File #: 20-665, **Version:** 1 **Item #:** C-3.

CC - Adoption of an Ordinance Amending Title 17, Zoning, of the Culver City Municipal Code, Sections 17.230.015, Table 2-8 - Industrial District Land Uses and Permit Requirements and 17.400.035 - Child Day Care Facilities, to Allow Child Day Care Centers as a Primary Use.

Meeting Date: January 27, 2020

Contact Person/Dept: Michael Allen/Current Planning Manager
Christopher Minniti/Current Planning Intern

Phone Number: (310) 253-5727
(310) 253-5712

Fiscal Impact: Yes [] No [X] **General Fund:** Yes [] No [X]

Public Hearing: [] **Action Item:** [X] **Attachments:** [X]

Public Notification: (E-Mail) Meetings and Agendas - City Council (01/22/20)

Department Approval: Sol Blumenfeld, Community Development Director (01/16/20)

RECOMMENDATION

Staff recommends the City Council adopt an Ordinance approving Zoning Code Amendment (P2019-0264-ZCA), amending Culver City Municipal Code (CCMC) Title 17 - Zoning (Zoning Code), Sections 17.230.015, Table 2-8 - Industrial District Land Uses and Permit Requirements, and 17.400.035 - Child Day Care Facilities, to allow child day care centers as a primary use in the City's Industrial Zoning Districts.

BACKGROUND/DISCUSSION

Planning Commission Recommendation

On November 13, 2019, the Planning Commission considered background information contained in the initial City Council staff report and a summary of neighboring city land use regulations for child care facilities (Attachment No. 2). The Planning Commission discussed the benefit of expanding Child Care Center opportunities in the City but also had concerns about the compatibility of Child Care Centers with industrial land uses as well as the potential loss of tax revenue from non-profit Child Day Care Centers. Consequently, the Planning Commission recommended to the City Council

approval of Zoning Code Amendment P2019-0264-ZCA with an amendment to include a financial analysis requirement for non-profit Child Day Care facilities similar to the City's requirement for private schools located in Industrial Zones. Accordingly, staff prepared the following language to be added to Zoning Code Section 17.400.035, Child Day Care Facilities to address the financial issue the Planning Commission raised:

"Applications for a Conditional Use Permit to permit a non-profit Child Day Care Facility in the industrial zone shall include the submittal of an economic study, in form and substance as determined by the Director. Said study shall analyzes the fiscal impacts of the use and include a calculation of the economic and tax "opportunity cost" to the City.

After considering the economic study and the fiscal impacts to the City the appropriate review authority may impose reasonable conditions to mitigate the fiscal impacts as necessary, if it determines that such conditions will serve the public interest, health, safety, convenience or welfare of the City."

City Council First Reading and Introduction

On January 13, 2020, the City Council, after opening public comment and discussing proposed changes, unanimously approved the introduction of the proposed Ordinance (4-0).

The proposed Ordinance (Attachment No.1) is brought back to the City Council for adoption.

ENVIRONMENTAL DETERMINATION

On January 13, 2020, the City Council determined that the proposed Zoning Code Amendment P2019-0058-ZCA is exempt pursuant to CEQA Guidelines Section 15061(b) (3) because it can be seen with certainty that there is no possibility that the activity to amend the Zoning Code will have a significant effect on the environment. The circumstances under which the exemption finding was made have not changed; therefore, no new environmental analysis is required at this time related to the adoption of the proposed Ordinance.

FISCAL IMPACT

There is no fiscal impact associated with the adoption of the proposed Ordinance.

ATTACHMENTS

1. 2020-01-27_ATT - Proposed Ordinance and Exhibit A, Zoning Code Text Amendment

MOTION

That the City Council:

Adopt the proposed Ordinance, approving Zoning Code Amendment P2019-0264-ZCA, amending Culver City Municipal Code Title 17 - Zoning (Zoning Code), Sections 17.230.015, Table 2-8 - Industrial District Land Uses and Permit Requirements, and 17.400.035 - Child Day Care Facilities, to allow Child Day Care Centers as a Primary use in the Industrial Zones.