use by mail to all owners shown on the last equalized assessment roll as owning real property within 100 feet of the exterior boundaries of the site of the proposed use. (Ord. 1126 § 9, 1984; prior code § 2-11.20(a)(2))

18.124.220 Public hearing.

If a hearing is requested by the applicant, or other affected person, a public hearing before the zoning administrator shall be held prior to a decision being made. No public hearing shall be held unless such a hearing is requested. (Ord. 1126 § 9, 1984; prior code § 2-11.20(a)(3))

18.124.230 Action of zoning administrator.

Upon close of the public hearing, if a hearing has been requested, or at the time set for the decision in the notice, the zoning administrator shall approve, approve in modified form, or deny the application. The zoning administrator shall grant the use permit if the proposed large family day care home, as applied for or as conditioned, complies with the standards set forth in this article. Any action of the zoning administrator may be appealed to the planning commission. (Ord. 1126 § 9, 1984; prior code § 2-11.20(b))

18.124.240 Standards.

Large family day care homes shall be required to meet the following requirements:

- A. Spacing. No large family day care home shall be approved if the site of the proposed use is located within 300 feet of the exterior boundary of another large family day care 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.
- B. Traffic Control. Large family day care 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.

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.

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 this 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.

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))

18.124.250 Additional procedures.

The regulations concerning effective date of the use permit, review or appeal, lapse of use permit, suspension and revocation, new application and successors in interest shall be those contained in this chapter. Modifications shall be

handled by the zoning administrator pursuant to the procedures set forth in this article for new applications. (Ord. 1126 § 9, 1984; prior code § 2-11.20(d))