

Planning Department
37101 Newark Blvd.
Newark, CA 94560
510.794.2330

Fire Department
6170 Thornton Avenue, Unit D,
Newark, CA 94560-3796
510.790.7218

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

Business License Information
First Floor, City Administration
Building, 37101
Newark Blvd.
510.794.2310

Building Inspection
510.790.7261

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: Minor conditional use permit
Fee: \$400

Approximate Time for Approval:
4-6 weeks

Application: Applicant needs to submit a written letter of intent, a site plan, and a floor plan. Prior to filing an application, planning can provide preliminary, sample conditions for approval for the applicant's review, and a list of property owners within a 100 foot

radius. Applicant is strongly encouraged to discuss their proposed large family child care home with these property owners (the same property owners that will be notified of the application after it is filed), to see if there are any concerns that can be identified and addressed prior to filing an application.

Impact Requirements: Required to be located a minimum of 300 feet from another facility; reductions may be allowed subject to Planning Commission and City Council review and approval under the conditional use permit process. At least two parking spaces to serve customers during business hours. Use and location of outdoor recreation areas shall be limited to between 9:00 am to 6:00 pm, be supervised by the facility operator or attendant, and not significantly impact surrounding properties. Playground apparatus may be placed in the rear yard or interior side yard; however, under no conditions shall it be visible from a public street.

Hearing: Application reviewed by Zoning Administrator. Hearing will be held if requested by applicant or property owner within a 100 foot radius.

Appeal Process: Written notice appealing the Zoning Administrator's decision must be sent to the City Clerk's office no later than seven days from the mailing date of the letter of approval. The appeal is heard by the Planning Commission. **Appeal Fee:** \$100

Fire Clearance: Required. **Fees:** Initial and second follow-up inspection fee subsumed within the costs of Community Care Licensing and planning fees. Third visit, however, results in fines of up to \$1,000.

Business License: Required. Applications available in person at the license/cashier counter or on-line. **Fee:** \$30 for initial registration. Varying fee range calculated from gross receipts.

Child Care Centers

Zones: Residential, commercial, and industrial districts.

Permit: Conditional use permit.
Fee: \$2,700

Approximate Time for Approval:
6-8 weeks

Application: Applicant needs to submit a completed conditional use permit application form, along with multiple copies of site plans, floor plans, and building evaluations (if this involves construction of a new building or exterior modifications to an existing building). Planners strongly recommended that providers take advantage of a Preliminary Plan Review, a coordinated review forum involving staff from planning, fire engineering, and building departments. Staff will provide applicant with comments on the project, and draft recommended conditions of approval. Applicant may be requested to hold a neighborhood meeting.

Impact Requirements: One parking space per employee and additional spaces as required. Sufficient space for safe and convenient loading and unloading of children is reviewed on a case by case basis. Noise analysis performed on a discretionary basis.

Hearing: Hearing before the Planning Commission and/or City Council. Residents within a minimum 300 foot radius are notified.

Appeal Process: Written notice appealing the Planning Commission's decision must be sent to the City Clerk within seven days. Appeal heard by the City Council. City Council's decision is final. **Appeal Fee:** \$100

Fire Clearance: Required. **Fees:** Initial and second follow-up inspection fee subsumed within the costs of Community Care Licensing and planning fees. Third visit, however, results in fines of up to \$1,000.

Business License: Required. Applications available in person at the license/cashier counter or on-line. **Fee:** \$30 for initial registration. Varying fee range calculated 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.



1. Visit the Planning Department

Apply for a **Conditional Use Permit** from the Planning Department at 37101 Newark Boulevard. A **Conditional Use Permit** means that certain "conditions" must be met in order for the City of Newark to approve the use of child care on a certain property. These conditions are ultimately made by the Zoning Administrator, or City Council; however, the previous page lists the usual conditions placed upon child care facilities.



2. The Written Application

City planners are on-hand at 37101 Newark Blvd. to assist you, although excellent resources are also available on-line. You must do the following:

- a. Complete a narrative, including information about your business, hours of operation, number of children served, etc.
- b. Submit physical plans for a new building and/or site, floor, and transportation plans for a home-based facility.
- c. Pay fee of \$400 for large family child care homes or \$2,700 for child care centers.

3. Preliminary Plan Review

Contact city staff to obtain preliminary comments on your proposal before you pay application fees. This allows you to know up-front all changes you must make to your home or building in order to meet city ordinances. This body may request more information from you or suggest changes in your application.

4a. Staff Review Public Notification For large family child care homes

Before the **Zoning Administrator** will act on your project, City staff will notify all property owners within a 100 foot radius of your property. This allows these property owners an opportunity to express concerns about the project. The **Zoning Administrator** will not hold a public hearing unless a hearing is requested by the applicant or other affected person.

It is a good idea to contact your neighbors personally about your intended business before submitting your application and fees to the City. (See Appendices C & E).

8a. Planning Commission

At an upcoming Planning Commission meeting, members will review your application. The outcome can be appealed to the City Council.

8b. City Council

At an upcoming City Council meeting, members will make the final decision to approve or deny your permit.

6. Approval

- Congratulations! You have one year to begin child care within the home or begin construction of the new facility.
- The Zoning Administrator or City Council approvals may require additional changes to the site.
- Additional permits may be needed depending on the scope of your project (i.e. building permits for construction, signs, etc.). The cost for these reviews is separate and in addition to your initial application fees.
- Your permit is good for as long as you own your property and use it for child care.
- You must obtain a business license by contacting the City Cashier
- You 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.

7. Appeal

Contact the City Clerk within seven days to appeal the outcome of your public hearing. The appeal fee is \$100.

6. Denial

Due to citizens' complaints or evidence that your project will negatively impact your neighborhood, your permit may be denied.



5a. Zoning Administrator's Hearing

- a. **Large family child care homes** acted on by the **Zoning Administrator**. A hearing is required if requested by the applicant or other affected person.
- b. Child care centers appear before the Planning Commission and City Council .

5b. Planning Commission Hearing

Attend a **Public Hearing**. Be prepared to resolve complaints from neighbors who might be concerned with 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. If the Planning Commission recommends approval, the application will be scheduled for a public hearing with the City Council.

4b. Staff Review and Public Notification For child care centers

Your application is presented before the Planning Commission and all property owners within a minimum 300 foot radius are notified.