

City of Fremont

www.ci.fremont.ca.us

Planning Department
39550 Liberty Street
Fremont, CA 94537
510.494.4440

Development Services Center
Appt. 510.499.4433

Fire Department
39100 Liberty Street
Fremont, CA 94537-5006
510.494.4274

Community Care Licensing
1515 Clay Street, Suite 1102
Oakland, CA 94612
510.622.2602

Business Tax Information
City of Fremont Revenue Division
39550 Liberty St., P.O. Box 5006
510.494.4790

Building Department
Appointments: 510.494.4443
Information: 510.494.4400

Local Resource & Referral Agency
4Cs
510.582.2182

Small Family Child Care Homes

Maximum of 8 children, including provider's own children less than 10 years old.

Small family child care is allowed "by right" in residential districts. No zoning, fire, or business permit required.

Large Family Child Care Homes

Maximum of 14 children, including provider's own children less than 10 years old.

Zones: Residential districts

Permit: Daycare home permit / Zoning administrator's permit. **Fee:** \$150 without hearing; \$450 with hearing.

Approximate Time for Approval:
4 weeks

Application: Fremont offers a specific application for large family child care homes. It is available both on-line and in person at the planning department. This application outlines all requirements necessary to acquire a use permit.

Impact Requirements: Large family child care homes cannot be located in a 300 foot radius of each other. Two off-site parking spaces per home are required. Noise levels can not exceed 60 decibels at the property line. All outdoor play areas must be hidden from view of street and/or adjacent property owners through fencing and landscaping. In addition, the times of outdoor play must not overlap with other child care facilities within the 300 foot set radius. Hours of outdoor play are limited to 9:00 am to 8:00 pm. If any construction is required for the residence in order to provide day care services, the applicant must submit appropriate plans to the Development Organization (D.O.) for review and approval prior to construction, within one year of the Zoning Administrator's approval.

Hearing: Resident property owners within a 100 foot radius will be notified ten days prior to the permit decision. If all zoning requirements are met, the permit is granted without a hearing. If the applicant or any affected residents contest the conditions of the permit, a hearing date is set.

Appeal Process: Unfavorable decisions of the Zoning Administrator's hearing may be appealed to the Planning Commission. **Appeal Fee:** \$35

Fire Clearance: Required. **Fees:** \$120 per hour for initial and all follow-up inspections.

Business License: Required. **Fee:** \$30 + \$1 per \$1000 generated from gross receipts.

Child Care Centers

Zones:

- Centers within most commercial and industrial zones require a Zoning Administrator's permit and follow the same procedure as large family child care homes for a fee of \$850.
- Centers within zones categorized as "thoroughfare commercial" require a conditional use permit and are reviewed by the Planning Commission.

Permit: Conditional use permit.
Fee: \$2,400 initial deposit, plus additional processing costs

Approximate Time for Approval:
6 weeks

Application: Applications including information for all necessary attachments are available on-line and at the Planning Department.

Impact Requirements: Centers must maintain a minimum 6 foot high fence, solid board fence or masonry wall on any property line abutting a residential district. The lot must be no less than 10,000 square feet and shall not develop excessive traffic on local residential streets.

Hearing: A hearing is required for a conditional use permit with tenants and property owners within a 300 foot radius are notified. If the Planning Commission approves the project, it must still be reviewed by the Development Organization (D.O.) for the permit to take effect. The D.O. serves as a coordinated review committee between planning, building, engineering, and fire departments and generally results in the issuance of a building permit if applicable.

Appeal Process: Same as large family child care homes. **Appeal Fee:** \$50

Fire Clearance: Required. **Fees:** Same as large family child care homes.

Business License: Required. **Fee:** \$30 + \$1 per \$1,000 generated from gross receipts.

Fee information is as of October 2002. Fees and process should be used as general guidelines, and could be subject to change.

City of Fremont – Guide to Obtaining a Land Use Permit

1. Visit the Planning Department

Apply for a Use Permit from **Development Services Center** at 39550 Liberty Street from 8:00 am till 4:00 pm. You may call 510-494-4443 for an appointment.

The City of Fremont offers two types of permits. **Large family child care** receives a special **Zoning Administrator's Permit**, known as a **Daycare Home Permit**.

A **Zoning Administrator's Permit** indicates that all zoning ordinances are met and that the permit can be granted without variances, or special considerations. These permits are granted by the Planning Department, but may require a public hearing if a neighbor opposes your child care business.

Child care centers wishing to operate in most commercial and industrial districts must obtain a **Zoning Administrator's Permit** as well; however, centers wishing to operate in one district, known as **Thoroughfare Commercial**, require **Conditional Use Permits**, a permit which always includes a public hearing before the Planning Commission.

2. The Written Application

Staff planners are on-hand at the Planning Department to assist you; application instructions are also available on-line. You must do the following:

- Complete a narrative, including information about your business, hours of operation, number of children served, etc.
- Submit plans for new building, such as site plans, floor plans, and/or building elevation plans for a new building.
- Child care centers pay a flat fee of \$850 if operating in any zone other than Thoroughfare Commercial.**
- Child care centers operating in Thoroughfare Commercial zones pay an initial deposit of \$2,400.**

3a. Staff Review and Public Notices for Zoning Administrator's Permits

For large family child care and centers not operating in Thoroughfare Commercial districts: The Planning Department reviews your application and then notifies all residents and businesses within 300 foot radius of your property of your permit application. This notification is sent through the mail; however, it is a good idea to contact your neighbors personally about your intended business before public notices are sent out.

(See Appendices C&E)

If no neighbor complains, your **Zoning Administrator's Permit** is granted.

(see Approval)

If a neighbor complains, you may have to pay an additional \$300 for public hearing before the **Zoning Administrator**.

8b. City Council

Your project will be scheduled for a meeting before the City Council (approx. 4 weeks) which will make the decision to approve or deny your permit, based on findings.

7a. Appeal

Contact the Planning Commission to appeal the Zoning Administrator's decision. **Fee is \$35.**

7b. Appeal

Contact the City Clerk within 10 days to appeal the Planning Commission's decision. **Fee is \$50.**

5a&b. Denial

Due to citizens' complaints or evidence that your project will negatively impact your neighborhood, the Zoning Administrator or the Planning Commission does not approve your permit under any conditions.

5a&b. Approval

- Congratulations! You have one year to begin child care within the home or begin construction of the new facility.
- If a hearing was required, the Planning Commission or Zoning Administrator may require additional improvements to the site.
- Additional permits may be needed depending on the scope of your project (i.e. building permits for construction, signs, etc.). Costs for these reviews are not included within the initial fee and are minimal for family child care homes.
- Your permit is valid for as long as you comply with the permit's conditions of approval.
- Applicant must obtain business license by contacting the City Finance Department.
- Applicant must meet all the standards of Community Care Licensing and your local Fire Department.
- Contact 4C's for additional assistance throughout this process.

These phone numbers are included on the previous page of this document.

4a. Zoning Administrator's Hearing

Attend the **Public Hearing** before the **Zoning Administrator**. Be prepared to resolve complaints from neighbors who might be concerned about the noise of children playing outside or the traffic congestion from clients dropping off children. Outline steps that you are taking to decrease the negative impacts of your business within your neighborhood and the positive ways that your business will help working parents and their children.

4b. Planning Commission Hearing

Attend the **Public Hearing** before the **Planning Commission**. Be prepared to resolve complaints from neighbors who might be concerned about the noise of children playing outside or the traffic congestion from clients dropping off children. Outline steps that you are taking to decrease the negative impacts of your business within your neighborhood and the positive ways that your business will help working parents and their children.

3b. Staff Review and Public Notices for Conditional Use Permits

Child Care Centers operating in Thoroughfare Commercial Districts: Within 30 days of submitting your application, a staff member will contact you and inform you if your application is complete. When your application is complete, staff will write a report of your project to be presented before the **Planning Commission**. Public notices are distributed 10 days prior to the hearing date.