



CITY OF LONG BEACH

THE CITY PLANNING COMMISSION

H-1

333 W. Ocean Boulevard

Long Beach, California 90802

562-570-6194 FAX 562-570-6068

February 13, 2007

HONORABLE MAYOR AND CITY COUNCIL

City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, deny the appeal, and sustain the decision of the City Planning Commission to approve a Conditional Use Permit and Standards Variance to allow the operation of a childcare center with less than code required parking at 85 W. Del Amo Blvd. (Case No. 0602-06) (Council District 8)

DISCUSSION

On January 9, 2007, a public hearing was held by the City Council to consider an appeal of a Planning Commission decision to approve a Conditional Use Permit and Standards Variance for a child day care center. A copy of the staff report is attached for your reference. At that meeting, the City Council voted 5-3 to approve a commercial child care center with a total of 31 children and a Standards Variance for parking. On January 16, 2007, the City Council voted unanimously to reconsider the January 9, 2007 approval, and to conduct a new hearing within thirty (30) days. As part of this action, the City Council asked that staff determine the maximum number of children the State would allow.

Regarding State requirements, statutes governing childcare are contained in Title 22, Chapter 1 of the State of California Code of Regulations. The statutes call out standards regarding fire clearances, childcare director qualifications, teacher-child ratios, outdoor activity space, and indoor activity space, among others. A summary of these regulations is attached. Section 101179 (See page 2 of attachment 3) describes the factors that are taken into account when the capacity determination is made. Staff consulted with the California Department of Social Services and the City of Long Beach Fire Department to determine the total number of children that could be approved.

According to the Fire Department, Planning Bureau approval is necessary before a determination on the maximum number of children could be made through site inspection and plan check submittal. Their requirements are based upon the total amount of useable floor area (classrooms) of 35 square feet of floor area required per child. Applying this criteria to the proposed plan results in a maximum of 33 children permitted. The State relies on both Planning and Fire Department approvals before determining a maximum number of children. In determining a number, the State has the ability to exercise flexibility in their occupancy determination based on staggered use of the outdoor play area, the number of infants and toddlers being cared for, the population in the area, as well as the number of children approved by the Departments of Planning and Building and Fire. Based on discussions with State representatives, no definitive answer on the maximum number of children permitted can be provided until the City acts on the Conditional Use Permit. However, the State will not authorize more children than what the City will allow.

In reviewing this application, staff utilized Municipal Code Standards that require 75 square feet of outdoor play area per child; hours of operation from 6:30 a.m. – 6:30 p.m.; and the number of childcare centers within a ½ mile of the project site. Staff also consulted with the Department of Social Services and the City of Long Beach Fire Department to determine the total number of children that could be approved by each agency. Fourteen children are permitted at a large family childcare residence, where the operator lives on the premises and the use of the building remains residential. The applicant is requesting permission to convert the residence to a commercial childcare center with a total of 31 children. Staff originally recommended that the total number of children be limited to 20 due to limited parking availability and 1,504 square feet of play area. Staff continues to believe this reduction in the proposed number of children would decrease parking and loading requirements and reduce the potential for impacts on adjacent neighbors.

The Planning Commission conducted a public hearing on November 16, 2006. After considering testimony, the Planning Commission voted 3-0-1 to approve the Conditional Use Permit and Standards Variance to allow 31 children. As a condition of their approval, the Planning Commission required the removal of the existing two-car garage at the rear of the site that is used for storage only. With 31 children, the removal of the garage would provide an additional 500 square feet of outdoor play area. This approval was subsequently appealed by Jesse Brown, an area resident.

Assistant City Attorney Michael J. Mais reviewed this report on January 31, 2007.

TIMING CONSIDERATIONS

The City Council determined that the public hearing should be heard within 30 days at the January 16, 2007 City Council meeting, or by February 16, 2007.

A 10-day public notice of the hearing is required.

FISCAL IMPACT

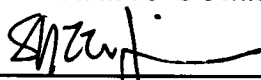
None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

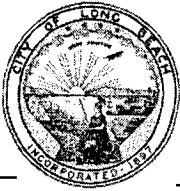
LESLIE GENTILE, CHAIR
CITY PLANNING COMMISSION

BY: 
SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING

SF:GC:SV

Attachments:

1. City Council letter and minutes dated January 4, 2007
2. Conditions of Approval
3. California Child Care Center Licensing Highlights
4. Site Plan / Floor Plan
5. Appeal form



CITY OF LONG BEACH

THE CITY PLANNING COMMISSION

Attachment #1

333 W. Ocean Boulevard

Long Beach, California 90802

562-570-6194 FAX 562-570-6068

January 9, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, deny the appeal, and sustain the decision of the City Planning Commission to approve a Conditional Use Permit and Standards Variance to allow the operation of a childcare center with less than code required parking at 85 W Del Amo Blvd. (Case No. 0602-06) (Council District 8)

DISCUSSION

This is an appeal of a Planning Commission decision to approve a Conditional Use Permit for a commercial day care center and a Standards Variance to waive the requirement for three required onsite parking spaces. The property is developed with a 1,704 square foot five bedroom one-story single family home with a detached two-car garage. The home had been used as a single-family residence until the subject child day care center opened in March 2006.

Blessing's Child Care is currently approved by the State of California to care for a maximum of fourteen (14) children as a large family day care residence. However, with morning and afternoon programs the total number of children onsite varies throughout the day. The applicant is requesting approval of a total of 31 children. Childcare is provided in four rooms designated for children of different ages (toddlers, 2-3 year olds, 3-4 years old, and infants). There are a total of four (4) full-time employees, and two (2) part-time employees. Of these employees, two live in the neighborhood and walk to work and one is a relative of the operator. One company vehicle is parked on the street and is also used for child pick-up and drop-off as needed. The driveway off Del Amo Boulevard provides space for two vehicles, primarily for pick-up and drop-off. Hours of operation are from 6:30 a.m. to 6:30 p.m., Monday through Friday.

The Planning Commission discussed the proposal at a public hearing on October 19, 2006, after continuing the matter from their meetings of September 21 and October 5, 2006. The matter was continued once again to November 16, 2006, and staff was directed to review traffic patterns, trash pick-up hours and other day care centers in the city.

With regard to traffic, staff conducted eight field visits during the morning and afternoon rush hours in order to observe any potential conflicts with the drop off and pick up schedule submitted by the applicant. Staff found that westbound traffic was heaviest between 7:30 a.m. and 8:00 a.m., occurring after the busiest drop off and pick up times for the day care center. Traffic was not a problem in the afternoon since it was primarily eastbound. Use of the loading space in the driveway, in conjunction with the proposed curbside loading area immediately in front of the

center, is expected to provide adequate short-term parking. No conflicts with trash pick-up are anticipated, since pick-up is on Mondays from 8:00 a.m. - 12:00 p.m. Staff also observed during site visits that on-street parking spaces were always available in the immediate vicinity of the facility. In comparing other day care centers located in residential neighborhoods, staff found that Blessings Day Care Center was unique because most other centers in residential zones were situated either on school property or away from major arterial streets.

At the continued public hearing on November 16, 2006, the Planning Commission reviewed the additional analysis prepared by staff as well as public testimony. Four letters were received in opposition, and one petition with 28 signatures was received in support of the request (see Attachment 2). Mr. Jesse Brown, the appellant, spoke in opposition and four people spoke in support of the request.

The Commission discussed the issues of play yard/open space and parking available on the project site. A motion was made by Commissioner Winn to approve the Conditional Use Permit and Standards Variance to permit a total of 31 children. This motion included a condition to remove the detached garage as a means to meet minimum play area standards of 75 square feet per child. That motion was seconded by Commissioner Stuhlberg and passed unanimously. In taking this action, the Planning Commission found that the day care center with 31 children would not have a significant negative impact on the neighborhood, based upon the loading area in the driveway and the proposed 24 minute green curb directly in front of the facility. Furthermore, the removal of the garage would allow for an increased play yard sufficient to meet the 75 square feet per child minimum requirement. Additionally, the Planning Commission found that the proposed use would provide a beneficial service to the community.

An appeal was filed Mr. Brown on November 22, 2006. In his appeal, Mr. Brown contends that the traffic data presented was incomplete and that the conversion of a residential building into a commercial use is not desirable, and that the use should not be approved without adequate on-site parking.

Assistant City Attorney Michael J. Mais reviewed this report on December 28, 2006.

TIMING CONSIDERATIONS

The Long Beach Municipal Code requires that an appeal of the Planning Commission's decision be heard within 60 days of filing of the appeal or by January 22, 2006.

A 10-day public notice of the hearing is required.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

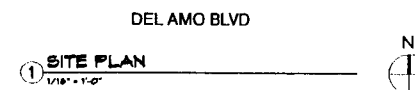
LESLIE GENTILE, CHAIR
CITY PLANNING COMMISSION

BY: Lawrence Bugger For
SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING

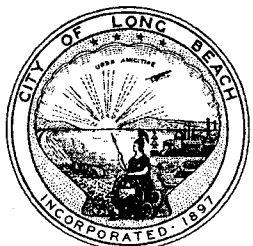
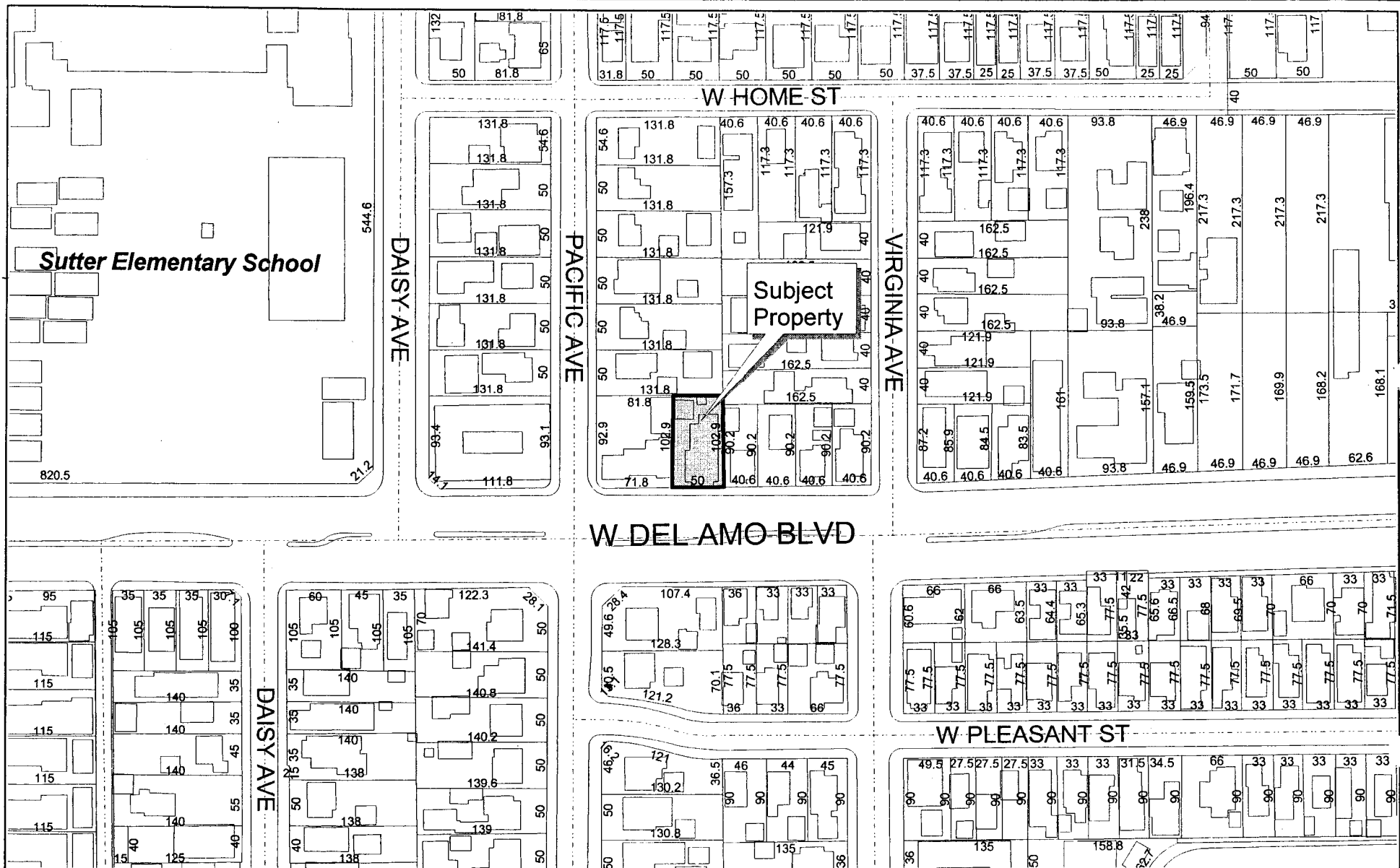
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Attachments:

1. Conditions of Approval
2. Letters of support, opposition, and description of project prepared by applicant
3. Planning Commission staff reports and minutes
4. Appeal form

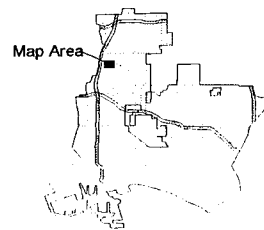


DATE 1/11/06
SHEET



SUBJECT PROPERTY:

85 W Del Amo Blvd.
Case No. 0602-06
Council District 8
Zone: R-1-N



100 0 100 200 Feet



Scale = 1:1,800

Blessings Child Care
85 West Del Amo
Long Beach Ca 90805
562) 984-5161



Within this letter we have listed the requested hours and children that attend either morning or afternoon classes. You will notice that we have several siblings enrolled. Each sibling is in a different class according to their learning ability. We are an accredited child care and we are able to prepare children for kindergarten. We also have an after school program that provides tutoring for school age children.

Attached is a complete contract that is read and signed by each parent. Please notice that due to the Privacy Act we have withheld certain information.

The following names are:

1) Erica Martinez		8:00-1:30pm
2) Sheanna Phillips	Entering K	8:30-1:30pm
3) Toyin Oyefeso		9:00-12:45pm
4) Jaylen Owens		10:30-3:30pm
5) Frank Williams	Infant	6:30- 5:30pm
6) Ashleigh Watts	Sibling enrolled	7:30- 5:30pm
7) Autumn Watts	Sibling enrolled	7:30- 5:30pm
8) Aiyanna Smith	Sibling enrolled	9:00-12:00pm
9) Angel Walker	Sibling enrolled	9:00-12:00pm

CONDITIONAL USE PERMIT/STANDARDS VARIANCE CONDITIONS OF APPROVAL

Case No. 0602-06

Date: January 9, 2007

1. This permit and all development rights hereunder shall **terminate one year** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
2. The use permitted on the subject site, in addition to other uses permitted in the R-1-N zoning district, shall be a commercial child daycare center with a maximum of 31 children. No retail, office, or social service land uses shall be permitted at any time.
3. The code exception approved for this project is as follows:
 - Three (3) onsite parking spaces for a day care center, with a total of 31 children.
4. The applicant shall provide for the use of two onsite loading spaces and one 24-minute (green curb) parking space at 85 W. Del Amo Blvd. as long as the day care center remains in operation. Within thirty (30) days of approval of this permit, the applicant shall ensure that the required parking spaces are available for the day care center.
5. Not more than thirty (30) days after the Final Action date, the applicant shall submit plans to the Department of Planning and Building to change the occupancy of the building to E3, a commercial daycare center. Building permit approvals shall then be secured no more than sixty (60) days after the Notice of Final Action and work shall be completed within ninety (90) days of the Notice of Final Action date.
6. The applicant shall fully comply with all Building Code requirements to the satisfaction of the Superintendent of Building and Safety, including Title 24 compliance.
7. The existing two-car garage shall be removed and additional landscaping added to create additional play area. A deed restriction shall also be filed with the Los Angeles County Records office stating that a two car garage shall be replaced if the commercial day care use is converted back to a single family residential use.

8. The applicant shall file a separate plan check and 850-form submittal to the Long Beach Fire Department for their review and approval, prior to the issuance of a building permit.
9. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return **written acknowledgment** of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
10. If, for any reason, there is a **violation of any of the conditions** of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
11. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
12. This approved land use is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall be available for **periodic re-inspections**, conducted at the discretion of City officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
13. All operational conditions of approval for this permit **must be posted** in a location visible to the public in such a manner as to be readable when the use is open for business.
14. All conditions of approval **must be printed** verbatim on all plans submitted for plan review to the Planning and Building Department. These conditions must be printed on the site plan or a subsequent reference page.
15. The Director of Planning and Building is authorized to make **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the

approved design/project. **No substantial changes** shall be made without the prior written approval of the Site Plan Review Committee and/or Planning Commission.

16. Site development, including landscaping, shall conform to the approved plans on file in the Department of Planning and Building. At least **one set of approved plans** containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps **shall be maintained at the job site**, at all times for reference purposes during construction and final inspection.
17. **All landscaped areas** must be maintained in a neat and healthy condition, including public parkways and street trees. Any dying or dead plants materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
18. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
19. Any graffiti found on site must be removed within 24 hours of its appearance.
20. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
21. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed
21. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the

applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach

10) Tamara Johnson	Sibling enrolled		1:30- 6:10pm
11) Kiara Johnson	Sibling Entering K		1:30-6:10pm
12) Robert Ayala			2:00- 6:30pm
13) Justin Harris	Child entering K		1:30-6:15pm
14) Samantha Wildman	Sibling entering K	3	7:30-4:30pm
15) Aaron Wildman	Sibling	4	7:30-4:30pm
16) Alyssa Gomez	Sibling	2	8:00-4:00pm
17) Andrew Gomez	Sibling	3	8:00-4:00pm
18) Julian Rios		5	7:30- 5:30pm
19) Emmanuel Perez	Sibling		8:45-6:30pm
20) Gaby Perez	After school		3:00-6:30pm
21)Kaelib Catabay		4	8:00-6:30pm

Contents

- Letter of Apology
 - Email to/from Mr. Valdez
- Accreditation
 - NAFCC
- Parking Observation
 - Childcare table
- Outdoor Play
 - Schedule
 - Code 101175
- Petition
- Letters of Appreciation

To whom it may concern,

Please accept this letter as a form of my deepest apology. I am truly sorry for my absence during our last scheduled meeting on Thursday, October 19, 2006. Mr. Steve Valdez had advised me of our original meeting date for Friday, October 5, 2006, but I had informed him that I was unable to attend the meeting and we had rescheduled for Thursday, October 26, 2006. With confirmation from Mr. Valdez that the 26th "was a go", my focus and attention was set. I feel as though I was under the false impression that our meeting was going to be held on Thursday, October 26, 2006. Once again I am truly sorry to have occupied your time without my presence.

Sincerely,
Tina M. Brown

9/29/06

Dear Mr. Steve Valdez,

This letter is in regards to CASE NO. 0602-06 CE 06-25. Per our last conversation I informed you that I, Tina Brown was unable to attend the city council meeting for Friday, October 5, 2006 and you requested a letter stating my unavailability. I am aware of our rescheduled date with the city council for Thursday, October 26, 2006. Please notify me of the time this meeting will be held.

If you have any questions or concerns please contact me at your earliest convenience.

Email: tmbrown2@verizon.net

Cell: (310) 350-1378

Thank You,
Tina M. Brown

Brown

From: <Steven_Valdez@longbeach.gov>
To: "Tina Brown" <tmbrown2@verizon.net>
Sent: Monday, October 02, 2006 8:01 AM
Subject: Re: Requested Letter Case No 0602-06 CE 06-25 (mistake on 1st one)

Thank you very much. I'll see you on the 15th of October.

Steven Anthony Valdez
Planner
City of Long Beach
562-570-6571
Steven_Valdez@longbeach.gov

"Tina Brown" <tmbrown2@verizon.net>

09/29/2006 02:11 PM

To: <steven_valdez@longbeach.gov>

cc:

Subject: Requested Letter Case No 0602-06 CE 06-25 (mistake on 1st one)

Mr. Valdez,

Im sorry, I had made a mistake on the first email I had sent here is the revised one with my correct cellular number.

Thank You,

Tina Brown

10/2/2006



November 1, 2005

**Tina M. Brown
1422 East Bach Street
Carson, CA 90745**

Dear Tina M.:

It is with great pleasure that the National Association for Family Child Care awards you Accreditation for Family Child Care. In meeting the requirements of accreditation, you have demonstrated good quality in the following areas:

**Relationships with Children and Families
Environment and Materials
Activities
Developmental Learning Goals
Safety and Health
Professional Business Practices**

Your accreditation is valid until November 1, 2008, at the address shown above. As your accreditation nears the expiration date, NAFCC will send you a re-accreditation packet. Begin the paperwork promptly to avoid a lapse in your accreditation status. If you relocate your program during the time your accreditation is valid, please contact NAFCC. This will allow us to begin the process of transferring your accreditation to the new location.

As you continue to meet the Quality Standards throughout the accreditation period, we hope you will promote accreditation and educate your community about family child care. Be an involved member of the National Association for Family Child Care. As an accredited family child care provider, you are a leader in the profession!

Congratulations!

Sincerely,

**Eva Daniels
National Association for Family Child Care
Accreditation Operations Manager**

NAME	CAPACITY	# OF SPACES	ST. PARKING	PARKING LOT
ABUNDENCE	28	0	YES	NO
AHRENS DORTHY NURSERY SCHOOL	63	0	YES	NO
ALL ABOUT KIDS	28	0	YES	NO
BELMONT SHORE CHILDRENS CENTER	70	0	YES	NO
BUNDLE OF JOY DAYCARE #	59	0	YES	NO
BUNDLE OF JOY DAYCARE	58		NO	YES
CALI HEIGHTS UNITED METHODIST CHILD CENTER [CHURCH]	60		NO	YES
CHILD TIME LEARNING CENTER	93	STRUCTURE	YES	YES [PARKING STRUCTURE MUST PAY]
COMPREHENSIVE CENTER	68	0	YES	YES [STAFF PARKING]
CREATIVE ARTS SCHOOL	47	0	YES	NO
EDISON CHILD DEVELOPMENT CENTER	44		NO	YES
EDGERWATER PRE-SCHOOL	55	0	YES	NO
GRACE LUTHERAN PRE-SCHOOL [CHURCH]	46	28	NO	YES
KINDER CARE LEARNING CENTER	186		NO	YES
LONG BEACH CHRISTIAN DAYCARE CENTER	60		NO	YES
LONG BEACH DAY NURSERY	56	0	YES	NO
LONG BEACH COMMUNITY IMPROVEMENT LEAGUE	64	0	YES	NO
LONG BEACH MONTESSORI SCHOOL [CHURCH]	70		NO	YES
YOUNG HORIZONS DAYCARE	56	0	YES	NO
YOUNG HORIZONS DAYCARE	100	0	YES	NO

Outdoor Schedule:

11:00-11:35 Recess (Yellow Bears) 2/3

11:45-12:30 Recess (Blue Bears) 3/4

Petition For Childcare Center Operation

BLESSINGS CHILDCARE CENTER

Print Name	Signature	Street Address	City	Zip Code	By signing my name below, I acknowledge the request for an increased capacity for Blessings Childcare Center in my neighborhood. I also acknowledge that I have no objections to this increase in capacity.
Annalee Zwick	<i>[Signature]</i>	5030 Pacific Ave	L.B.	CA 90805	11 mos old son
AAM	<i>[Signature]</i>	5040 Pacific	LB	CA 90805	
Jesse Adams	<i>[Signature]</i>	5031 Pacific Ave	LB CA	90801	
Carlos Ayala	<i>[Signature]</i>	5025 Pacific Ave	LB CA	90805	
Dannie Mulahy	<i>[Signature]</i>	5050 Pacific Ave	LB CA	90805	1yr old son
Leana	<i>[Signature]</i>	5100 Ave	LB CA	90805	Leana Brown
Bonny Pauline	<i>[Signature]</i>	5110 Daisy Ave	LB CA	90805	
Sofia Raya	<i>[Signature]</i>	105 W. 51st Street	LB. CA	90805	
SARA NICHOLS	<i>[Signature]</i>	5025 VIRGINIA AVE	LB CA	90805	
Nichelle Vane	<i>[Signature]</i>	5020 Virginia Ave.	LB. CA	90805	4yr. old
Abel Calderon	<i>[Signature]</i>	4980 Pacific ave.	LB. CA	90805	
Cladia Ricks	<i>[Signature]</i>	83 W. Basant St.	LB. CA	90805	
SUENAL OROZCO	<i>[Signature]</i>	84 W. PLEASANT ST.	LB. CA	90805	
Yanessa Lee	<i>[Signature]</i>	76 W. PLEASANT ST.	LB. CA	90805	
MOREIS, RANDALL	<i>[Signature]</i>	74 W. PLEASANT ST.	LB	90805	
Coroza Carlos	<i>[Signature]</i>	83 W. Dec and Blvd	LB	90805	Neighbor
Chana Marie Kuy	<i>[Signature]</i>	2168 Linden Ave	LB CA	90806	wants to start daycare

Petition For Childcare Center Operation
BLESSINGS CHILDCARE CENTER

[illegible]



Center For Community & Family Services, Inc.

November 16, 2006

To Whom It May Concern:

It is with great pleasure that I speak about Tina Brown; she has been a Family Child Care Provider for 10 years with in our agency. During which time I coordinated some of the Child Development Trainings. Mrs. Brown has been an active participant with in our agency by volunteering in our Family Fair and other community events with in our agency, and she also attended many of our workshops. She is creative, deeply conscientious, professional, and hard-working.

Her excellent performance reflects on the children she cares for and the families she services. Mrs. Brown along with her family is capable of managing a Child Care Center.

I strongly recommend her and I am confident that her Center will be an asset to our community we need more Child Development Centers with dedicated people like Mrs. Brown in our communities.

Sincerely,

Patty Franco
649 East Albertoni Street Suite 200
Carson, CA 90746
310-217-2933

Resource & Referral Counselor



Center For Community & Family Services, Inc.
...To Help Build Sustainable Communities

Patty Franco
Child Care Resource and Referral Counselor

649 E. Albertoni Street, Suite 200 • Carson, CA 90746
Tel. 310.217.2933 • Fax 310.217.2934
patty.franco@ccafs.org • www.ccafs.org

September 20, 2006

City Counsel

Ladies and Gentlemen:

I would like to tell you about the excellent service provided to my family by Blessings Daycare Center (c/o Tina Brown). I have been a client of Blessings Daycare since February of 2004, when I was awarded full custody of my 2 daughters following a very ugly divorce. I thought daycare would be difficult for my children because they had never been in a daycare environment before. However, Tina and the entire staff at Blessings Daycare made the adjustment for my children and me worry-free.

I could tell you about tuition rates, nutritious meals, activity schedules, etc... That's what everyone looks for in a daycare provider. Rather let me explain why Tina and the staff stand out from other providers.

Tina has filled the void in my daughters' lives that was vacated by their mother. From the start she has shown my daughters extra attention and love that far exceeded my expectations. I think she has been an exceptional female role-model for my girls.

She maintained a special schedule allowing my daughters to stay from 2 pm to 10 pm for the first few months until I could find a dayshift job. I can't tell you what a blessing this was for me to be able to find a daycare that could keep those hours. If she did not make that effort for me I may have lost my job and my girls.

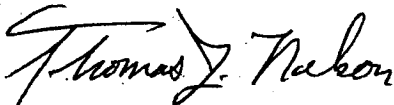
She takes my older daughter shopping for school clothes and routinely deals with the school on my behalf. She gives me advice and assistance on many issues normally dealt with by mothers...potty training, childhood illnesses, etc. It is tough being a single father, but Tina sure has helped me keep my head above water.

She has twice now given me a financial break when I had hit tough financial spots, as well as helping me find a financial counselor. She further helped me improve my financial situation by offering assistance in moving to Long Beach so I wasn't spending so much money on gas and vehicle maintenance. I don't know many businesses that would have done this for me.

The staff members at Blessings Daycare (Jess, Brittney, and Carissa) have given my older daughter lots of educational assistance. Just 6 months ago I moved to Long Beach from Rancho Cucamonga. Some nights the ride home was 3 hours long. I could not give my daughter help with her homework. Thankfully Blessings picked up the slack and gave my daughter the help she needed.

Tina Brown, and the entire staff at Blessings Daycare have my sincere thanks, and my support to grow their business. They are truly a Blessing

Sincerely,



Thomas J. Nelson

3910 HATHAWAY AVE
APT 955
LONG BEACH, CA 90815

Dawn J. McNulty

**4228 Gaviota Avenue
Long Beach, CA 90807
562-426-0409**

January 5, 2006

To Whom It May Concern:

My daughter has attended Blessing's Child Care Learning Center for the past two (2) years. It is with great pleasure that I write to you in support of expanding the center which would allow more children the opportunity to attend quality daycare.

Mrs. Brown along with her staff provides excellent childcare services in a nurturing, healthy and safe environment. The staff is very loving towards the children and provides an environment that helps build character and confidence.

My daughter loves going to the center and I have seen her grow both developmentally and socially as a result of her attendance. I know that if the center is given the opportunity to grow more children will have greater access to affordable quality childcare.

If you have any questions or require additional information as to why the center should be expanded please don't hesitate to call me at 562-426-0409.

Respectfully,

Dawn J. McNulty

September 19, 2006

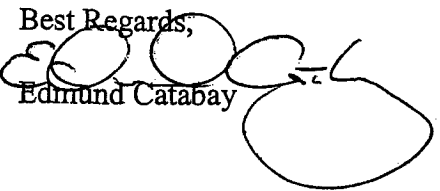
To Blessings Day Care:

We would like to thank you for your support during our temporary financial setback. Over the last two months we have had to make two car repairs totaling over \$700. Our plumbing in the house sprung a leak and although the insurance covered most of the damages and repair work we had contribute \$500 for the deductible. To make matters worse, Kathleen injured her knee the weekend before her first day at her new job. Unable to make it to work, we have to deal with all the unexpected expenses on a single income.

We are slowly getting back on our feet but we could not have gone through this experience without your support. For two weeks, you allowed Kaelib to attend class without tuition. Any other daycare would have enrolled another student in his place but you stood by us and helped financially and spiritually. We intend to pay the two weeks of tuition as soon as we are able. Thanks again for understanding our situation.

Best Regards,

Edmund Catabay



Jenkins Day Care Center
16117 Haskins Lane
Carson, California, 90746
310-324-3748
1980003000

To: Whom It May Concern

I would like to recommend Blessing's Family Child Care for their petition to become a Child Care Center in the City of Long Beach.

In my experience as a Child Care Provider over the last 13 years, I have known very few Christian Child Care Providers. For Parents who wish to have their children in an environment that is Christian, Blessings Child Care Center would fulfill that need.

The children in the current Family Day Care are loved, exceptionally well taken care of, and treated as if they are a part of one big family. Within that family they are allowed to be the individuals that they are and Ms. Brown ensures that their individual needs are also met. The children there are happy, enthusiastic about learning and well adjusted. They are educated on a daily basis with the use of supplies and equipment that most child care centers do not invest in. Ms. Brown goes above and beyond the call of duty to ensure that they are given every chance to succeed in their future through education.

Please consider this Family Day Care for a permit to operate as a Center.

Sincerely,
Catherine Hargrove

Director of Jenkins Day Care Center

November 2, 2006

To whom it may concern:

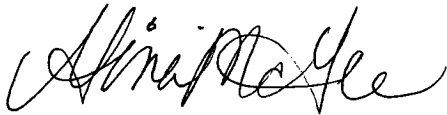
I would just like to say how grateful I am to have "Blessing's Day Care" take care of my son. They have truly been a blessing. My son has been going there since January when he was 18 months old and he has just grown and matured so much.

Almost everyday he comes home with something new that he has learned. His motor skills and his social skills have improved tremendously. I work long days and my son is there all day, I feel good knowing that my son is in good hands. He looks forward to going and he has made so many new friends.

I especially like how they go all out in making the holidays special for the children. My son had a blast at the Harvest Festival. They had a jumper, a cotton candy machine, a snow cone machine, a popcorn machine, each child got a pumpkin and a bag of goodies. I can't wait to see how they celebrate Thanksgiving and Christmas with the children. I hear they go all out on those holidays especially.

It's hard to trust someone with your kids, especially when they can't talk and let you know what's going on and how they're being treated. I was very worried for my son when I had to place him in day care; he had been taken care by my Mom since he was 8 weeks old. I can honestly say it was a smooth transition for him going from Grandma to this day care. I see how they love my son and I appreciate them so much.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gina McGee".

Gina McGee
562-714-0612

1/2/06

To whom this Concerns

I am Lataya Palk mother of two children that attend the Blessed day care.

I have known of the school for five years and my children have attended the school for the past three years

Blessed Day care has had a positive impact on my children. My son the youngest of the two developed better talking skills under the watchful eyes and tutoring of Mrs. Tina Brown

My daughter most certainly was given the support of the staff and improved in several areas that I had grave concern about, such as interactive behavior.

I feel that this school should be allowed to expand due to the positive outcomes that have been demonstrated by the students, particularly my children Mrs. Tina and her staff are dedicated to the children and take special interest

in each and every child. The Community
can only benefit in a very positive
manner if they are allowed to expand

Thank You
Latoya D. Polk
mother of Latia Boykin
Khalil Magee

1-2006

To: whom it may concern

My name is Susana Perez. Mother of two children. My daughter Gabby who is 8 yrs old and my son Emmanuel who is 5 months. My kids have been a part of Blessing's Daycare for more than 5 years. Blessing's Daycare has been a very good help for my daughter Gabriela because they help her with her homework and tutor her in what ever subject she needs help. I have seen improvements in her report cards, since she started to go there. Blessing's Daycare has not only helped her with her school, but also with her manners and behaviors. Any child that attends the daycare will always be in good hands. The staff at Blessing's Daycare is very organized, polite, supportive and very lovable. Every morning my daughter wakes up eager to go to the center. My son Emmanuel who is now 5 months old, seems to be very happy attending Blessing's Daycare. He is always looking, smelling, good thanks to Mrs. Tina Brown and her wonderful staff. The reason my children go there is because Blessing's Daycare was recommended to me. It is a Daycare that is well known in the city of Carson CA. Now that Blessing's Daycare has moved to the city of Long Beach CA, it will be a great benefit to the children and families in the area. The city of Long Beach will be appreciated by those families that are in need of a trustworthy Daycare. The only problem is that Blessing's Daycare limit on how many children they can have, as

the sad thing about it is that there
are so many more children that are
in the need of a good daycare. If only
Blessings Day care could expand, there
wouldn't be any children left out.

Sincerely yours,

Suzanne



NORTH LONG BEACH COMMUNITY ACTION GROUP

October 18, 2006

City of Long Beach
Scott Mangum
Department of Planning and Building
333 W. Ocean Boulevard
Long Beach, CA. 90802

RE: Case 0602-06 Conditional Use Permit for a Day Care Center at 85 W. Del Amo Blvd.

Dear Scott,

As you are aware the North Long Beach Community Action Group (CAG) unanimously voted at its September 10th meeting to oppose the Conditional Use Permit use for this project.

The specific concerns with the project expressed by the members at our monthly general meeting deal most specifically with it's location on an extremely heavily traveled street, safety, traffic flow and inadequate parking.

- At peak hours (7 am to 8am and 4:30 pm to 6:30 pm Monday through Friday) Del Amo traffic is backed up blocking ingress and egress to and from the neighborhood north of Del Amo between Long Beach Boulevard and Atlantic. The traffic is significant because Del Amo serves as the most direct and major arterial access to the I710 freeway for most of the greater North Long Beach, Bixby Knolls and Lakewood area. Once the light turns green on Del Amo the traffic rushes for an extended period across the Long Beach Boulevard intersection in significant numbers and at speed to the freeway. Contributing to traffic are large backed up north - south traffic patterns from the neighborhoods, Atlantic and Long Beach Boulevard flowing onto Del Amo regardless of which direction has the green light.
- With the addition of a new public school in the next several months on the north west corner of Long Beach and Del Amo Boulevards traffic conditions are expected to become even worse, irregular, and unpredictable as parents drop off and pick up children on or near this extremely busy intersection causing dangerous conditions and uneven traffic patterns from this intersection through a couple of closely located signals, a second public school site on the north side of the street and private school on the south side of the street, past the Los Angeles

River directly to the freeway – all within less than half a mile with the added danger of pedestrian traffic from the south and east neighborhoods to the schools.

- Issue has already been taken by concerned residents and parents at several school sites throughout North Long Beach as very dangerous situations are increasing as parents drop off and pick up children with little concern, regard or understanding of treacherous conditions, safety and traffic flow. Significant mitigation measures are being sought to alleviate safety concerns at several school sites in the area. In addition, great concern has been expressed by a majority of residents in the immediate area regarding the location of this new school at such a busy intersection adding to already heavy and difficult traffic conditions.
- This proposed Day Care Center will be located not far from the new school at Long Beach and Del Amo Boulevards and within a block of another public school, all located on the north side of the street, in the path of anxious drivers rushing to the I710 freeway less than a half a mile from this proposed project site. Drivers are not patient nor forgiving along this stretch of street. It is a very treacherous stretch of roadway with little clearance between parked cars and roadway.
- Because the peak traffic hours correspond to the drop off and many pick up times of children for this site and both public school sites, the proposed use for this site will only exacerbate already unsafe traffic conditions for these young children (kindergarten to junior high) and commuters on the roadways.
- Further, parking is inadequate in a good portion of North Long Beach as much of the area was developed in the 1920's and 30's. It is a common occurrence to see cars double parked because there simply is no parking or very difficult parking for quick stops and pick ups. It is becoming a practice of drivers in the area to double park to avoid the hassles of finding parking and manipulating often oversized vehicles into inadequate spaces. It is a common and aggravating problem in the neighborhoods, but the situation is an extreme hazard on busy arterial roadways such as Del Amo. Any effort to avoid pick up and drop offs on this stretch of Del Amo west of Long Beach Boulevard is absolutely mandatory to avoid real and expected vehicle / pedestrian conflicts.
- We expect the city to support a proactive approach for protecting our children and keeping our arterials moving smoothly to accommodate ever increasing traffic demand, particularly with proposed residential density coming in the not too distant future from the North Village Center and anticipated increased business traffic from significant mixed use, housing and business-oriented redevelopment projects at Atlantic and South and Market and Long Beach Boulevard and all along the Atlantic and Long Beach corridors from the 405 to the Long Beach and 91 Freeways. We need the support and cautious deliberation of the Planning Commission to understand these real concerns and effectively address the anticipated growing demands on these important arterials.

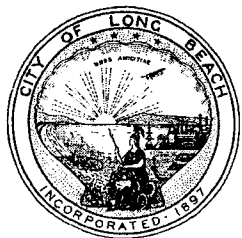
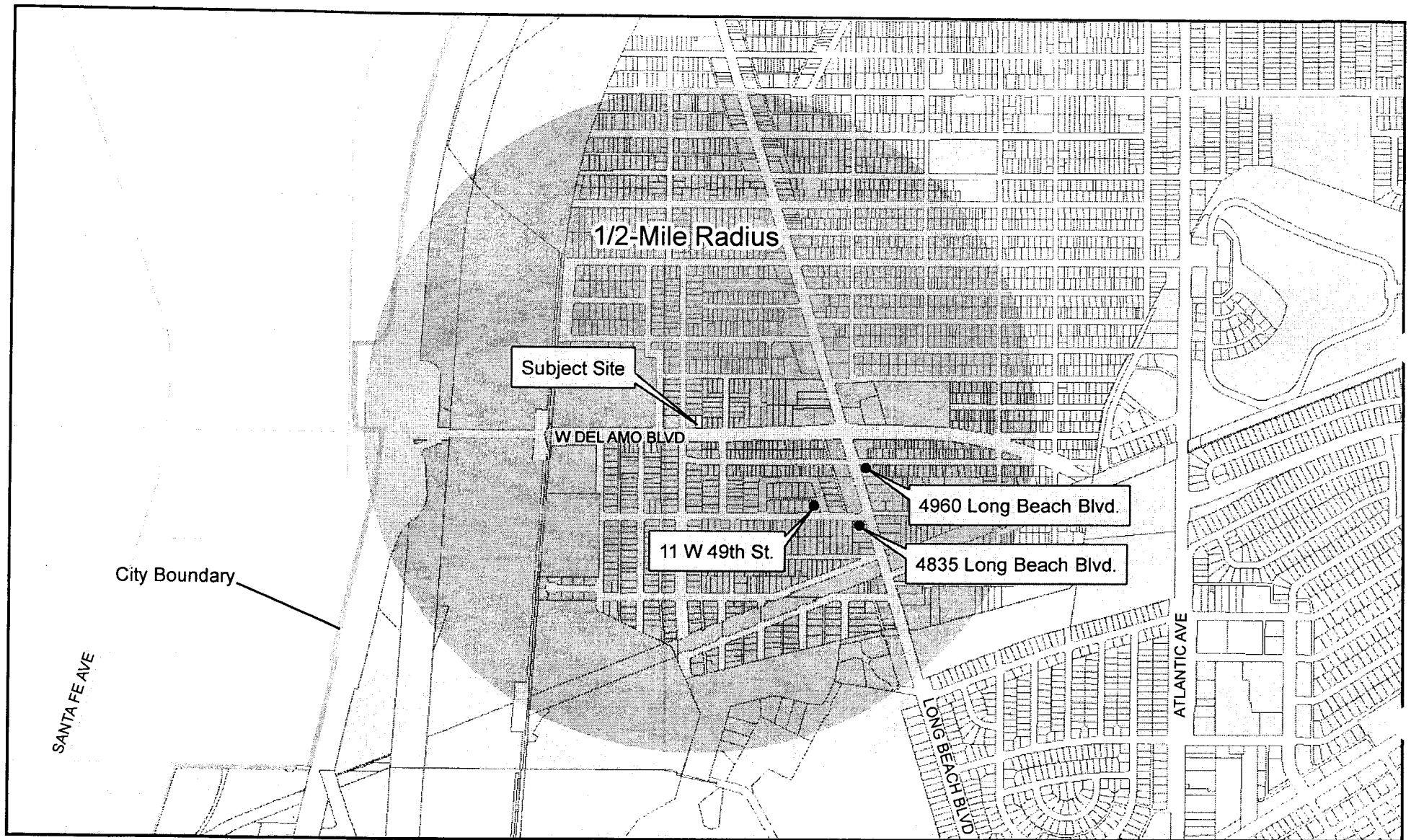
As a result the culmination of these factors, CAG strongly urges the Planning Commission to deny this Conditional Use Permit. The location of this proposed Day Care Center is simply too dangerous for the already treacherous traffic conditions on Del Amo west of Long Beach Boulevard.

Thank you for your thoughtful deliberation on this very important safety issue.

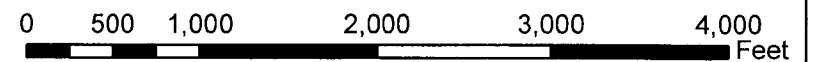
Respectfully submitted,

Laurie C. Angel

Laurie C. Angel, President
(562) 423-1563 home
(562) 985-7990 work



Child Care Facilities
within a 1/2-mile Radius
of 85 W. Del Amo Blvd.



19 October 2006

City of Long Beach Planning Commission

Re: Case # 0602-02 Ce 06-25

Subject: Placement of Childcare Facility at #85 Del Amo

Honorable Commissioners and staff,

Before you today is a standards variance for the locating of a Childcare Facility located #85 Del Amo Boulevard, which is largely parking impacted boulevard of multi uses. The idea as indicated by staff report is that there are over 19,800 children of childcare age throughout the city is slightly out dated for 90805 areas. Enrollment in our schools was down in the 90805 areas. Numerous other childcare facilities already exist even though they are not as large as the proposed site. This would tell me that the need for a childcare facility of this size might not be required.

Current Health Department figures as verified by the state indicate approximately a need for 300 facilities or less, which are substantially less than the 1000 as stated in the report. This lessens the threshold for these facilities and their requirement in 90805. The area in which this facility is trying to locate already has two facilities less than a ¼ of a mile away, the Childcare at Grisholm and the Bundle of Joy at 4835 Long Beach Boulevard. That does not include the YMCA, which is just about ¼ of a mile away. Whether this will impact those already established facilities is unknown. However, 21.52 of the municipals code states no new childcare facility should be located within ½ mile of another childcare facility. Locating this facility in the residential mixed use area does a couple of other things, first it creates undue pressure and access that would not be helped with a variance for parking, second the facility is situated so that even if the vehicle is parked the possibility of more than one pick-up will force residents hardship while being unable to enjoy the simplicity of their own property. The constant stop and go during pick-up time would impact residents and create a hardship. Also, parking on the Del Amo side may endanger children getting in or out of vehicles. There are approximately two parking places in the driveway where will the rest of the childcare staff be parking? I imagine in front of the residence? This also exhausts parking for residents by placing staff of the facility on the street and thus removing parking for residents.

In summary, this does not meet code, impacts the neighborhoods and residences and should be denied any variances for parking due the impacts.

Sincerely,



Dann Pressburg
167 E. South Street, 90805

#2

*Annie Greenfeld-Wisner
1951 Chestnut Ave.
Long Beach, CA 90806
Tel: 562-225-9462
Fax: 562-599-8318*

October 15, 2006

Via Facsimile Only

Planning Commission
City of Long Beach
333 W. Ocean Blvd.
Long Beach, CA 90802

Re: Case No. 0602-06
85 W. Del Amo, LB, CA
(Council District 8)

Dear Planning Commissioners:

Once again I find it necessary to write to you and object to a standards variance for operation of a daycare with less than required parking.

Most area of the City of Long Beach is parking impacted. I visited the location and am familiar with the area. This is truly a parking-impacted area and the location of this facility is in a residential neighborhood on Del Amo, which is quite a busy street. Once again you are "spot-zoning" in an area that has had many difficulties. Del Amo Blvd. Is not an appropriate location for a day care nor is there sufficient parking. On the day that I traveled to this location, there was not one parking space available and that was during the day at approximately 3:00 pm. I am afraid that you are opening the City up to liability because of the dangers of dropping off and picking up children without sufficient ingress and egress to the facility. Yes, there is a driveway; however, if one pulls into the driveway, that car must back out onto Del Amo Blvd. **into traffic to leave the facility.**

Daycares are necessary; however, in a residential area with another daycare less than ½ mile away from this daycare, there is no necessity to grant this standards variance. Even if the number of children are reduced from 31 to 20, there is still a parking requirement of 5 spaces. There are 4 fulltime employees and 2 part-time employees. **Where will they park? In the neighborhood that is already parking impacted?** In the staff report, it states that 3 parking spaces currently serve the facility – 2 in the driveway and 1 directly in front of the facility. It seems to me that counting street parking is truly a stretch and should not be permitted. Anyone visiting the area can use that parking space on the street – even if there is a 25 minute limit. **That spot cannot be reserved for the use of the facility only as it is on a public street.**

Granting the variance for reduced parking will absolutely have a negative impact on the neighborhood. If this were your parking impacted neighborhood, would you allow this to occur. If this were on the East side of Long Beach, would you even consider this request – of course not.

Planning Commission
City of Long Beach
Case No. 0602-06
October 15, 2006
Page 2

This is an area that has absolutely no parking available – reduced parking should not even be a consideration.

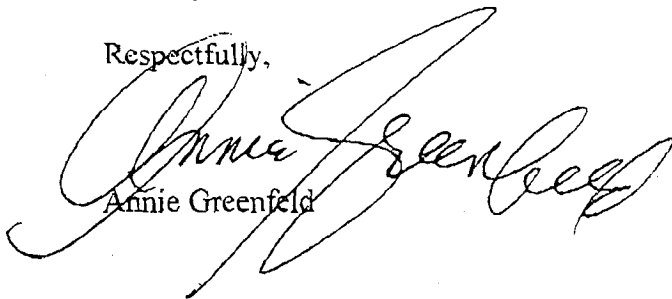
These approvals will run with the land and that alone is enough reason to deny the permit and the variance. The law provides for a deed restriction for off-site parking. If this deed restriction is not required, should off-site parking be deemed to be necessary and obtained, this permit and variance should also be denied.

With regard to paragraph B of the Standards Variance Findings which states that “the granting of the variance would not constitute a grant of special privilege since 3 off-street and on-street parking is available”; **this would absolutely be a granting of special privilege and will affect every single planning commission decision from this day forth.** The square footage requirements should also be denied. **You will never be able to not grant this to anyone who requests it from this day forward.**

Since I cannot be at the Planning Commission meeting on Thursday due to my work commitments, please consider this letter an opposition to the granting of the permit and standards variance for reduced parking and for preserving my rights to appeal to the City Council.

Thank you for your attention to this matter.

Respectfully,


Annie Greenfeld

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

Bonnie Lowenthal, Vice Mayor, 1st District
Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk



Bob Foster, Mayor

**TUESDAY, JANUARY 9, 2007
COUNCIL CHAMBER, 5:00 PM**

Gerrie Schipske, 5th District
Vacant, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Robert Shannon, City Attorney

FINISHED AGENDA & MINUTES**Roll call (5:10 PM)**

Present: B. Lowenthal; S. Lowenthal; O'Donnell; Schipske; Reyes Uranga; Gabelich; Lerch; Mayor Foster.

Absent/Excused: DeLong.

Mayor Foster announced that Agenda Item Nos. 18 and 19 have been withdrawn.

Also present: Gerald Miller, City Manager; Christine Shippey, Assistant City Manager; Robert Shannon, City Attorney; Laura Doud, City Auditor; Larry Herrera, City Clerk; Nancy Muth, City Clerk Analyst.

Mayor Foster presiding.

Invocation: Moment of Silence.

Flag Salute: Gerrie Schipske, Councilmember, Fifth District.

There being no objection, Mayor Foster declared that the minutes of the City Council meeting of Tuesday, January 2, 2007 be approved.

Pet Adoption: Julie Pruitt, spcaLA, presented a canine.

Water Replenishment District Presentation. (5:13 PM)

Councilmember S. Lowenthal spoke.

Kevin Wattier, General Manager, Water Department, spoke.

Robb Whittaker, Executive Director of the Water Replenishment District, spoke.

DeLong joined the meeting.

Councilmember S. Lowenthal spoke.

Vice Mayor B. Lowenthal wished Mayor Foster a happy birthday.

Mayor Foster spoke.

CONTINUED HEARINGS: (5:25 PM)

1. (06-1251) Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit, with or without conditions, or deny the Permit on the application of Hush On Pine, Inc., dba Hush, 217 Pine Avenue, for a Permit for Entertainment With Dancing by Patrons at an existing restaurant. (District 2)(5:25 PM)

Suggested Action: Approve recommendation.

Motion: That the item be laid over to March 20, 2007, with staff to issue a new temporary permit with conditions.

Moved by S. Lowenthal, seconded by B. Lowenthal.

Harvey Cochran spoke.

Vote: That the item be laid over to March 20, 2007, with staff to issue a new temporary permit with conditions. (Carried 8-0)

Yes: B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich, and Lerch.

2. (06-0991) Recommendation to receive supporting documentation into the record, conclude the hearing on the proposed amendments to the General Plan, amendments to the Atlantic Avenue Planned Development District (PD-25), rezoning of 560, 561, 566, 567, 572, 575 and 580 East Vernon Street, 500, 504, 508, 520, 530 and 552 East Willow Street (Case No. 0412-06); 1. Adopt resolution amending the General Plan from Land Use Districts LUD No. 1 (Single-Family) and No. 8A (Traditional Retail Strip) to LUD No. 7, (Mixed Uses); (5:32 PM)

Suggested Action: Approve recommendation and adopt Resolution No. RES-07-0004.

Veronica Reineld spoke.

Greg Carpenter, Planning Bureau Manager, spoke.

Motion: Approve recommendation and adopt Resolution No. RES-07-0004.

Moved by B. Lowenthal, seconded by O'Donnell.

Councilmember Reyes Uranga spoke.

Mayor Foster spoke.

Vote: Approve recommendation and adopt Resolution No. RES-07-0004.
(Carried 8-0)

Yes: B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich, and Lerch.

(06-0992) 2. Declare ordinance amending the Atlantic Avenue Planned Development District (PD-25), read the first time and laid over to the next regular meeting of the City Council for final reading; and (5:43 PM)

Suggested Action: Approve recommendation.

Motion: Approve recommendation.

Moved by B. Lowenthal, seconded by Lerch.

Vote: Approve recommendation.(Carried 7-0)

Yes: B. Lowenthal, S. Lowenthal, O'Donnell, Schipske, Reyes Uranga, Gabelich, and Lerch.

Absent: DeLong.

(06-0993) 3. Declare ordinance changing zones from single-family residential (R-1-N) and Community Automobile-Oriented (CCA) to the Atlantic Avenue Planned Development District (PD-25), read the first time and laid over to the next regular meeting of the City Council for final reading. (District 6) (5:43 PM)

Suggested Action: Approve recommendation.

Motion: Approve recommendation.

Moved by B. Lowenthal, seconded by Lerch.

Vote: Approve recommendation.(Carried 8-0)

Yes: B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes

Uranga, Gabelich, and Lerch.

HEARING: (5:44 PM)

3. (07-0001) Recommendation to receive supporting documentation into the record, conclude the hearing, deny the appeal of Jesse Brown, and sustain the decision of the City Planning Commission to approve a Conditional Use Permit and Standards Variance to allow the operation of a child care center with less than code required parking at 85 West Del Amo Boulevard (Case No. 0602-06). (District 8) (5:44 PM)

Suggested Action: Approve recommendation.

Carolyn Smith Watts spoke on behalf of the applicant and submitted written remarks.

Tina Brown, Director of Blessed Day Care, spoke.

Jesse Brown, appellant, spoke.

Thomas Nelson spoke.

Latoya Poke spoke and submitted a packet of information.

Jessica Pacheco spoke.

Jennifer Murskey spoke.

Laurie Angel spoke and submitted a copy of the North Long Beach Strategic Guide for Redevelopment and traffic survey information.

Chuck Fowler spoke.

Dan Pressburg spoke and submitted written comments.

Kathleen Yulip spoke.

Councilmember Reyes Uranga spoke.

Councilwoman Gabelich spoke.

Motion: Approve recommendation to support the appeal and deny the request for the Conditional Use Permit and Standards Variance.
Moved by Gabelich, seconded by Lerch.

Vice Mayor B. Lowenthal spoke.

Councilwoman Gabelich spoke.

Councilmember O'Donnell spoke.

Greg Carpenter, Planning Bureau Manager, spoke.

Tina Brown, applicant, spoke.

Councilmember S. Lowenthal spoke.

Suzanne Frick, Director of Planning and Building, spoke.

Councilmember S. Lowenthal spoke.

Motion: Substitute motion to deny the appeal and sustain the decision of the Planning Commission to approve a Conditional Use Permit and Standards Variance.

Moved by S. Lowenthal, seconded by Schipske.

Councilwoman Schipske spoke.

Tina Brown, applicant, spoke.

Mayor Foster and Mike Mais, Assistant City Attorney, clarified the state approval process.

Councilmember Lerch spoke.

Councilwoman Gabelich spoke.

Councilmember S. Lowenthal spoke.

Councilwoman Schipske spoke.

Councilwoman Gabelich spoke.

Vote: Substitute motion to deny the appeal and sustain the decision of the Planning Commission to approve a Conditional Use Permit and Standards Variance. (Carried 5-3)

Yes: S. Lowenthal, DeLong, O'Donnell, Schipske, and Reyes Uranga.

No: B. Lowenthal, Gabelich, Lerch.

Mayor Foster announced that the Los Angeles venue is being considered for

selection as host for the 2016 U.S. Olympics, with several Long Beach sites included in the consideration.

PUBLIC COMMENT: (7:13 PM)

Yvette Chasse spoke regarding safety for the public.

Judy Toernblom spoke regarding incidence of violence against her son.

Councilwoman Schipske spoke.

Councilmember S. Lowenthal spoke.

Jeremy Belshe spoke regarding violence against his family.

Tomas Gonzales spoke in support of the City Council, Mayor and Police Chief.

Chris Miller, President, City Employees Union, spoke regarding employee issues.

Mayor Foster spoke.

Thomas Murphy spoke regarding harbor storage containers.

Harvey Cochran spoke regarding E-Waste Drive and other community activities.

Martin Strasburger submitted written comments.

CONSENT CALENDAR: (7:43 PM)

Suggested Action: Approve recommendation.

Motion: Approve Consent Calendar Items 4-14, except for Items 7, 8, and 9.
Moved by Gabelich, seconded by Schipske.

Vote: Approve Consent Calendar Items 4-14, except for Items 7, 8, and 9.
(Carried 5-0)

Yes: S. Lowenthal, O'Donnell, Schipske, Gabelich, and Lerch.

Absent: B. Lowenthal, DeLong, Reyes Uranga.

4. (07-0016) Recommendation to authorize City Attorney to submit Compromises and Releases for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$75,000 for claim of Maria

Casiano; \$8,500 for the claim of Juan Castro; and \$45,000 for the claim of Robert Harris in compliance with the Appeals Board Orders.

Suggested Action: Approve recommendation.

5. (07-0017) Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$14,050 for the claim of Daniel De Guzman; \$19,337.50 for the claim of Emma Henderson; \$29,785 for the claim of Kris Jonkey in compliance with the Appeals Board Orders.

Suggested Action: Approve recommendation.

6. (07-0005) Recommendation to refer to City Attorney damage claims received between December 28, 2006 and January 4, 2007.

Suggested Action: Approve recommendation.

7. (07-0002) Recommendation to authorize City Manager to execute an amendment to Contract No. 29372 extending the term an additional nine months for federal legislative representation services provided by E. Del Smith and Company, Inc., for an amount not to exceed \$88,740; and increase appropriations in the General Fund (GP) in the City Manager's Office (CM) by \$88,740. (Citywide) (7:44 PM)

Suggested Action: Approve recommendation.

Gerald Miller, City Manager, spoke.

Councilwoman Schipske spoke.

Motion: Approve recommendation.

Moved by Schipske, seconded by DeLong.

Vote: Approve recommendation. (Carried 7-0)

Yes: S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich, and Lerch.

Absent: B. Lowenthal.

8. (07-0003) Recommendation to adopt Specifications No. PA-00807 and award contracts to Danny's Auto Painting and Eddy's Auto Body & Paint to furnish and deliver vehicular body, frame and refinishing repairs for a combined amount of \$350,000 for the period of one year, with the option to renew for two additional one-year periods, at the discretion of the City

Manager. (Citywide) (7:47 PM)

Suggested Action: Approve recommendation.

Thomas Murphy spoke.

Motion: Approve recommendation.
Moved by Schipske, seconded by DeLong.

Vote: Approve recommendation. (Carried 6-0)
Yes: S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, and Gabelich.
Absent: B. Lowenthal, Lerch.

9. (07-0006) Recommendation to authorize City Manager to amend Contract No. 29257 with GTSI Corporation, aka Government Technology Services, Inc. (GTSI), to allow for the purchase of modems and connectivity software for the Police Department mobile data computer system for an additional amount of \$400,000; increase appropriations in the General Fund and the Police Department by \$650,000; and decrease appropriations in the General Fund and the Citywide Activities Department by \$650,000. (Citywide)(7:51 PM)

Suggested Action: Approve recommendation.

Thomas Murphy spoke.

Motion: Approve recommendation.
Moved by Schipske, seconded by DeLong.

Vote: Approve recommendation. (Carried 7-0)
Yes: B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, and Gabelich.
Absent: Lerch.

10. (07-0007) Recommendation to receive and file the application of The Green Mango Incorporated, dba Green Mango Restaurant, for a stock transfer of an Alcoholic Beverage Control License, at 1360 E. Anaheim Street, with existing conditions. (District 2)

Suggested Action: Approve recommendation.

11. (07-0008) Recommendation to receive and file the application of My World Enterprises Incorporated, dba Alondra Hot Wings, for a person-to-person transfer of an Alcoholic Beverage Control License, at 245 Pine Avenue,

No.190, with existing conditions. (District 2)

Suggested Action: Approve recommendation.

12. (07-0009) Recommendation to receive and file the application of The Milk Barn Incorporated, dba The Milk Barn, for a person-to-person transfer of an Alcoholic Beverage Control License, at 4855 Bellflower Boulevard, with existing conditions. (District 5)

Suggested Action: Approve recommendation.

13. (07-0010) Recommendation to receive and file the application of Santiago San Juan, dba Los Potrillos, for a person-to-person transfer of an Alcoholic Beverage Control License, at 5839 Cherry Avenue, with existing conditions. (District 9)

Suggested Action: Approve recommendation.

14. (07-0011) Recommendation to receive and file the application of Christopher Kenzo Hirata, dba Atlantic Farms Market, for a person-to-person transfer of an Alcoholic Beverage Control License, at 6845 Atlantic Avenue, with existing conditions. (District 9)

Suggested Action: Approve recommendation.

REGULAR AGENDA (7:54 PM)

15. (07-0022) Recommendation to transmit the 2007 State of the City address for the City of Long Beach. (7:54 PM)

Suggested Action: Approve recommendation.

Mayor Foster spoke.

Motion: Approve recommendation.
Moved by DeLong, seconded by O'Donnell.

Councilwoman Schipske spoke.

Councilmember Reyes Uranga spoke.

Vote: Approve recommendation. (Carried 8-0)
Yes: B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich, and Lerch.

Mayor Foster retired and Vice Mayor B. Lowenthal assumed the chair.

16. (06-1365) Recommendation that City Council concur in the recommendation of the Tidelands and Harbor Committee to receive and file the communications relating to:

1. Report from Rotec Incorporated on their "bolt-and-go" system - REDD - an engine-mounted mechanical emission reducing system. (7:59 PM)

Suggested Action: Approve recommendation.

(06-1366) 2. Report on Proposition 1B funding by the Port of Long Beach.

Suggested Action: Approve recommendation.

(06-1367) 3. Discussion regarding "port truck fleet optimization."

Suggested Action: Approve recommendation.

Motion: Approve recommendation.
Moved by DeLong, seconded by O'Donnell.

Councilmember S. Lowenthal spoke.

Councilmember Reyes Uranga spoke.

Vote: Approve recommendation. (Carried 8-0)
Yes: B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich, and Lerch.

17. (07-0018) Recommendation to authorize: [1] the City Manager to execute an agreement with Hart InterCivic, Inc. for new voting system hardware, software, and support services and for an election management system in an amount not to exceed \$900,000; [2] the City Treasurer to seek system financing for purpose of system procurement; and [3] an increase in Fiscal Year 2007 (FY 07) City Clerk Department budget appropriations by \$142,920 for the procurement of vote-by-mail tracking software, ADA accessible voting booths, and rental of modular office trailers for establishment, if City-owned open space is available, of an elections distribution center. (Citywide) (8:02 PM)

Suggested Action: Approve recommendation.

Larry Herrera, City Clerk, spoke.

Councilmember O'Donnell spoke.

Motion: Approve recommendation.

Moved by Reyes Uranga, seconded by Schipske.

Councilwoman Schipske spoke.

Conny McCormack, Registrar-Recorder/County Clerk, Los Angeles County, spoke.

Robert Shannon, City Attorney, spoke.

Councilmember O'Donnell spoke.

Larry Herrera, City Clerk, spoke.

Vote: Approve recommendation. (Carried 8-0)

Yes: B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich, and Lerch.

18. (07-0012) Recommendation to authorize City Manager to execute a Sixth Amendment to Agreement No. 26085 to extend the contract term to May 31, 2007 with ACE Parking Management, Inc., to provide parking management services in the Downtown area. (Districts 1,2) -- **WITHDRAWN**

Suggested Action: Approve recommendation.

19. (07-0013) Recommendation to request City Attorney to prepare and authorize City Manager to execute an agreement between the City of Long Beach and Central Parking Systems for parking management services in an amount not to exceed \$3,806,275 annually, which includes a contingency of 25 percent (or \$761,254) should the scope of services expand. (Districts 1,2) -- **WITHDRAWN**

Suggested Action: Approve recommendation.

20. (07-0014) Recommendation to authorize City Manager to amend a Loan Agreement with John Morris for Smooth's Sports Grille, located at 144 Pine Avenue. (District 2) (8:35 PM)

Suggested Action: Approve recommendation.

Motion: Approve recommendation.

Moved by S. Lowenthal, seconded by Gabelich.

Vote: Approve recommendation. (Carried 8-0)

Yes: B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich, and Lerch.

21. (07-0015) Recommendation to adopt resolution authorizing City Manager to execute a contract with Haaker Equipment Company for the purchase of one liquefied natural gas (LNG) powered Pot Hole Patch Truck, on the same terms and conditions afforded to the County of San Bernardino, in an amount not to exceed \$209,923.81 including tax, with a ten percent contingency for additional equipment if necessary and if funds are available; and the City will have the option of purchasing one additional unit at the same cost, at the discretion of the City Manager. (Citywide) (8:36 PM)

Suggested Action: Approve recommendation.

Motion: Approve recommendation and adopt Resolution No. RES-07-0005.

Moved by DeLong, seconded by O'Donnell.

Councilmember O'Donnell spoke.

Thomas Murphy spoke.

Vote: Approve recommendation and adopt Resolution No. RES-07-0005. (Carried 8-0)

Yes: B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, Gabelich, and Lerch.

NEW BUSINESS: (8:41 PM)

22. (07-0021) Recommendation to respectfully request City Attorney to draft a resolution in support of designating the sixty-four days between January 30, 2007 and April 4, 2007, as "A Season for Nonviolence" on an annual basis;

Request that City Council members consider ways to participate in A Season for Nonviolence by hosting or promoting events in their district that encourage meaningful dialogue and demonstrate that every person can move our city in the direction of peace through their daily nonviolent choice and action;

Request City Manager work with Season organizers to develop a community calendar on the City of Long Beach's website in service to

residents interested in attending the various events throughout our city; and

Request City Manager designate other resources for supporting A Season for Nonviolence in this and coming years, that could include but not be limited to resources such as street banners, street closures or other actions taken to promote Season of Nonviolence events. (8:41 PM)

Suggested Action: Approve recommendation.

Distributed at the meeting: Memorandum from Councilmember Reyes Uranga listing four additions to the Agenda Item No. 22's slated motion; and brochures for upcoming events.

Councilmember Reyes Uranga spoke.

Councilmember S. Lowenthal read and discussed the agenda item.

Councilwoman Gabelich spoke.

Kristen Hawkins spoke.

Joyce Hicks Reynolds spoke.

Kimberly Woods spoke.

Gary Tecasian spoke.

Unidentified woman spoke.

Councilwoman Schipske spoke.

Councilmember S. Lowenthal spoke.

Motion: Approve recommendation, with the inclusion of suggestions by Councilmember Reyes Uranga, as follows: 1) Under the request for actions of the City Manager, request providing video public service announcements that could be played on the City's cable access stations (Channel 8, Library, Police and Fire channels) as well as be made available to Charter Communications for possible wider disbursement with their Long Beach programming; 2) refer matter to the Human Relations Commission as well as the Commission on Youth and Children for review and possible suggestions on enhancing efforts in ongoing years; 3) invite Tim Jacob Wise to a town hall meeting during the Season of Nonviolence to engage the community in light of recent activities; and 4) make every attempt to

include cross cultural and multiethnic groups, organizations and individuals in a concerted community outreach and educational effort.

Moved by S. Lowenthal, seconded by Reyes Uranga.

Councilmember O'Donnell spoke.

Vice Mayor B. Lowenthal spoke.

Vote: Approve recommendation, with the inclusion of suggestions by Councilmember Reyes Uranga, as follows: 1) Under the request for actions of the City Manager, request providing video public service announcements that could be played on the City's cable access stations (Channel 8, Library, Police and Fire channels) as well as be made available to Charter Communications for possible wider disbursement with their Long Beach programming; 2) refer matter to the Human Relations Commission as well as the Commission on Youth and Children for review and possible suggestions on enhancing efforts in ongoing years; 3) invite Tim Jacob Wise to a town hall meeting during the Season of Nonviolence to engage the community in light of recent activities; and 4) make every attempt to include cross cultural and multiethnic groups, organizations and individuals in a concerted community outreach and educational effort. (Carried 7-0)
Yes: B. Lowenthal, S. Lowenthal, DeLong, O'Donnell, Schipske, Reyes Uranga, and Gabelich.
Absent: Lerch.

23. Affidavit of Service for the special meeting of Tuesday, January 9, 2007.
Vice Mayor B. Lowenthal requested that the meeting adjourn in honor of Judy Gumbiner.

Councilmember O'Donnell made community announcements.

Councilmember Reyes Uranga made community announcements.

Councilmember S. Lowenthal made community announcements.

Councilwoman Schipske made community announcements.

Vice Mayor B. Lowenthal requested that the meeting adjourn in honor of Dennis Monfett; and made community announcements.

PUBLIC: (9:16 PM)

Michael Day, Vice President of Teachers Association of Long Beach, spoke regarding creation under the City Charter of an Inspector General position for the City of Long Beach.

Councilmember S. Lowenthal announced the swearing in ceremony was held today for Judge Dan Lowenthal.

At 9:20 P.M., Vice Mayor B. Lowenthal adjourned the meeting in honor of Judy Gumbiner and Dennis Monfett.



Agenda No.

Case No. 0602

CITY OF LONG BE

DEPARTMENT OF PLANNING & BUILDING

333 West Ocean Boulevard, 7th Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

ZONING DIVISION

November 16, 2006

CHAIRMAN AND PLANNING COMMISSIONERS

City of Long Beach
California

SUBJECT: Request for approval of a Conditional Use Permit and Standards Variance to allow the operation of a childcare center with less than code required parking. (Council District 8)

LOCATION: 85 W. Del Amo Blvd

APPLICANT: Pat Brown
5390 E. 8th Street
Long Beach, CA 90804

RECOMMENDATION

Approve Conditional Use Permit and Standards Variance, based on written findings and conditions of approval.

DISCUSSION

On October 5, 2006, the Planning Commission conducted a public hearing on a Conditional Use Permit and Standards Variance application to allow the operation of a Child Day Care Center with less than code required parking. After staff presented the case, the applicant requested that the case be continued one month since the owner of the day care was unable to attend the meeting. The Planning Commission granted the continuance request and directed staff to research three day care facilities, trash pickup hours and existing traffic patterns. In particular, the Commission asked that the driveway ingress and egress be observed at the proposed location and compared to similar locations.

There are a total of 132 Child Day Care Centers in the City of Long Beach. Child Day Care Centers are defined as a facility which provides non-medical care for an individual on less than a twenty-four-hour basis. Day care center includes all day care uses not qualifying as a child day care home. All one hundred and thirty two (132) day care centers in the City were analyzed to determine similarities to the proposed day care center. Of the centers in the City, only thirty-six (36) were found to be located in residential neighborhoods and only twelve (12) are located in a single-family residential neighborhood (R-1-N Zoning District). All centers located in R-1-N zoning districts were found to have approved CUP's, AUP's or are legal nonconforming uses.

The three day care centers mentioned by the Planning Commission as having problems with ingress and egress were believed to be located at Paramount Blvd, Redondo Avenue and 14th Street. However, only two could be located in city records. The center on Paramount Blvd was observed during a site visit and no traffic concerns were observed since the center is located in a

private residential community behind a security gate. The second center, located at 1710 Redondo, was approved as a day nursery in 1952. No entitlements were granted and the property remains legal non-conforming since the use has not changed since 1952. The property at Redondo has similar ingress and egress characteristics as the proposed use in that both driveways exit onto a busy street. However, upon closer observation during a site visit at peak traffic hours of the afternoon and evening, it was observed that vehicles turning left on Redondo had a greater impact on traffic than did vehicles exiting the day care. Moreover, the turn in the road on Redondo Avenue as you approach Pacific Coast Highway created a difficult exit out of the day care facility since it was hard to judge the speed of oncoming vehicles. The ingress and egress onto Del Amo at the proposed day care center is substantially different; a median that separates eastbound and westbound traffic and designated turning lanes are available. There is no grade or line of sight impediment and the addition of a twenty-four (24) minute green curb also helps to avoid a blind backup into the street.

Staff located two day care centers that were in a residential zone having the same driveway situation as the proposed day care and thus similar to the proposal. One center, located at 3027 E. 4th Street was approved with Administrative Use Permit and Standards Variance for two additional parking spaces. This center is similar in design to the current proposal in that two spaces are requested and limited open space is provided per child. The most obvious difference is a curved dual driveway which provides an easy and safe method of child drop off, as shown on the attached map (Attachment 2). The second day care center, located at 5942 Orange Avenue was approved with a Conditional Use Permit for the conversion of a single family home into a day care use and an Administrative Use Permit for off-site parking with a lease agreement rather than a deed restriction. This request is similar in that it allowed for the conversion of a single-family home into a commercial day care. What is different about this request is that parking could be provided within 600 feet of the proposal. This was granted with a lease agreement from a nearby church. This day care was approved with a total of 40 children based on the size of the play area. The applicant's request for 31 children is similar, however, the amount of open space is smaller. With the comparison of this site to other sites in the City of Long Beach and with the numerous site visits to the day care, staff still believes that the site can only support a total of 20 children since there is limited play area and no additional parking available within 600 feet. Staff further believes that the twenty-four minute (24) green curb required as a condition of approval will help to eliminate a difficult exit and blind back up from the day care onto Del Amo Blvd.

Trash pick up days at the proposed location are on Mondays from 8:00 am-12:00 p.m. and not during designated drop off and pick up times. According to the submitted child care schedule drop off and pick up times at the day care vary throughout the day with most drops offs (5) occurring at 8:30 am (see attached schedule). In observation of the day care at 8:30 am on Thursday, staff saw no problems with parking or with difficult ingress and egress from the site as the day care had varying drop off and pickup hours that did not conflict with existing traffic patterns.

According to the City of Long Beach Department of Public Works traffic counts from 2001 with a 6% increase per year for the last six (6) years, there are approximately 33,708 cars traveling east and west bound from Long Beach Blvd to the 710 freeway within a twenty four (24) hour period. Del Amo is considered a major arterial highway according to the City of Long Beach General Plan. Thus, the number of cars traveling on Del Amo can potentially cause problems with exiting the day care site. This potential problem was not seen during numerous site visits (8 total) at

different drop off times throughout the day. In fact, traffic was observed to be flowing better west to east and parking spaces have always been available in front of the day care during drop off and pick up times. In addition, two traffic lights directly in front of the adjacent elementary school help to slow the speed of traffic on Del Amo during morning drop off hours. In addition, staff observed that most congestion on Del Amo during the morning rush hour was between 7:30 am and 8:00 a.m., which is after morning day care drop off times. In the evening, traffic was again not an issue going westbound since most traffic occurred eastbound and not during child drop off times. Even with the current construction eastbound on Del Amo Blvd., traffic was still free flowing in front of the day care during normal drop off times.

Staff believes that the site can support a total of 20 children on the project site based on the limited parking availability and relatively small the size of the play area. The minimal amount of play area (1,320 sq. ft.) that includes the driveway as play area is a concern to staff since it directly affects neighboring property owners. This reduction in the number of children requested by the applicant from 31 to 20 will reduce impacts on adjacent neighbors and keep the parking requirement the same as the existing day care. The Planning Commission still must waive the square footage requirement of 75 square feet of outdoor play area per child. This is supported by the availability of adequate on and off street parking, and the lessening of noise impacts to adjacent residences if the number of children is limited to 20.

In order to approve the Conditional Use Permit and Standards Variance requests, the Planning Commission is required to make certain findings in support of an approval decision. These findings along with staff analysis are presented below for consideration, adoption, and incorporation into the record of proceedings.

CONDITIONAL USE PERMIT FINDINGS

A. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;

The subject site has a General Plan designation of LUD #1A, Single Family, which allows single-family homes. However, in small instances, small retail clusters may occur in LUD No. 1 provided they conform to the specification detailed in the appropriate commercial districts. A Child Care Center with over 14 children is consistent with the General Plan and Zoning Regulation with a Conditional Use Permit.

B. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Categorical Exemption (CE 06-25) was prepared for this project and is attached for your review.

With the enforcement of the number of children onsite, the addition of a twenty-four minute green curb to the project site and the requirement to meet Fire, Building, Police and Public Works standards, the use will not be detrimental to the surrounding community. The conditions of approval will incorporate the hours of operation, the

number of children allowed onsite site, use of the playground area, and the number of parking spaces required, as well as operational requirements that address potential negative impacts from the proposed use. Furthermore, the approval of the requested Conditional Use Permit will require operation performance standards and approval from both the City of Long Beach Fire Department and Building Bureau, plus additional enforcement will be done thru the State of California Department of Social Services. This requirement will enable the City to enforce any conditions of approval and address unanticipated changes that may arise in the future.

C. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR SPECIFIC CONDITIONAL USES, AS LISTED IN CHAPTER 21.52.

In addition to the above general findings, the following specific conditions pursuant to Zoning Code Section 21.52.249 apply to child care centers:

A. A minimum of seventy five (75) square feet of outdoor play area per child shall be provided on the site;

There is a total of 1,320 square feet of play area on the daycare site. With 1,320 square feet of play area, a maximum of 18 children can be cared for at one time based on one child for every 75 square feet. With limited parking and the limited amount of rear yard play area, staff believes that the proposed arrangement is not sufficient to support the request for a total of 31 children onsite. Furthermore, staff is concerned about impacts on adjacent residence through overuse of the play area and potential impacts to traffic in the area with the use of one entrance and exit.

In staff's opinion, the site can support a total of 20 children on the project site based on the limited parking availability and relatively small the size of the play area. The minimal amount of play area (1,320) that includes the driveway as play area is a concern to staff since it directly affects neighboring property owners. This reduction in the number of children requested by the applicant from 31 to 20 will reduce impacts on adjacent neighbors and keep the parking requirement the same as the existing day care. The Planning Commission still must waive the square footage requirement of 75 square feet of outdoor play area per child. This is supported by the availability of adequate on and off street parking, and the lessening of noise impacts to adjacent residences if the number of children is limited to 20.

B. In residential districts, no other similar facility may be located and operating within one half (1/2) mile of the proposed site;

One site, Bundle of Joy Day Care Center, is approximately 1,700 feet or .4 miles away from the proposed day care center. The site is dissimilar to the proposed use since it is located on a commercial corridor with larger lot sizes and more childcare programs.

C. The hours of operation shall be limited to the hours between six thirty (6:30) a.m. and six thirty (6:30) p.m.; and

The day care center is open between the hours of 7:00 a.m. – 6:30 p.m. and is

consistent with this requirement.

D. Adequate off street loading spaces shall be provided to prevent adverse effects upon the neighborhood.

Three loading and unloading spaces are provided instead of six and a variance is necessary in order to waive this requirement. If the number of children is limited to 20, the parking requirement is reduced to five spaces.

STANDARDS VARIANCE FINDINGS

A. THE SITE OR THE IMPROVEMENTS ON THE SITE ARE PHYSICALLY UNIQUE WHEN COMPARED TO OTHER SITES IN THE SAME ZONE;

The project involves the conversion of a single-family home to a child day care facility. The site is located in a residential area remote from commercial parking lots, so there is no ability to provide off-site parking, thus creating a unique condition on the subject site. Therefore, the applicant is requesting a variance from standards for three (3) required parking spaces. The parking shortfall can be mitigated by the placement of a 24 minute green curb in front of the property with the existing two loading and unloading spaces at the driveway.

B. THE UNIQUE SITUATION CAUSES THE APPLICANT TO EXPERIENCE HARDSHIP THAT DEPRIVES THE APPLICANT OF A SUBSTANTIAL RIGHT TO USE OF THE PROPERTY AS OTHER PROPERTIES IN THE SAME ZONE ARE USED AND WILL NOT CONSTITUTE A GRANT OF SPECIAL PRIVILEGE INCONSISTENT WITH LIMITATIONS IMPOSED ON SIMILARLY ZONED PROPERTIES OR INCONSISTENT WITH THE PURPOSE OF THE ZONING REGULATIONS;

Since the subject site does not provide one parking space per every ten (10) children, the proposed daycare is required to find additional off-site parking to support the use. No additional parking can be provided on-site due to site constraints. The Zoning Ordinance allows off-site parking within 600 feet of the subject site, but requires a deed restriction. Requiring a deed restriction presents a hardship for the applicant since most property owners are unwilling to deed-restrict two parking spaces for an off-site use. Also, the site is remote from commercial parking lots. Granting relief would not constitute a grant of special privilege since three off-street and on-street parking spaces are available

C. THE VARIANCE WILL NOT CAUSE SUBSTANTIAL ADVERSE EFFECTS UPON THE COMMUNITY; AND

Granting of the variance will not cause adverse effects with respect to parking in the surrounding neighborhood, since there are two space on-site, a green zone in front of the building, and other nearby curb side parking spaces available.

D. IN THE COASTAL ZONE, THE VARIANCE WILL CARRY OUT THE LOCAL COASTAL PROGRAM AND WILL NOT INTERFERE WITH PHYSICAL, VISUAL AND PSYCHOLOGICAL ASPECTS OF ACCESS TO OR ALONG THE COAST.

The subject site is not located in the Coastal Zone.

PUBLIC HEARING NOTICE

A total of 57 Public Hearing Notices were mailed on September 1, 2006 to all owners of properties within a 300-foot radius of the project site, and the elected representative of the 8th Council District.

REDEVELOPMENT REVIEW

The project site is located in the North Long Beach Redevelopment Project Area. The Redevelopment Staff had no comments.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Categorical Exemption (CE-06-25) has been prepared for this project, and is attached for your review.

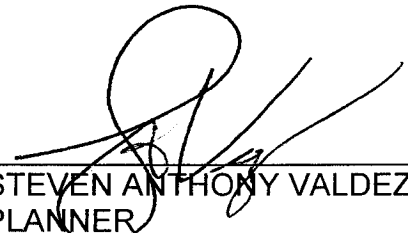
IT IS RECOMMENDED THAT THE PLANNING COMMISSION:

Approve the Conditional Use Permit and Standards Variance with a total of 20 children.

Respectfully submitted,

SUZANNE FRICK,
DIRECTOR OF PLANNING AND BUILDING

By:


STEVEN ANTHONY VALDEZ
PLANNER

Approved:


CAROLYNE BIHN
ZONING ADMINISTRATOR

Attachments:

1. Planning Commission Report from October 19, 2006
2. Exhibit A- Day Care Centers in a Residential Zone
3. Day Care Schedule
4. Day Care Pictures w/ addresses
5. Conditions of Approval

**CONDITIONAL USE PERMIT/STANDARDS VARIANCE
CONDITIONS OF APPROVAL**

Case No. 0602-06

Date: November 16, 2006

1. This permit and all development rights hereunder shall **terminate one year** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
2. The use permitted on the subject site, in addition to other uses permitted in the R-1-N zoning district, shall be a child daycare facility with 20 children. No retail, office, or social service land uses shall be permitted at any time.
3. The code exception approved for this project is as follows:
 - Two (2) onsite loading spaces for a day care center, with a total of 20 children.
4. The applicant shall provide for the use of two onsite loading spaces and one 24-minute (green curb) parking space at 85 W. Del Amo Blvd. as long as the day care center remains in operation. Within thirty (30) days of approval of this permit, the applicant shall ensure that the required parking spaces are available for the day care center.
5. Not more than thirty (30) days after the Final Action date, the applicant shall submit plans to the Department of Planning and Building to change the occupancy of the building to E3, a commercial daycare center. Building permit approvals shall then be secured no more than sixty (60) days after the Notice of Final Action and work shall be completed within ninety (90) days of the Notice of Final Action date.
6. The applicant shall fully comply with all Building Code requirements to the satisfaction of the Superintendent of Building and Safety, including Title 24 compliance.
7. The applicant shall file a separate plan check and 850-form submittal to the Long Beach Fire Department for their review and approval, prior to the issuance of a building permit.
8. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return **written acknowledgment** of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30

days form the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.

9. If, for any reason, there is a **violation of any of the conditions** of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
10. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
11. This approved land use is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall be available for **periodic re-inspections**, conducted at the discretion of City officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
12. All operational conditions of approval for this permit **must be posted** in a location visible to the public in such a manner as to be readable when the use is open for business.
13. All conditions of approval **must be printed** verbatim on all plans submitted for plan review to the Planning and Building Department. These conditions must be printed on the site plan or a subsequent reference page.
14. The Director of Planning and Building is authorized to make **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. **No substantial changes** shall be made without the prior written approval of the Site Plan Review Committee and/or Planning Commission.
15. Site development, including landscaping, shall conform to the approved plans on file in the Department of Planning and Building. At least **one set of approved plans** containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps **shall be maintained at the job site**, at all times for reference purposes during construction and final

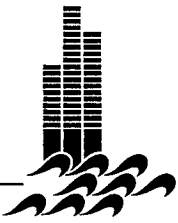
inspection.

16. All **landscaped areas** must be maintained in a neat and healthy condition, including public parkways and street trees. Any dying or dead plants materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
17. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
18. Any graffiti found on site must be removed within 24 hours of its appearance.
19. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
20. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed
21. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach

EXHIBIT A
RESIDENTIAL DAY CARE CENTERS
Centers Located in the R-1-N ZONING DISTRICT are bolded

Little Lighthouse Educational Childcare Center, Inc. Capacity: 30	Apple Tree Therapeutic Inclusive Preschool Capacity: 45
911 Pine Avenue	1429 Clark Ave
Long Beach Bretheren School Capacity: 40	Bethany Preschool Capacity: 52
3601 Linden Avenue	2217 E. 6th Street
Long Beach Development Center Capacity: 64	California Heights Unified Nursery School Capacity: 60
2222 Olive Avenue	3759 Orange Avenue
Long Beach Nursery- West Branch Capacity: 100	Carmelitos CDC Capacity: 52
1548 Chestnut Avenue	851 Via Carmelitos
Long Beach Montessori Parwood, LLC Capacity: 65	Carousel Preschool Capacity: 42
5447 Paramount Boulevard	366 Cherry Ave
Mann Child Development Center Capacity: 48	Creative Arts Capacity: 47
3215 Vista Avenue	1423 Walnut Avenue
Montessori Childrens House Capacity: 64	FSBC Educational Enrichment Center Capacity: 30
5550 Atherton Ave	5640 Orange Avenue
Muir Child Development Center Capacity: 48	Fun 2 Learn Pres-School Capacity: 40
3105 Easy Street.	5942 Orange Avenue
Oak Tree Children's Center Capacity: 49	Giant Steps Children Center Capacity :120
1710 Redondo Avenue	6951 Obispo Avenue
Phases: An Early Learning Comprehensive Capacity: 15	Gaviota Head Start Capacity: 90
404 Newport Avenue	1131 Gaviota Street

Pine Head Start <i>Capacity: 75</i>	Grace First Presbyterian Church Preschool <i>Capacity: 64</i>
927 Pine Avenue	3955 Studebaker Road
Resurrection Lutheran Preschool <i>Capacity: 75</i>	Grace Lutheran Church <i>Capacity: 46</i>
345 E. Carson Street	245 W. Wardlow Rd.
Simply Kare Child Development Center <i>Capacity: 48</i>	Great Beginnings, Inc. <i>Capacity: 39</i>
1406 Obiso Avenue	3027 E. 4 th Street
St Barnabas Preschool <i>Capacity: 15</i>	Job Corp Head Start <i>Capacity: 20</i>
1130 Marshall Place	1903 Santa Fe Avenue.
St John's Head Start Program <i>Capacity: 105</i>	Kid Works Children Center <i>Capacity: 50</i>
6650 Orange Avenue	36221 E. Broadway.
Whittier Child Development Center <i>Capacity:</i>	Little Lighthouse Educational Childcare Center <i>Capacity: 30</i>
1424 E. Esther Street	911 Pine Avenue
YMCA GLB Fairfield 70th Street Preschool <i>Capacity: 70</i>	Long Beach Bretheren School <i>Capacity: 40</i>
700 E. 70th Street	3601 Linden Avenue
Young Horizons Development Centers <i>Capacity: 24</i>	Long Beach Development Center <i>Capacity: 64</i>
11 W. 49 th Street	2222 Olive Avenue



CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 W. Ocean Boulevard

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

October 19, 2006

CHAIRMAN AND PLANNING COMMISSIONERS

City of Long Beach

California

SUBJECT: Request for approval of a Conditional Use Permit and Standards Variance to allow the operation of a childcare center with less than code required parking. (Council District 8)

LOCATION: 85 W. Del Amo Blvd

APPLICANT: Pat Brown
5390 E. 8th Street
Long Beach, CA 90804

RECOMMENDATION

Approve the Conditional Use Permit and Standards Variance request, subject to conditions.

REASON FOR RECOMMENDATION

1. The proposed use will provide a childcare service needed in Long Beach, especially in the 90805 zip code.
2. Operational conditions of approval relating to maintenance, parking, number of children and hours of operation, will ensure that the proposed project will have minimal negative impacts on adjacent land uses.
3. Positive findings can be made to support the Conditional Use Permit and Standards Variance.

BACKGROUND

This proposal was continued from the meeting of September 21, 2006 due to a lack of quorum and was again continued from the meeting of October 5, 2006 at the request of applicant. The subject site is located on the north side of Del Amo Blvd just east of Pacific Avenue (see attached location map). The property is developed with a 1,704 square foot one story single family home with a detached two-car garage. The single-family home obtained a certificate of occupancy on December 12, 1950. Additions to the residence in 1960, 1961, and 1972 increased the size of the home to its current configuration. The home has been used as a residence until the current family day care opened in March 2006.

The project site has a zoning designation of R-1-N (Single Family Residential). Day Care facilities with over 14 children require approval of a Conditional Use Permit before they can submit plans to The City of Long Beach Fire Department and the State Department of Social Services. Surrounding properties on all sides are single-family residences.

A summary of the surrounding land uses is as follows:

	ZONING	GENERAL PLAN	LAND USE
<i>Project Site</i>	R-1-N	LUD# 1 (Single Family))	<i>Residential (Day Care)</i>
North	R-1-N	LUD# 1 (Single Family)	Single Family
South	R-1-N	LUD# 1 (Single Family)	Single Family
East	R-1-N	LUD# 1 (Single Family)	Single Family
West	R-1-N	LUD# 1 (Single Family)	Single Family

Blessings Child Care consists of five bedrooms, a kitchen, one office, and a bike and play area. The play area is fenced off at the driveway to secure the day care from the street. This screening also creates two loading spaces at the driveway (see attached plans). The applicant is currently approved for a maximum of fourteen (14) children by the State of California. However, since the center has morning and afternoon programs where children arrive and depart at various times throughout the day, additional children can be cared for throughout the day above this number. The applicant is seeking approval for 31 children.

Currently three parking spaces serve the subject site: two onsite at the driveway and the other a new twenty five minute street parking space directly in front of the building (Attachment 5). Four rooms are used to care for children of different ages (toddlers, 2-3 year olds, 3-4 years old, and infants) as required by State law. There is also an approximately 1,320 square feet play area, that consists of 720 square feet of existing driveway (bike area) and 600 square feet of playground equipped with astro turf. There are a total of four (4) full-time employees, and two (2) part-time employees. Their hours of operation are from 6:30 am to 6:30 pm Monday through Friday.

CURRENT ACTION REQUESTED

Blessings Child Care, an accredited childcare program that provides morning and afternoon classes, tutoring, and after school programs, is requesting approval of a Conditional Use Permit and Standards Variance to operate a child care center with a total of 31 children.

In considering an application for a Child Care Center in a residential Zoning District, staff evaluates the amount of outdoor play area per child, the number of parking spaces, and the proximity of similar childcare centers within a half-mile of the proposed site as required by Section 21.52 of the Long Beach Municipal Code. Those issues are described below:

Floor area per room

The Fire Department calculates allowable number of children based on the sizes of sleeping rooms. With a total floor area of 1,704 square feet, Blessings Day Care can be approved for a total of 33 children by the City of Long Beach Fire Department based on a ratio of 35 square feet per child, excluding bathrooms, kitchens, hallways, and entryways.

Play Area

Blessing Day Care has a total of 1,320 square feet of play area, which includes a 720 square feet driveway (bike area) and a 600 square foot playground area at the rear of the single-family dwelling. Since a total of 75 square feet of play area is required per child by Chapter 21.52 of our zoning ordinance, only 18 children can be cared for at one time. However, since there are children of different ages onsite that are not allowed on the playground at the same time, staff believes that more than 18 children can be cared for, provided that no more than 18 children are in the playground area at one time.

Parking

According to Section 21.41 (Off-Street Parking) of our zoning ordinance, one parking space per 10 children is required, plus two loading spaces. With a total of 31 children requested, four (4) parking spaces, plus two (2) loading spaces is required. Two spaces are provided in the driveway and a loading space is provided on the street. Thus, the applicant is requesting a variance to eliminate the need for three (3) additional parking spaces.

Child Care Center within one half mile of the project site

According to Chapter 21.52 of the Long Beach Municipal code, in a residential district, no other childcare facility may be located and operating within one half (1/2) mile of the proposed site. From a list of current day care centers provided by the State Department of Social Services, only one childcare center, Bundle of Joy, is located within one half mile of the project site. The Bundle of Joy daycare is licensed for 28 children and located at 4835 Long Beach Blvd. Even though one day care center exists within one half mile of the project site, staff believes that there is still a substantial need for adequate day care facilities in Long Beach. This need is substantiated by a citywide study on childcare, "Preparing Long Beach for the Future", prepared by Long Beach Early Care and Education Master Plan Task Force. The study states that there is a need to care for approximately 19,889 children citywide (see Attachment 6). Thus, staff believes that the Planning Commission should waive this special development requirement since there is a definite need for day care throughout Long Beach, especially in the 90805 zip code, according to the study.

If approved by the City of Long Beach, the State Department of Social Services will investigate the day care and determine the appropriate number of children based upon the numbers approved by the Department of Fire and the Planning Bureau. The number is in most cases consistent with the number approved by the City, based upon assurances provided by a State representative.

In order to approve the Conditional Use Permit and Standards Variance requests, the Planning Commission is required to make certain findings in support of an approval decision. These findings along with staff analysis are presented below for consideration, adoption, and incorporation into the record of proceedings.

CONDITIONAL USE PERMIT FINDINGS

A. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;

The subject site has a General Plan designation of LUD #1A, Single Family, which allows single-family homes. However, in small instances, small retail clusters may occur in LUD No. 1 provided they conform to the specification detailed in the appropriate commercial districts. A Child Care Center with over 14 children is consistent with the General Plan and Zoning Regulation with a Conditional Use Permit.

B. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Categorical Exemption (CE 06-25) was prepared for this project and is attached for your review.

With the enforcement of the number of children onsite, the addition of a twenty-four minute green curb to the project site and the requirement to meet Fire, Building, Police, and Public Works standards, the use will not be detrimental to the surrounding community. The conditions of approval will incorporate the hours of operation, the number of children allowed onsite site, use of the playground area, and the number of parking spaces required, plus operational requirements that address potential negative impacts from the proposed use. Furthermore the approval of the requested Conditional Use Permit will require operation performance standards and approval from both the City of Long Beach Fire Department and Building Bureau, plus additional enforcement will be done thru the State of California Department of Social Services. This requirement will enable the City to enforce any conditions of approval and address unanticipated changes that may arise in the future.

C. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR SPECIFIC CONDITIONAL USES, AS LISTED IN CHAPTER 21.52.

In addition to the above general findings, the following specific conditions pursuant to Zoning Code Section 21.52.249 apply to child care centers:

A. A minimum of seventy five (75) square feet of outdoor play area per child shall be provided on the site;

There is a total of 1,320 square feet of play area on the daycare site. With 1,320 square feet of play area, a maximum of 18 children can be cared for at one time based on one child for every 75 square feet. With limited parking and the limited amount of rear yard play area, staff believes that the proposed arrangement is not sufficient to support the request for a total of 31 children onsite. Furthermore, staff is concerned about impacts on adjacent residence through overuse of the play area and potential impacts to traffic in the area with the use of one entrance and exit.

In staff's opinion, the site can support a total of 20 children on the project site based on the limited parking availability and relatively small the size of the play area. The minimal amount of play area (1,320) that includes the driveway as play area is a concern to staff since it directly affects neighboring property owners. This reduction in the number of children requested by the applicant from 31 to 20 will reduce impacts on adjacent neighbors and keep the parking requirement the same as the existing day care. The Planning Commission still must waive the square footage requirement of 75 square feet of outdoor play area per child, this is supported by the availability of adequate on and off street parking, and the lessening of noise impacts to adjacent residences if the number of children is limited to 20.

B. In residential districts, no other similar facility may be located and operating within one half (1/2) mile of the proposed site;

One site, Bundle of Joy Day Care Center, is approximately 1,700 feet or .4 miles away from the proposed day care center. The site is dissimilar to the proposed use since it is located on a commercial corridor with larger lot sizes and more childcare programs.

C. The hours of operation shall be limited to the hours between six thirty (6:30) a.m. and six thirty (6:30) p.m.; and

The day care center is open between the hours of 7:00 a.m. – 6:30 p.m. and is consistent with this requirement.

D. Adequate off street loading spaces shall be provided to prevent adverse effects upon the neighborhood.

Three loading and unloading spaces are provided instead of six and a variance is necessary in order to waive this requirement. If the number of children is limited to 20, the parking requirement is reduced to five.

STANDARDS VARIANCE FINDINGS

A. THE SITE OR THE IMPROVEMENTS ON THE SITE ARE PHYSICALLY UNIQUE WHEN COMPARED TO OTHER SITES IN THE SAME ZONE;

The project involves the conversion of a single-family home to a child day care facility. The site is located in a residential area remote from commercial parking lots, so there is no ability to provide off-site parking, thus creating a unique condition on the subject site. Therefore, the applicant is requesting a variance from standards for three (3) required parking spaces. The parking shortfall can be mitigated by the placement of a 24 minute green curb in front of the property with the existing two loading and unloading spaces at the driveway.

B. THE UNIQUE SITUATION CAUSES THE APPLICANT TO EXPERIENCE HARDSHIP THAT DEPRIVES THE APPLICANT OF A SUBSTANTIAL RIGHT TO USE OF THE PROPERTY AS OTHER PROPERTIES IN THE SAME ZONE ARE USED AND WILL NOT CONSTITUTE A GRANT OF SPECIAL PRIVILEGE INCONSISTENT WITH LIMITATIONS IMPOSED ON SIMILARLY ZONED PROPERTIES OR INCONSISTENT WITH THE PURPOSE OF THE ZONING REGULATIONS;

Since the subject site does not provide one parking space per every ten (10) children, the proposed daycare is required to find additional off-site parking to support the use. No additional parking can be provided on-site due to site constraints. The Zoning Ordinance allows off-site parking within 600 feet of the subject site, but requires a deed restriction. Requiring a deed restriction presents a hardship for the applicant since most property owners are unwilling to deed-restrict two parking spaces for an off-site use. Also, the site is remote from commercial parking lots. Granting relief would not constitute a grant of special privilege since three off-street and on-street parking spaces are available

C. THE VARIANCE WILL NOT CAUSE SUBSTANTIAL ADVERSE EFFECTS UPON THE COMMUNITY; AND

Granting of the variance will not cause adverse effects with respect to parking in the surrounding neighborhood, since there are two space on-site, a green zone in front of the building, and other nearby curb side parking spaces available.

D. IN THE COASTAL ZONE, THE VARIANCE WILL CARRY OUT THE LOCAL COASTAL PROGRAM AND WILL NOT INTERFERE WITH PHYSICAL, VISUAL AND PSYCHOLOGICAL ASPECTS OF ACCESS TO OR ALONG THE COAST.

The subject site is not located in the Coastal Zone.

PUBLIC HEARING NOTICE

A total of 57 Public Hearing Notices were mailed on September 1, 2006 to all owners of properties within a 300-foot radius of the project site, and the elected representative of the 8th Council District.

REDEVELOPMENT REVIEW

The project site is located in the North Long Beach Redevelopment Project Area. The Redevelopment Staff had no comments.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Categorical Exemption (CE-06-25) has been prepared for this project, and is attached for your review.


IT IS RECOMMENDED THAT THE PLANNING COMMISSION:

Approve the Conditional Use Permit with a total of 20 children.

Respectfully submitted,

SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING

By:


STEVEN ANTHONY VALDEZ
PLANNER II

Approved:


CAROLYNE BIHN
ZONING ADMINISTRATOR

CB:sv

Attachments:

1. Conditional Use Permit Conditions of Approval
2. Site Plan/Floor Plan
3. Photographs
4. Categorical Exemption
5. Public Works, Work Order for Green Curb
6. Preparing Long Beach for the Future
7. Building Special Inspection Report
8. Location Map
9. Continuance Memo

**CONDITIONAL USE PERMIT/STANDARDS VARIANCE
CONDITIONS OF APPROVAL**

Case No. 0602-06

Date: October 19, 2006

1. This permit and all development rights hereunder shall **terminate one year** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
2. The use permitted on the subject site, in addition to other uses permitted in the R-1-N zoning district, shall be a child daycare facility with 20 children. No retail, office, or social service land uses shall be permitted at any time.
3. The code exception approved for this project is as follows:
 - Two (2) onsite loading spaces for a day care center, with a total of 20 children.
4. The applicant shall provide for the use of two onsite loading spaces and one 24-minute (green curb) parking space at 85 W. Del Amo Blvd. as long as the day care center remains in operation. Within thirty (30) days of approval of this permit, the applicant shall ensure that the required parking spaces are available for the day care center.
5. Not more than thirty (30) days after the Final Action date, the applicant shall submit plans to the Department of Planning and Building to change the occupancy of the building to E3, a commercial daycare center. Building permit approvals shall then be secured no more than sixty (60) days after the Notice of Final Action and work shall be completed within ninety (90) days of the Notice of Final Action date.
6. The applicant shall fully comply with all Building Code requirements to the satisfaction of the Superintendent of Building and Safety, including Title 24 compliance.
7. The applicant shall file a separate plan check and 850-form submittal to the Long Beach Fire Department for their review and approval, prior to the issuance of a building permit.
8. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return **written acknowledgment** of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30

days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.

9. If, for any reason, there is a **violation of any of the conditions** of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
10. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
11. This approved land use is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall be available for **periodic re-inspections**, conducted at the discretion of City officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
12. All operational conditions of approval for this permit **must be posted** in a location visible to the public in such a manner as to be readable when the use is open for business.
13. All conditions of approval **must be printed** verbatim on all plans submitted for plan review to the Planning and Building Department. These conditions must be printed on the site plan or a subsequent reference page.
14. The Director of Planning and Building is authorized to make **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. **No substantial changes** shall be made without the prior written approval of the Site Plan Review Committee and/or Planning Commission.
15. Site development, including landscaping, shall conform to the approved plans on file in the Department of Planning and Building. At least **one set of approved plans** containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps **shall be maintained at the job site**, at all times for reference purposes during construction and final

inspection.

16. All **landscaped areas** must be maintained in a neat and healthy condition, including public parkways and street trees. Any dying or dead plants materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
17. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
18. Any graffiti found on site must be removed within 24 hours of its appearance.
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 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
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21. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach

WORK ORDER

SHEET 1 OF 1

TRAFFIC & TRANSPORTATION BUREAUDATE: 6/14/06INVESTIGATOR: HA

ATS: _____

WO #: 5805LOCATION: 85 W. DEL AMO BLVD.

PRIORITY:

☐

RUSH:

☐

EXPEDITE:

☒

NORMAL:



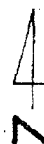
INSTALL 23' OF GREEN CURB



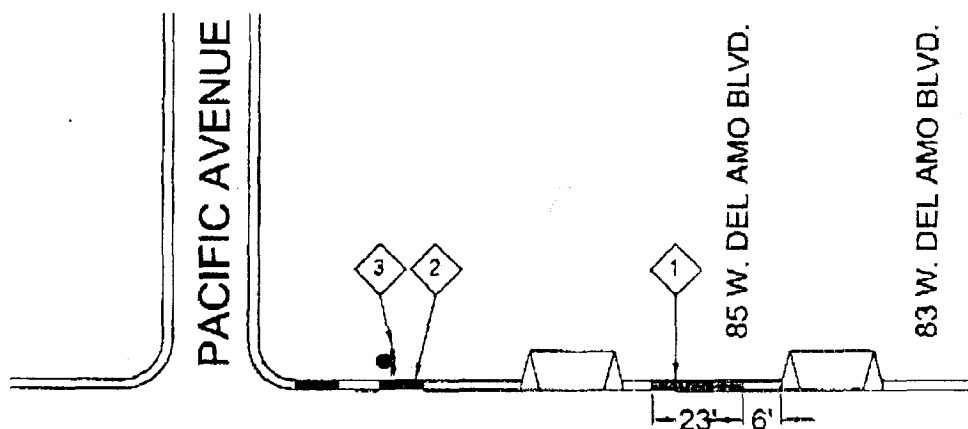
REMOVE EXISTING BLUE ZONE (BY GREY-OUT)



REMOVE R99/R100 SIGNS AND POST



NO SCALE

**W. DEL AMO BLVD.**CITY OF LONG BEACH
DEPARTMENT OF PUBLIC WORKS

APPROVED BY:

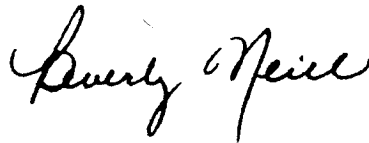
CITY TRAFFIC ENGINEER

AN OPEN LETTER FROM OUR MAYOR

On behalf of the City of Long Beach, I am delighted to present *Preparing Long Beach Children for the Future: A Community Plan for Shaping the Early Care and Education System*. This Community Plan, a direct outcome of the Long Beach Strategic Plan 2010, will serve as a guide to the Long Beach community for creating environments that are safe and nurturing, providing access to comprehensive and culturally sensitive programs, and preparing children to become successful and contributing members of society.

As a lifelong educator, I am witness to the long-term benefits of quality early care and education, including enrichment and recreational school age programs, on children's school readiness and success in the elementary, middle and high school years. As an elected official, I am aware of the contributions that our child care industry has on our city's economic strength and quality of life. Early care and education is a strategic investment that supports parents' participation in the workforce, improves productivity, and contributes to the development of skills in our future workforce.

Thank you for joining my colleagues on the City Council and me in making early care and education a priority for our children and families. I look forward to working in partnership with you on the realization of this Community Plan.



Mayor Beverly O'Neill

MESSAGE FROM COUNCILMEMBER KELL

Our early care and education system across the nation, the state, and in Long Beach is in crisis. Too many families, particularly those with infants and toddlers, are unable to locate care in licensed centers or family child care homes because there are not enough spaces to meet the growing need in Long Beach. For families who do locate care, the cost is often prohibitive, and funding for subsidized child care is inadequate, therefore not meeting the needs of all income-eligible families. More importantly, many of our children and families are not receiving the quality of care that will prepare the children to enter kindergarten and succeed in school.

Knowing this, I have made early care and education a priority and the creation of a citywide plan as a first step towards addressing the overwhelming issues for child care confronting our city. I am now pleased to present to you *Preparing Long Beach Children for the Future: A Community Plan for Shaping the Early Care and Education System*. The Community Plan is the result of a community process guided by leaders in early care and education, business, city government, the school district, higher education, individuals working directly with children and families, and families themselves.

The Community Plan delineates activities for building the supply of quality early care and education programs to better meet the diverse needs of all families with children in Long Beach. Notably, it outlines opportunities for partnerships that will be necessary if we are to achieve our goals for enhanced quality and increased capacity desperately needed in our City. I encourage you to use this Community Plan and share it with others with resources to commit to the achievement of its goals.

I join Mayor O'Neill in extending my appreciation of your attention to early care and education as a priority for our city. Moreover, I encourage your support in the community-wide effort to achieving our vision for all children to be cared for and educated in quality environments.



Councilmember Jackie Kell
Fifth District

ACKNOWLEDGEMENTS

Effective and comprehensive planning requires the involvement of all community stakeholders. So, it is with great pride and pleasure that we acknowledge the considerable contributions of many stakeholders – individuals and organizations – to the development of this Community Plan for Shaping the Early Care and Education System in Long Beach. While the responsibilities of the Child Care Coordinator necessarily include leading and directing the process of developing this Plan, the ideas, opinions, concepts, observations, assessments, and remarks from these stakeholders were offered with generosity, honesty, and devotion to the health and well-being of children and families, especially those living in the City of Long Beach.

It is with profound gratitude that we acknowledge the sustained engagement of the Early Care and Education Master Plan Task Force whose members are listed in the Appendix. This group of twenty leaders drawn from various local constituencies throughout the community brought their "collective expertise" to the table for a series of six planning meetings during the summer of 2001. Throughout these meetings the Community Plan was conceptualized, discussed, debated, and refined. The Community Plan is comprehensive, thoughtful, forward-looking, inclusive, and focused because of their participation.

In addition to support from the task force, the Community Plan was developed through the contributions of several other individuals and groups. Specifically, four focus groups were hosted during the process. They included parents, early educators, and family child care providers. Members of the focus groups shaped the Plan with their very personal experiences regarding early care and education in Long Beach and brought reality and practicality to our thinking. Individuals, community groups and membership organizations also provided their expertise and input to the draft plan.

We would like to express our appreciation also to those in the Department of Health and Human Services who supported the development of the Community Plan with their time and thoughts. Included are: Angela Coron, Associate Director of California Department of Health Services, whose wisdom and talents contributed to the initiation of this document; Corinne Schneider, Human/Social Services Bureau Manager, whose energy and support facilitated moving this document to completion; and Councilmember Jackie Kell whose personal experience and leadership lead to the progressive vision of early care and education, which served as the catalyst for this Community Plan.

A very heartfelt thanks to everyone for your involvement in creating this Community Plan. We have collectively created a vision and direction for building the foundation of a comprehensive quality early care and education system that will better help shape the future of Long Beach children and families and the communities in which they live and work.



Ronald R. Arias
Director
Department of Health and Human Services



Michele P. Sartell
Child Care Coordinator

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- Task Force Members
- Contributing Individuals and Groups
- Data



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EXECUTIVE SUMMARY

The City of Long Beach has often been recognized for and is proud of its commitment to the health and well-being of children and their families. Its leadership has understood the critical relationship between community investments and community returns. Specifically, it has understood that, for children to become successful, responsible and contributing members of the community, they must have access to excellent systems of early care and education programs within the community.



This Community Plan for Shaping the Early Care and Education System is further proof of its commitment. The Community Plan is intended to serve as a blueprint for action, to be implemented by the local community to develop a citywide systems approach that promotes nurturing and enriching environments during early childhood and supports lifelong learning skills in children ages birth to age 12. The Plan reflects a shared community vision for working collaboratively to meet the needs of families while parents are working, attending school or desiring out-of-home enrichment activities for their children and to provide caring and stimulating environments that enable children to learn and reach their full potential.

The Community Plan is based squarely on a vision:

The Long Beach community envisions a future in which all children in Long Beach will be cared for and educated in environments that:

- are stable, safe, healthy, enriching, and nurturing;
- promote lifelong learning, emotional security, and family empowerment and support;
- enable children to learn and to reach their full potential;
- embrace diversity; and
- are fostered actively and supported collaboratively as a priority by all sectors of the community.

and mission:

To further the early care and education of all children in Long Beach by enhancing the quality of services; building the capacity to meet the needs of families; and expanding the base of resources.

The Community Plan is organized around three strategic directions and nine objectives.

I. Enhancing Quality: To improve the quality of early care and education for all children ages birth to 12.

- A. Programs and Services
- B. Family Support and Involvement
- C. Professional and Workforce Development

EXECUTIVE SUMMARY

II. Increasing Capacity: To increase the supply of and accessibility to quality care and education for children ages birth to 12.

- A. Supply
- B. Access

III. Developing Resources: To develop and leverage resources – financial, human, and technological – from public and private sectors for quality early care and education for children ages birth to 12.

- A. Financial
- B. Human
- C. Technology
- D. Implementation and Evaluation

Efforts to implement the Community Plan will be guided by the City's Child Care Coordinator through the Department of Health and Human Services. The activities outlined in the Community Plan will provide direction to the early care and education community, businesses, real estate developers, labor unions, the media, City government and others for meeting the early care and education needs of children and families. It will be considered successful if it addresses the over-arching problem of accessibility and affordability and if it creates a system that:

- ❑ Ensures that children experience safe and enriching environments that encourage their language, social, emotional, cognitive and physical development.
- ❑ Provides access to all children – regardless of economic, social, emotional, physical, geographic, ethnic, or linguistic status – needing early care and education.
- ❑ Regards and supports parents/grandparents/guardians as their children's first teachers and partners in their children's early learning and development of lifelong skills.
- ❑ Embraces the cultural, ethnic and linguistic diversity of children, their families and the communities in which they live.
- ❑ Enhances the early care and education community's capacity to provide quality programs that are demonstrated by professional development activities and staff compensation commensurate with education, credentials and experience.
- ❑ Supports the Long Beach economy through partnerships between the early care and education community and local business and development communities, employers, labor unions, media, and local, state and federal government.

Success in implementing this Plan requires the community to collaborate, cooperate, and coalesce in order to improve and enhance the system of early care and education in Long Beach. Investments by all sectors of the local economy are required. Commitments to action are necessary. Focus on the strategic goals articulated in this Community Plan is essential.

An African proverb popularized recently by Senator Hillary Clinton – *"It takes a village to raise a child"* – reminds us of our individual and collective roles. This Community Plan is the blueprint for action and invites us to join forces to create an effective, responsive and encompassing system of early care and education for the benefit of our children and for the strength of our dynamic community.

INTRODUCTION

I. INTRODUCTION

*"If our American way of life
fails the child, it fails us all."*

Pearl Buck

Leadership in the City of Long Beach has long understood the critical relationship between community investments and community returns: for children to become successful, responsible and contributing members of the community, they must have access to excellent systems of early care and education programs within the community. Over the last fifteen years, the City of Long Beach has demonstrated a commitment to this philosophy:

*... for children
to become successful,
responsible and contributing
members of the community,
they must have access to
excellent systems of early
care and education
programs within
the community.*

- In December 1987, the Long Beach City Council adopted a child care policy that states, in part, *"The City Council of the City of Long Beach expressed a commitment on the part of the City of Long Beach to work to expand child care services throughout the City by assuming a leadership role in promoting a coordinated effort among parents, employers, child care providers, employee organizations, schools, private sector developers, business and community leaders, and government officials."*
- In April 1999, the City of Long Beach Department of Health and Human Services prepared and released Report on Child Care in Long Beach. The report provides an overview of the current system of child care services in Long Beach and identifies preliminary areas of need with specific consideration for accessibility, quality, affordability, and children with special needs.
- On June 20, 2000, the City Council adopted the Long Beach Strategic Plan – 2010, which was shaped by five citizen task forces, including the Education and Youth Task Force. The Education and Youth Task Force included among its recommended goals and action steps a rigorous agenda for early care and education in Long Beach.
- Beginning in April 2001, the City's Child Care Coordinator convened a task force representing the diversity of Long Beach with a vested interest in quality early care and education. Included were child care and development representatives, post-secondary educators, health and human service providers, parents, business and development leaders, city government officials, and community advocates. The expressed purpose of the task force was to guide and inform the development of an early care and education plan to be implemented through community partnerships over the next five years. The Task Force's efforts contributed greatly to the development of the Community Plan for Shaping the System [2003-2008].

INTRODUCTION

The Community Plan serves as a blueprint for action by the local community to invest in a system-wide approach that promotes nurturing and enriching environments during early childhood and supports lifelong learning skills in children ages birth to age 12. The Community Plan reflects a shared community vision for working collaboratively to meet the needs of families while parents are working, attending school or desiring out-of-home enrichment activities for their children and to provide caring and stimulating environments that enable children to learn and reach their full potential.

Efforts to implement the Community Plan will be guided by the City's Child Care Coordinator through the Department of Health and Human Services. The Community Plan has been created as a living document, to be reviewed on a regular basis and modified as needed as the social, political and funding climates evolve in the coming years.

The Community Plan reflects a shared community vision for working collaboratively to meet the needs of families... and to provide caring and stimulating environments that enable children to learn and reach their full potential.

The Community Plan is formed around three strategic directions:

- ◇ **Enhancing Quality:** To improve the quality of early care and education for all children ages birth to 12.
- ◇ **Increasing Capacity:** To increase the supply of and accessibility to quality early care and education for children ages birth to 12.
- ◇ **Developing Resources:** To develop and leverage resources – financial, human, and technological – from public and private sectors for quality early care and education for children ages birth to 12.

Implemented effectively, these strategic directions will create a community of children ready for school and prepared for lifelong learning. These strategic directions are significantly interconnected and interdependent. They incorporate many broad and overlapping concepts, each contributing to the achievement of enhanced quality, increased capacity, and developed resources. The early care and education system:

- must address comprehensively all areas of children's development.
- must insist on significant family support and involvement.
- must recognize and reward the importance of early care and education professionals.
- must have the capacity to accommodate children and families with a variety of needs, and be responsive to them.
- must interest and engage the entire community.
- must require all sectors – private, public and nonprofit – to form strong and effective partnerships.



INTRODUCTION

The Community Plan is aggressive and challenging because it addresses an enormous, complex, and important community need. To contribute to its success, implementation steps will be monitored and assessed carefully by the Task Force, using data as indicators of progress towards reaching established goals. Its victories will be announced and celebrated. Its defeats will be reviewed and overcome. Throughout the implementation period, the Task Force will continue to serve in an advisory capacity. It will re-convene every six months to evaluate progress and shape future implementation. Additionally, the Task Force will come together at the three-year mark to review the Community Plan, assess its progress and provide modifications as needed.

Over the next five years, while this Community Plan is being implemented, leaders in the City of Long Beach will be apprised of its status through semi-annual reports. In this way, the focus will remain sharp and the commitment to the health and well being of children and their families will remain strong.



II. SHAPING THE SYSTEM: THE MANDATE

"It should be noted that children at play are not playing about; their games should be seen as their most serious-minded activity."



Montaigne, 1580

Early care and education has experienced considerable growth and has assumed greater importance in the health and well being of children, families, neighborhoods and society over the past 30 years. Key to its growth and importance are an array of contributing factors:

- Greater numbers of children are in families in which parents, both mothers and fathers, are working.
- Welfare reform mandates require parents to transition to full employment and self-sufficiency.
- Research on early childhood underscores the importance of nurturing and enriching environments to children's lifelong learning and future success.¹
- Early care and education positively impacts the economic infrastructure of the community by serving as a source of revenue and employment, as well as a support system for working families,² and preparing a future literate workforce.

Unfortunately, national, state and local policies have not kept abreast of the growing need for universal quality early care and education options that are affordable and accessible to all families.³ Across the nation, local communities are faced with severe shortages in early care and education programs, particularly for infants and toddlers and school age children, that enable parents to work and provide early education experiences needed to foster children's overall development and prepare them for school.⁴

Research demonstrates that quality early care and education programs, characterized as nurturing, stimulating and comprehensive, contribute significantly to preparing children for school and lifelong learning.⁵ Children participating in quality early care and education programs receive developmental and educational benefits exemplified in better cognitive and social skills upon entering school. Furthermore, children have shown long-term benefits, including:

- decreased need for special education
- higher school achievement and graduation rates
- higher adult earnings

SHAPING THE SYSTEM: THE MANDATE

Quality programs are expensive to operate and cost more than many families can afford or are willing to pay. Early care and education is labor-intensive, with over 80% of the costs for personnel; quality early care and education requires qualified, trained and experienced child development professionals.⁷ Yet insufficient revenues (e.g. parent fees and public and private funding) for programs result in low wages and minimal, if any, benefits for staff. Average annual salaries for early care and education professionals are typically half of the state median income. This leads, among other things, to high rates of staff turnover. As a result, programs are confronted with ongoing challenges to recruit and maintain a qualified, professional workforce,⁸ in addition to purchasing adequate materials and equipment and affording a safe facility.⁹

... quality early care and education requires qualified, trained and experienced child development professionals.

On average, care for an infant in a licensed child care and development center costs 20% of the state's median income of \$42,472.¹⁰ This represents an extraordinary financial burden for most families, but especially for low- to moderate-income families and families with multiple young children who are required to assign a significant portion of their income to early care and education. While many low-income families are eligible for subsidized early care and education, they remain on waiting lists indefinitely because government funding is in very short supply.

As a result, many families – regardless of income – sacrifice quality for cost and often select care that is not licensed, does not fully coincide with the family's work and/or school schedule, and lacks cultural and linguistic appropriateness. These three factors – low median income for families, lack of a sufficient supply of subsidized care and sacrificing quality for cost – have created a crisis in early care and education. And, the crisis is made worse by many families' lack of knowledge about the types of care available and the importance of developmentally rich programs for children's development.

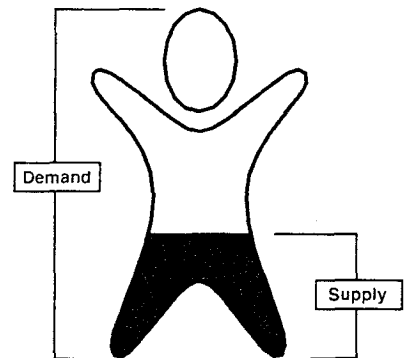
... the challenges of developing a system of quality early care and education... call for the combined resources – human and financial – of the entire community.

Clearly, the challenges of developing a system of quality early care and education programs in Long Beach are significant and call for the combined resources – human and financial – of the entire community. Our collective ability to meet these challenges will dictate whether many parents can attain steady employment and whether their children are cared for in nurturing and stimulating environments. Organizations and individuals throughout the community – each working resourcefully, collaboratively, and intentionally – are invited to do their part in supporting this Community Plan.

CURRENT LANDSCAPE

The following describes today's realities in early care and education in Long Beach:

- There are currently 102,154 children under the age of 13 in residence, of which 38,587 are under the age of five.¹¹
- Children are disproportionately affected by poverty. In 1999, the child poverty rate was nearly 28% for children under 18 years old; the poverty rate for children under five was nearly 32%.¹²
- Nearly 47% of children birth to age 13 receive public assistance (e.g. CalWORKS, Medi-Cal, and Food Stamps).¹³
- Sixty eight percent of children attending Long Beach Unified elementary and middle schools are eligible for the free or reduced lunch programs.¹⁴
- There are an estimated 10,938 child care and development spaces available for children ages birth to 12 in licensed center-based programs and licensed family child care homes combined.¹⁵
- The demand for licensed care is estimated at 30,829 spaces, leaving a gap of 19,889 spaces.¹⁶ (See Appendix Tables 1 - 6.)
- The gap is especially significant for infants and toddlers up to age 3 and school age children.¹⁷
- While data is not available at this time, there is concern that children with special needs and children of immigrant populations are also underserved.
- It is estimated that thousands of Long Beach families eligible for subsidized early care and education services linger on waiting lists, sometimes for years, because the need for subsidies far exceeds the supply of available government funds.¹⁸
- The quality of early care and education programs varies considerably from excellent to mediocre to substandard, especially prevalent in programs serving infants and toddlers.
- Only 6 (3%) of the 177 licensed child care and development centers and 1 (less than 1%) of the 562 licensed family child care homes¹⁹ meet national accreditation standards demonstrated by the quality of relationships between the staff and children and staff and families, established curriculum, staff qualifications and professional development, links to health and social services, and the physical environment (e.g. facility), among other factors.²⁰ (See Appendix Table 7.)



These numbers, while limited in scope at this time, describe a system of early care and education in Long Beach unable to handle the demands placed on it. They describe a problem of enormous size and scope.

This Community Plan presents a solution to the problem. It brings hope, encouragement, and motivation. Working together, our community can and will shape a system of early care and education that our children and their families need and deserve.



VISION AND MISSION

III. VISION AND MISSION



*"A man never stands as tall
as when he kneels to help a child."*

Knights of Pythagoras

The vision and mission of this Community Plan are clear and compelling. To realize the vision and fulfill the mission, however, will require an entire community that shapes the system to ensure families have the support and assistance they need to effectively prepare their children for the future.

Vision Statement

The Long Beach community envisions a future in which all children in Long Beach will be cared for and educated in environments that:

- are stable, safe, healthy, enriching, and nurturing;
- promote lifelong learning, emotional security, and family empowerment and support;
- enable children to learn and to reach their full potential;
- embrace diversity; and
- are fostered actively and supported collaboratively as a priority by all sectors of the community.

Mission Statement

*To further the early care and education of all children
in Long Beach by enhancing the quality of services;
building the capacity to meet the needs of families; and
expanding the base of resources.*

IV. GUIDING PRINCIPLES

*"The greatest natural resource
that any country can have is its children."*

Danny Kaye

The Long Beach Early Care and Education Master Plan Task Force adopted six Guiding Principles as core to implementation of the Plan.

- Ensure that children experience safe and enriching environments that encourage their language, social, emotional, cognitive and physical development.
- Provide access to all children – regardless of economic, social, emotional, physical, geographic, ethnic, or linguistic status – needing early care and education.
- Regard and support parents/guardians/extended family members as their children's first teachers and partners in their children's early learning and development of lifelong skills.
- Embrace the cultural, ethnic and linguistic diversity of children, their families and the communities in which they live.
- Enhance the early care and education community's capacity to provide quality programs that are demonstrated by professional development activities and staff compensation commensurate with education, credentials and experience.
- Support the Long Beach economy through partnerships between the early care and education community, local business and development communities, employers, labor unions, media, and local, state and federal government.



STRATEGIC DIRECTIONS AND GOALS

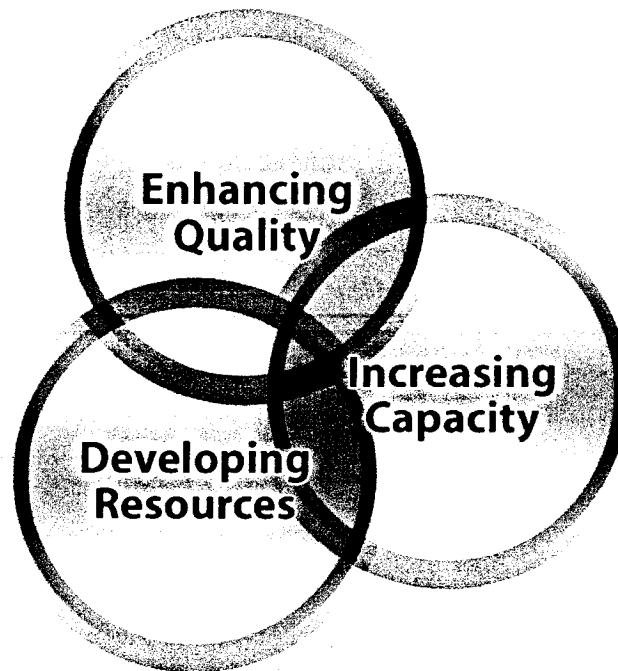
V. STRATEGIC DIRECTIONS AND GOALS

"Life affords no greater responsibility, no greater privilege, than the raising of the next generation."

C. Everett Koop, MD



To guide the activities of the Community Plan, the Task Force proposed three strategic directions and goals. The strategic directions are presented as mutually supporting and necessary to meeting the needs of parents and guardians while they are working, attending school and desiring out-of-home enrichment activities for their children in nurturing and stimulating environments that promote their healthy development and school success.



<i>Strategic Directions</i>	<i>Strategic Goals</i>
I. Enhancing Quality	To improve the quality of early care and education for all children ages birth to 12.
II. Increasing Capacity	To increase the supply of and accessibility to quality early care and education for children ages birth to 12.
III. Developing Resources	To develop and leverage resources – financial, human, and technological – from public and private sectors for quality early care and education for children ages birth to 12.

VI. COMMUNITY PLAN

"Perhaps the greatest social service that can be rendered by anybody to the country and to mankind is to bring up a family."

George Bernard Shaw



The Community Plan is designed to address the needs of Long Beach families for quality early care and education services that are both accessible and affordable. This section of the Community Plan is intended to present solutions. It outlines the strategic goals, objectives and actions for implementation through community partnerships to expand and enhance the current system of care in Long Beach.

The Plan is organized around three strategic directions and goals and nine objectives.

I. Enhancing Quality: To improve the quality of early care and education for all children ages birth to 12.

- A. Programs and Services
- B. Family Support and Involvement
- C. Professional and Workforce Development

II. Increasing Capacity: To increase the supply of and accessibility to quality care and education for children ages birth to 12.

- A. Supply
- B. Access

III. Developing Resources: To develop and leverage resources – financial, human, and technological – from public and private sectors for quality early care and education for children ages birth to 12.

- A. Financial
- B. Human
- C. Technology
- D. Implementation and Evaluation



On the following pages, the three strategic directions and goals and nine categories of objectives are detailed.

I. Enhancing Quality: To improve the quality of early care and education for all children ages birth to 12.



I. A. Objective Category: Programs and Services

1. To recognize the importance of children's language, social, emotional, cognitive and physical development to emerging literacy and school readiness.

Activities

- a. Research, review, assemble and make available existing and evolving information on child development and its implications on early care and education.
- b. Develop and implement a series of comprehensive training programs on child development and "how-to-use" assessment tools.
- c. Facilitate partnerships among the school district, colleges and universities, early care and education community, and support services to develop a comprehensive plan for preparing children and families for school and preparing schools for children and their families.
- d. Provide resource links and information materials on emerging literacy skills and language development to early care educators.

2. To promote the use of measurable standards to build quality programs and increase the number of accredited licensed centers and family child care homes.

Activities

- a. Research, review and assemble sets of existing standards, self-surveys and other tools, including from governing bodies at state and national levels, for measuring quality by types of programs and by age groupings of children and make available as a resource to early care and education community.
- b. Identify gaps in tools and develop standards/self-surveys for meeting licensing requirements (basic health and safety) and measuring quality in non-licensed care settings.
- c. Facilitate identification and leveraging of resources to support licensed centers and family child care homes to gain accreditation.
- d. Develop and implement a comprehensive training program on using measurable standards and preparing for accreditation.

3. To link early care and education to health (physical, mental and dental) and social services.

Activities

- a. Devise methods to identify gaps and barriers associated with linking children and families in early care and education programs with support services and create opportunities for ensuring that children and families receive necessary services.
- b. Research, review, assemble and make available program models that link children, families and providers of early care and education programs to support services.
- c. Build a resource network for the early care and education community.



I. B. Objective Category: Family Support and Involvement

- 4. To increase and foster opportunities for parents/guardians/extended family members to engage in their children's development in the home and in their early care and education settings.***

Activities

- a. Develop and make available in multiple languages "family-friendly" materials incorporating measurable standards for selecting among quality early care and education options.
- b. Develop and make available in multiple languages "family-friendly" materials on child development. Explore existing models (i.e. developmental assets).
- c. Raise awareness of workshops and parent education courses on child development, including training on the role of parents and other caregivers in their children's early care and education, and expand programs to ensure cultural and linguistic appropriateness to meet the needs of all families.
- d. Make written resources available to parents and other caregivers in various venues and in multiple languages.
- e. Research, review, assemble and make available parent involvement models that demonstrate success in achieving parent participation in early care and education activities and policy discussions and recommendations.

I. C. Objective Category: Professional and Workforce Development

- 5. To advocate for the adequate compensation, recruitment, professional development and retention of qualified, trained educators.***

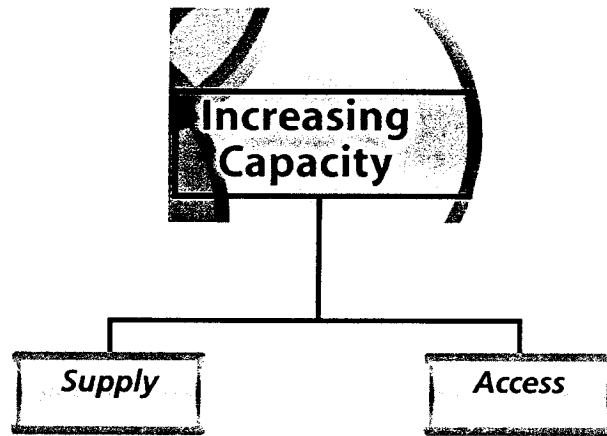
Activities

- a. Organize and mobilize the early care and education community and other stakeholders to support local, state and national initiatives that address compensation and retention of providers.
- b. Research and disseminate information on the cost of providing quality early care and education programs (i.e. economic models) that are comprised of the following core components:
 - Minimum worthy wage and benefit package
 - Education/experience criteria for each program position
 - Professional development

- c. Identify, evaluate and improve access to ongoing professional development and specialized training for center-based staff, family child care providers and other primary caregivers.
 - Develop a method to survey early care and education community for additional training needed to create enriching environments and enhance age-appropriate curriculum.
 - Identify and disseminate information on financial support and incentives for professional development activities.
 - Encourage and increase participation in train-the-trainer programs, mentor programs, and leadership and diversity projects, among others.
 - Promote a certificate program for family child care providers in multiple languages.
- d. Establish training resource collaborative to develop an infrastructure of training opportunities.
- e. Explore the development of an employment registry for creating a cadre of screened qualified educators as substitutes and as an employment pool.
 - Research existing models.
 - Develop a method to survey need and usefulness in Long Beach.
 - Identify potential resources (financial, host) for implementing and maintaining.
 - Establish a network/clearinghouse for recruiting early care and education professionals.
- f. Research and disseminate existing information on group and other insurance and benefit packages for early care and education professionals.



II. INCREASING CAPACITY: To increase the supply of and accessibility to quality care and education for children ages birth to 12.



II. A. Objective Category: Supply

1. To support the retention and expansion of existing early care and education programs.

Activities

- a. Determine existing providers, scope of early care and education programs and survey resources needed to retain and expand programs.
- b. Develop, update and make available information about resources and technical assistance that may support the retention and expansion of early care and education programs.
- c. Link centers and family child care homes to support services, including referral programs, food programs, access to subsidies, and business training.
- d. Create method for collecting, updating and reporting data on the supply of early care and education for children in Long Beach.

2. To support the development of new early care and education programs.

Activities

- a. Develop and offer orientation sessions on starting, owning and operating a business, tailored to potential family child care and center-based providers.
- b. Provide information and referral for resources, training and technical assistance to individuals and entities interested in providing early care and education services in Long Beach.
- c. Review, create and make available in multiple languages materials on the City's regulations, policies and procedures relating to the development of early care and education.
- d. Explore and pursue opportunities with developers to contribute to increasing capacity through linkages and/or bonuses.
- e. Research current access to city-owned buildings, partnerships with housing, and availability of CDBG (Community Development Block Grants) or public housing funds for facility development and explore opportunities for expanding.

3. To foster development of early care and education programs with an emphasis on building capacity in neighborhoods identified as high need.

Activities

- a. Assemble and review data to identify neighborhoods with low supply of and high demand for early care and education services.
- b. Review the City's zoning ordinances for neighborhoods identified as high need and, when necessary, modify the ordinance(s) to increase the ability to locate early care and education programs.
- c. Engage in outreach activities to potential family child care and center-based providers in targeted neighborhoods.



4. To expand the role of employers in meeting the early care and education needs of their workforce.

Activities

- a. Begin a process to engage the business community in support of implementing the Plan.
- b. Explore the formation of a task force of business entities to assume responsibility for increasing capacity in Long Beach.
- c. Research, review, assemble and make available to employers models for developing family-friendly policies as part of a benefit package and recommendations for providing early care and education options, such as information and referral, and services or assistance to their employees.

II. B. Objective Category: Access

5. To explore and develop opportunities/resources for meeting the early care and education needs of children with special needs (such as physical, emotional, social, language, socioeconomic and/or environmental).

Activities

- a. Develop plan for educating early care and education field on issues regarding full inclusion of children with special needs.
- b. Research and review models and provide resources on developing policies for full inclusion of all children.
- c. Coordinate a system of services to provide support to early childhood educators and families participating in center-based and family child care programs.
- d. Assess and increase the availability of appropriate care options for children with special needs.



6. To reduce barriers to locating and accessing affordable early care and education services.

Activities

- a. Promote national, state and local policies that increase access and affordability of quality early care and education options that meet the diverse needs of children and families.
- b. Design and implement a plan for identifying and reducing barriers, i.e. transportation, cost, hours of operation, language, etc.
- c. Translate materials relating to early care and education in multiple languages and make available in various venues, including community centers, schools and other locations that serve high-density ethnic populations.
- d. Survey availability of providers proficient in languages other than English and providing services in high-density ethnic communities for inclusion in resource information.

7. To explore opportunities/resources for meeting the early care and education needs of children with occasional mild illnesses.

Activities

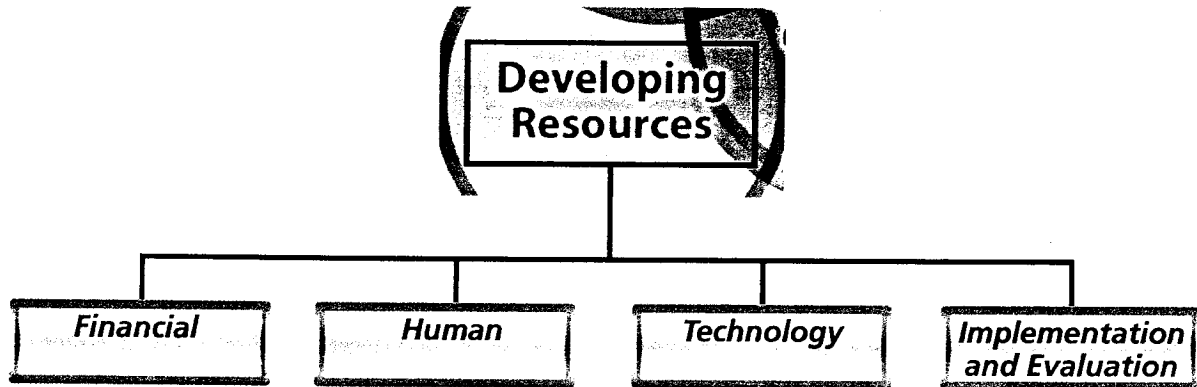
- a. Promote the development of employer policies that allow parents/guardians to take time off to care for their ill children.
- b. Identify programs that accept children with occasional, mild illnesses for inclusion in resource information.

8. To assure access to countywide services by Long Beach children and families.

Activities

- a. Identify countywide services (such as mental health, crisis help, and foster care) available to children and families in relationship to early care and education.
- b. Work with entities providing countywide services to target Long Beach children and families as beneficiaries of their programs.

III. DEVELOPING RESOURCES: To develop and leverage resources – financial, human, and technological – from public and private sectors for quality early care and education for children ages birth to 12.



III. A. Objective Category: Financial

1. To promote early care and education as an important economic development activity for the City of Long Beach.

Activities

- a. Research and produce materials targeted to the business and early care and education communities on the economics of early care and education in Long Beach.
- b. Educate business leaders (bankers, real estate developers, corporate executives) on the economic impact and benefits of quality early care and education.
- c. Support economic development by creating tax incentives for early care and education.
- d. Explore making available small business development funds, city general funds and special tax levies to support increasing capacity for early care and education.

- 2. To facilitate enhancing the quality and increasing the supply of accessible and affordable early care and education programs from government entities, corporations and foundations.**

Activities

- a. Research, assemble, and make available information on existing and potential funding sources for early care and education and document results in Long Beach.
- b. Encourage and support collaborative funding proposals among early care and education providers and ancillary services, as appropriate.

- 3. To solicit the donation of resources (volunteers, facilities, supplies, technology) to support the expansion and improvement of early care and education.**

Activities

- a. Identify need for and potential sources of volunteers, facilities, supplies and technology.
- b. Explore and pursue opportunities for leveraging resources from community groups such as hospitals, faith-based organizations, student organizations, civic groups, and AmeriCorp.

III. B. Objective Category: Human

- 4. To attract and develop expertise and leadership among various sectors of the Long Beach community to address the broad range of issues facing early care and education.**

Activities

- a. Promote and develop leadership among early childhood educators.
- b. Develop speakers' bureau to present on issues and opportunities relating to early care and education.
- c. Present issues and opportunities on early care and education to community leaders and service clubs at regular meetings.
- d. Conduct briefing sessions with local political leaders on current and emerging issues and opportunities in the field.
- e. Convene an annual summit on early care and education for educators, providers and community leaders.
- f. Recognize and honor annually community leaders who have made contributions on all levels to the field of early care and education.

5. To work in partnership with county, state and federal entities on issues impacting the field of early care and education in Los Angeles County and Long Beach.

Activities

- a. Develop and maintain relationships with local, state and national leaders on issues relating to early care and education.
- b. Contribute to the Los Angeles County Child Care Planning Committee and other groups addressing early care and education.
- c. Cooperate with data collection and research efforts on early care and education including but not limited to supply and demand, subsidies and workforce issues (salaries, benefits, working conditions).

III. C. Objective Category: Technology

6. To identify and develop technology solutions and promote their use in early care and education.

Activities

- a. Develop and promote the use of a web site with links tailored to the needs of Long Beach families, early care and education community, and other community stakeholders (e.g. business and development, media, labor unions, policy makers).
- b. Provide information posted on the early care and education web site in other formats and venues (i.e. public library) for individuals and entities without Internet access.
- c. Create and disseminate lists of useful web sites to early care and education programs and families.
- d. Use e-mail to disseminate information on emerging issues and opportunities in the field.

III. D. Objective: Implementation and Evaluation

7. To facilitate the formation of partnerships and networks to discuss and address ongoing and emerging issues and opportunities in early care and education.

Activities

- a. Explore the formation of an "early care and education" coalition/task force to meet on a regular (monthly/quarterly) basis.
- b. Recognize and publish the accomplishments of the partnerships and networks.
- c. Provide ongoing support and feedback on implementation activities outlined in the master plan.

8. To advocate at all levels for improved conditions in early care and education.

Activities

- a. Track and disseminate information on local, state and national policy issues impacting early care and education to providers, educators, stakeholders and others.
- b. Make recommendations for actions to the Mayor and City Council on national, state, and local legislation relating to early care and education.
- c. Organize and mobilize the community to take action on local, state and national policies that impact early care and education.

9. To generate heightened public awareness and facilitate action on issues and opportunities in quality early care and education.

Activities

- a. Explore developing a public relations campaign to build awareness among the public of early care and education
- b. Develop a list of and relationships with local media representatives (e.g., print, cable, radio, Internet), including ethnic mediums.
- c. Produce written materials and take advantage of media opportunities (e.g., print, radio, cable, Internet) to increase consumer awareness of quality early care and education.
- d. Work with the media to develop programs and produce articles on early care and education.

10. To measure progress in furthering the early care and education of all children in Long Beach.

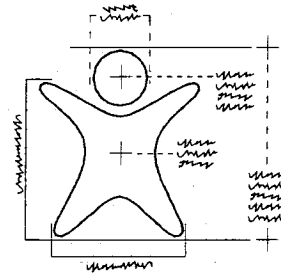
Activities

- a. Compile measures for determining success in meeting the objectives outlined in this plan.
- b. Identify, collect and analyze key data on meeting the needs of all children and families for quality early care and education in Long Beach.
- c. Produce and distribute an annual "report card" on early care and education in the City of Long Beach.
- d. Re-convene master plan task force every six months to evaluate status of the master plan.
- e. Re-convene the task force in 2005 to assess progress in the current 5-year Plan and to plan for the next three to five years.

VII. IMPLEMENTATION

*"Children are always the only future
a human race has."*

William Saroyan



Next steps are essential to the planning process. Serving as a guiding tool, the activities outlined in the Community Plan will provide direction to the early care and education community, businesses, real estate developers, labor unions, the media, City government and others for meeting the early care and education needs of children and families in Long Beach.

To be successful, the Task Force has identified key actions for realizing their vision:

- The City of Long Beach Child Care Coordinator will provide leadership, coordination and support to the implementation of activities by identified partners and other community members.
- The Long Beach Early Care and Education Master Plan Task Force will provide guidance and monitor implementation of the Community Plan. The Task Force will convene every six months to evaluate the status of implementing the Community Plan and will submit a status report detailing progress and recommending modifications, if any, to the Community Plan. At the three-year mark, the Task Force will facilitate a comprehensive assessment of the Community Plan and, based on its findings, begin planning for the next five years.
- Activities with short timeframes will be initiated immediately to demonstrate public and private commitment to addressing the early care and education needs of children and their families. Activities with medium and long timeframes, while not identified as priorities, will receive ongoing attention and review based on available and potential resources and timeliness. As the Community Plan is implemented, activities may be identified for carry-over to the next five years.
- Measurements will be identified and employed to determine achievement of the Community Plan's mission, goals and objectives for furthering the early care and education of all children. Mechanisms will be developed for reporting regularly (i.e., semi-annually) on the status of early care and education in Long Beach.
- Resources are critical to full implementation of the Community Plan. Funding opportunities from a variety of sources that may facilitate implementation of the Community Plan and specific activities will be identified and pursued. Collaborative funding proposals will be encouraged and supported among the early care and education community.

ENDNOTES

- 1 Phillips, D. and Shonkoff, J. *From Neurons to Neighborhoods: The Science of Early Childhood Development*. Washington, DC: National Academy Press, 2000.
- 2 National Economic Development and Law Center. *Economic Impact of the Child Care Industry*: Los Angeles County. June 1999.
- 3 Phillips, D. and Shonkoff, J. *From Neurons to Neighborhoods: The Science of Early Childhood Development*. Washington, DC: National Academy Press, 2000.
- 4 Schulman, K. *The High Cost of Child Care Puts Quality Care Out of Reach for Many Families*. Children's Defense Fund, 2001.
- 5 Cost, Quality, and Child Outcomes Study Team. *The Children of the Cost, Quality and Outcomes Study Go to School, Executive Summary*. Frank Porter Graham and the National Center for Early Development & Learning at UNC-Chapel Hill, 1999.
- 6 A.J. Reynolds, W.T. Miedel, and E.A. Mann, "Innovation in Early Intervention for Children in Families with Low Incomes: Lessons from the Chicago Child-Parent Centers," *Young Children* 55 (2000): 84-88.
- 7 California Child Care Resource and Referral Network. *The 2001 California Portfolio*.
- 8 Ibid.
- 9 Schulman, K. *The High Cost of Child Care Puts Quality Care Out of Reach for Many Families..* Children's Defense Fund, 2001.
- 10 California Child Care Resource and Referral Network. *The 2001 California Portfolio*.
- 11 U.S. Census Bureau. *Census 2000*.
- 12 Ibid.
- 13 Ibid.
- 14 Long Beach Unified School District. *School Year: 2000-2001*.
- 15 Los Angeles County Child Care Planning Committee. *Child Care Counts: An Analysis of the Supply of and Demand for Early Care and Education Services in Los Angeles County*. August 20, 2000.
- 16 Ibid
- 17 Ibid.
- 18 Children's Home Society of California. July 2002.
- 19 Los Angeles County Office of Child Care. July 2002.



Appendix

Preparing Long Beach Children for the Future: A Community Plan for Shaping the Early Care and Education System Contributing Individuals and Groups

Focus Groups

- African American Infant Health Project (DHHS) – Parent Participants
- Comprehensive Child Development Family Child Care Network – Providers
- Heads Up! Early Steps to Reading – Participants
- Young Horizons – Parent Participants

Individuals

- Russell Brammer (Family Services of Long Beach)
- Jenny Cardenas (Comprehensive Child Development, Inc.)
- Angela Coron (California Department of Health Services)
- Tracy Cunningham (Children Today, Inc.)
- Jean Egan (Long Beach BLAST)
- Charyn Gant (City of Long Beach, Department of Health and Human Services)
- Roberta Lanterman (Long Beach Family Literacy Program)
- Lillian Lew (Families in Good Health, St. Mary Medical Center)
- Carolyn Loveridge (California Association for the Education of Young Children)
- Julie Meenan (The Josephine S. Gumbiner Foundation)
- Dennis Thys (City of Long Beach, Community Development Department)
- Ray Worden (City of Long Beach, Workforce Development Department)

Community Groups and Membership Organizations

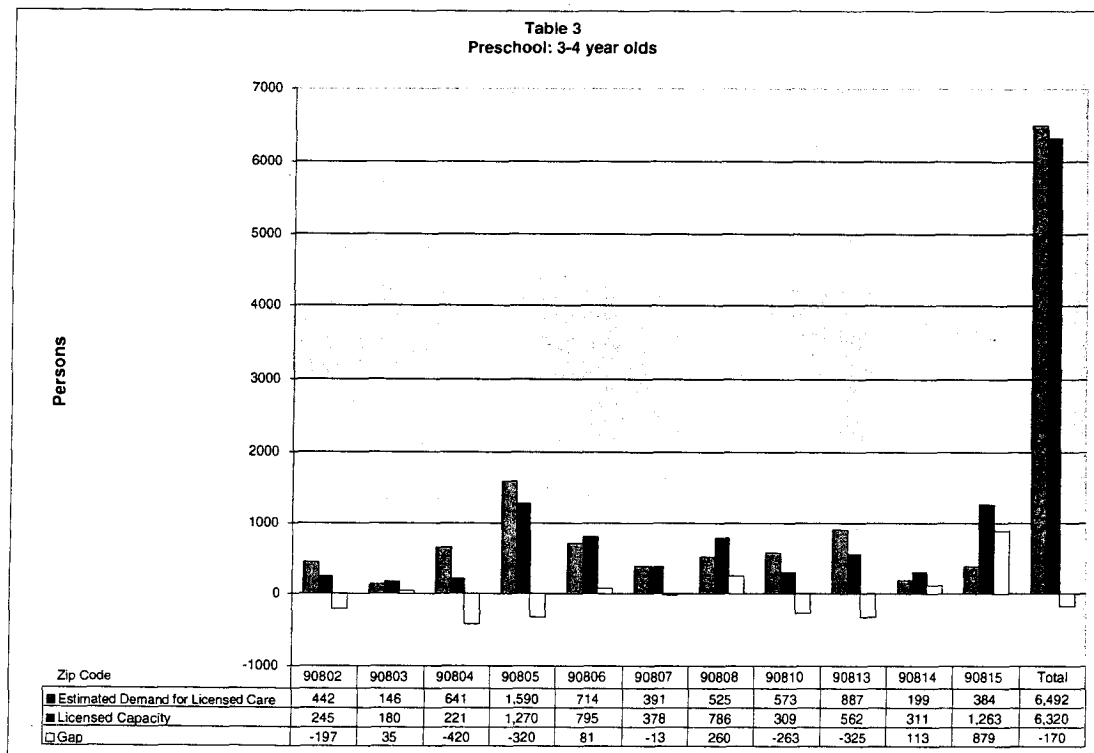
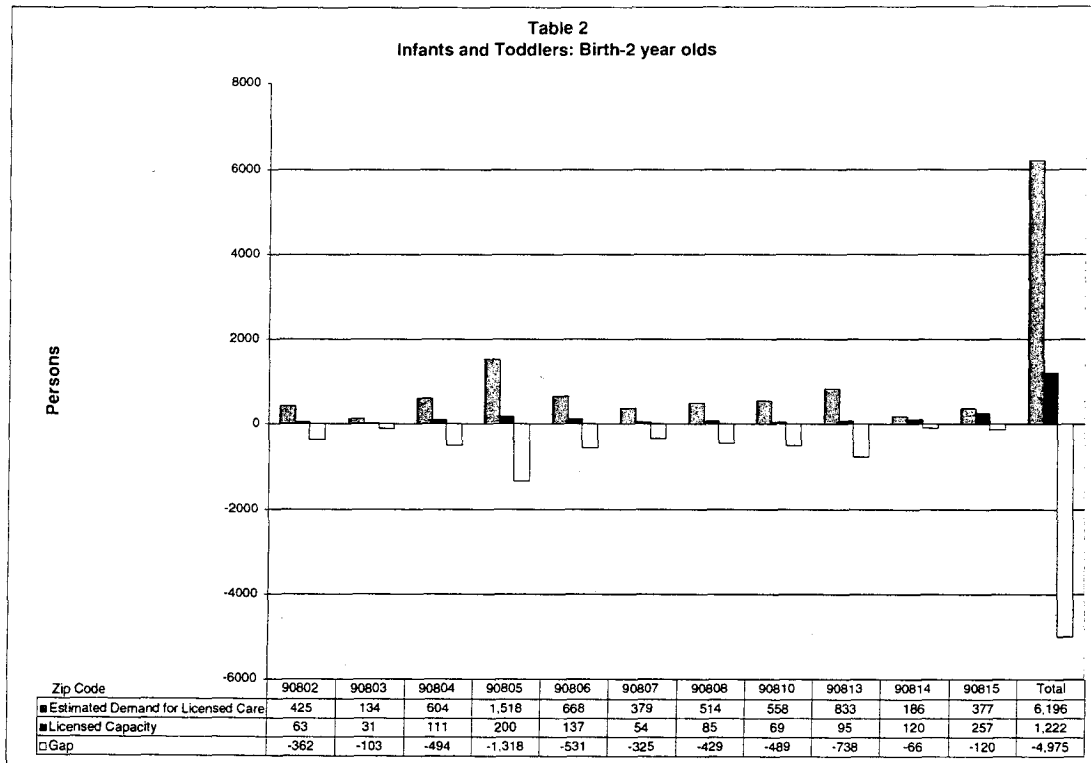
- Greater Long Beach/Lakewood Family Child Care Association, Inc.
- Long Beach Association for the Education of Young Children (LB AEYC)
- Long Beach City College, Child Development Department
- SPA 8, Long Beach Sub-Region
- Stand for Children, Long Beach Chapter

IDENTIFYING CHILDREN NEEDING CHILD CARE SERVICES IN LONG BEACH*

Table 1	
Estimated number of children residing in Long Beach, Birth - 12	102,154
Estimated number of children, Birth - 5	38,587
Demand for licensed care	12,688
Licensed capacity	<u>7,542</u>
Gap	-5,145
Estimated number of children, 6 - 12	63,567
Demand for licensed care	18,141
Licensed capacity	<u>3,396</u>
Gap	-14,745
Estimated number of children, Birth - 12	102,154
Demand for licensed care	30,829
Licensed capacity	<u>10,938</u>
Gap	-19,890

APPENDIX

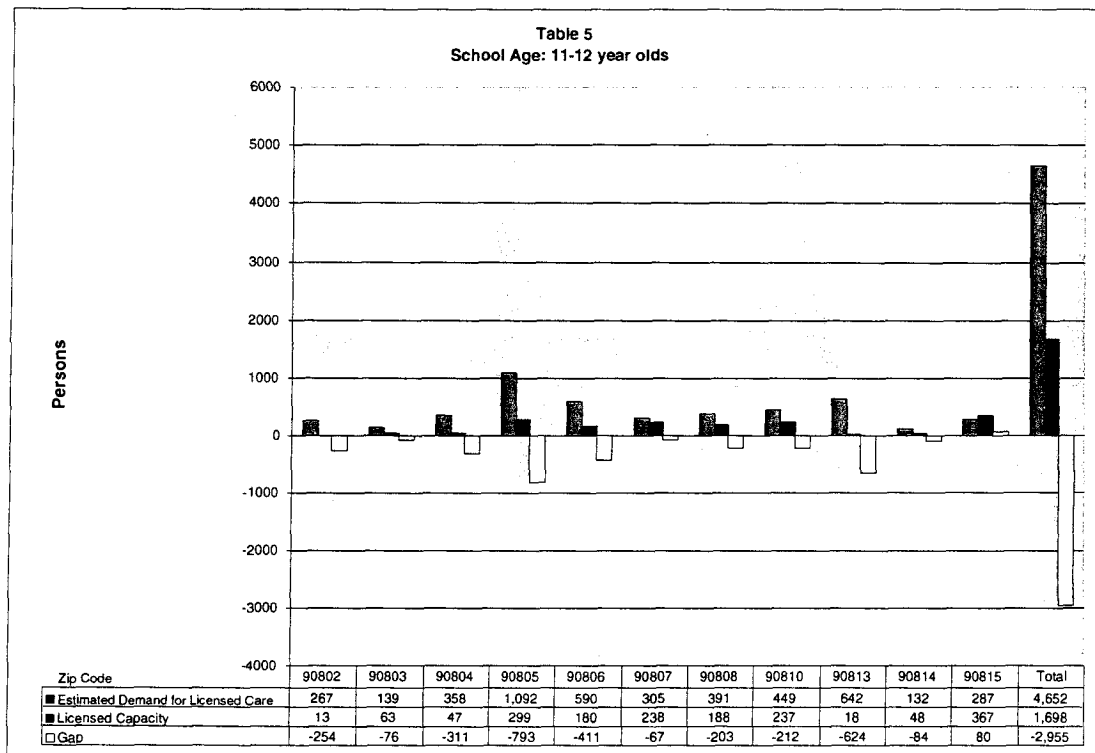
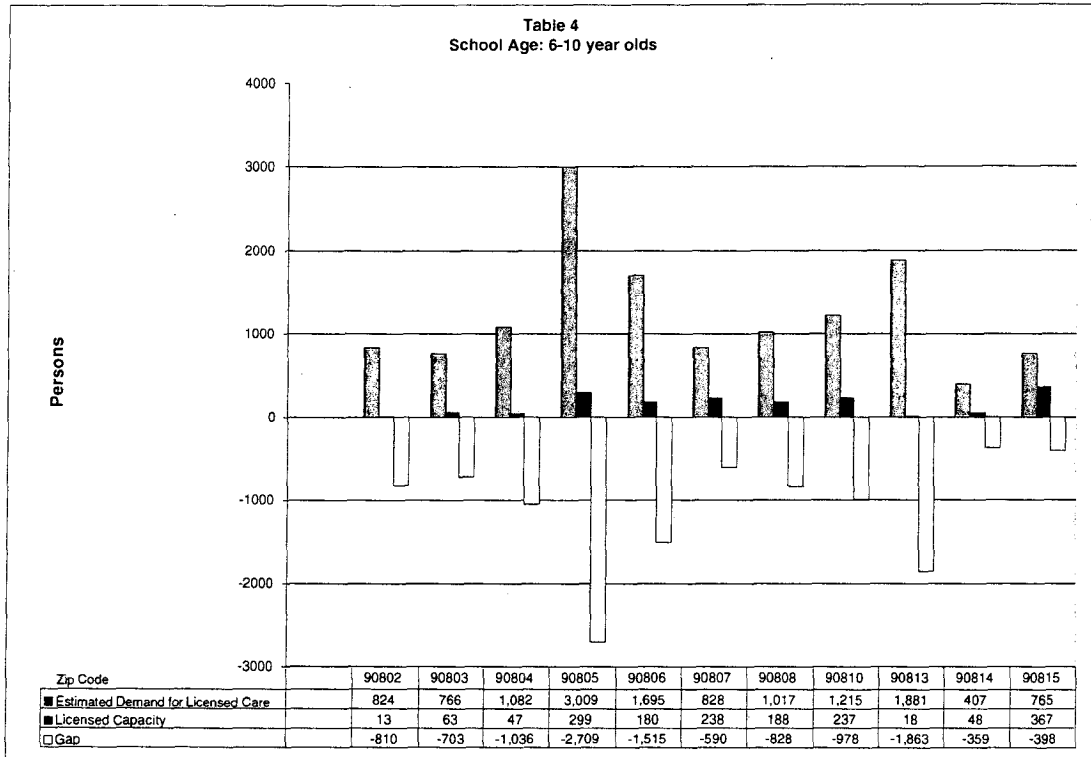
Demand for Early Care and Education Services in Long Beach*



*The Los Angeles County Child Care Planning Committee. *Child Care Counts: An Analysis of the Supply of and Demand for Early Care and Education in Los Angeles County*. August 2000.

APPENDIX

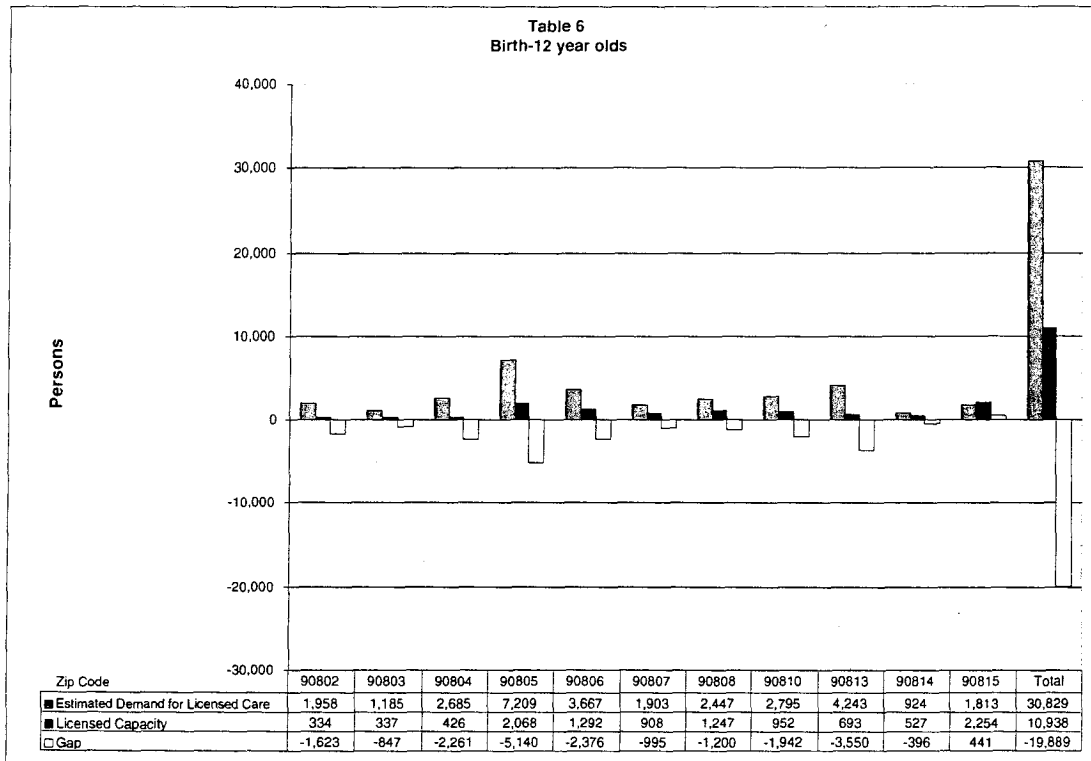
Demand for Early Care and Education Services in Long Beach*



*The Los Angeles County Child Care Planning Committee. *Child Care Counts: An Analysis of the Supply of and Demand for Early Care and Education in Los Angeles County*. August 2000.

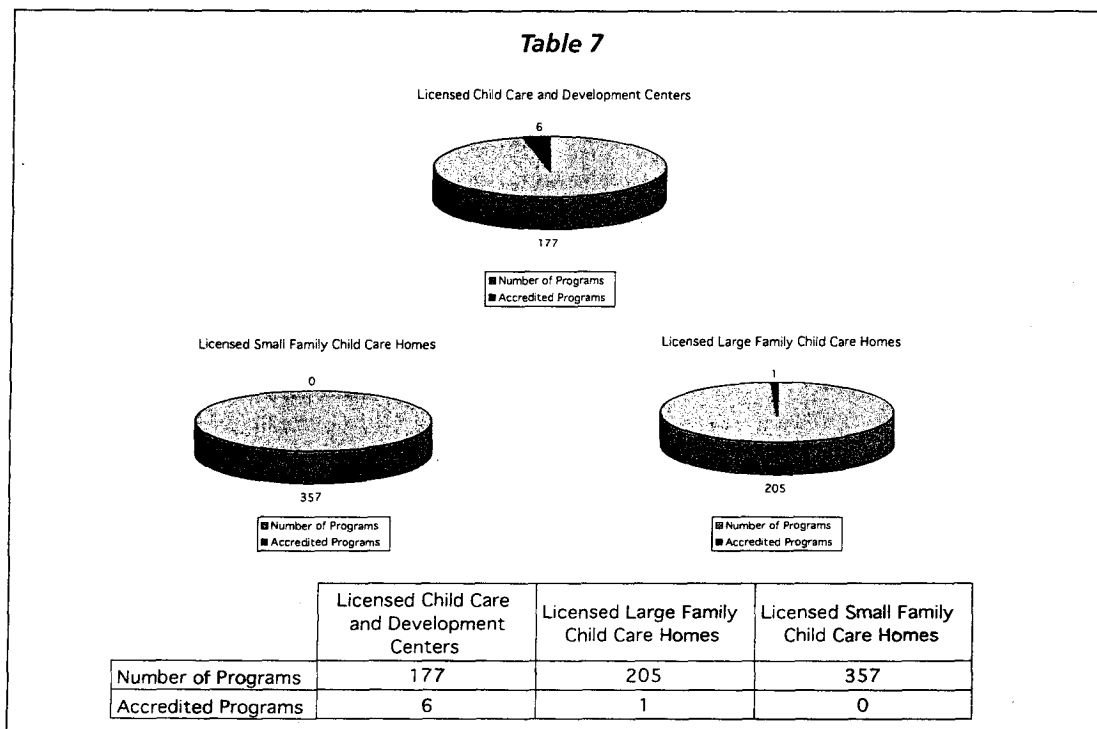
APPENDIX

Demand for Early Care and Education Services in Long Beach*



*The Los Angeles County Child Care Planning Committee. *Child Care Counts: An Analysis of the Supply of and Demand for Early Care and Education in Los Angeles County*. August 2000.

Accredited Program Ratio





CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 W. Ocean Blvd., 4th Floor

Long Beach, CA 90802

(562) 570-6651

FAX (562) 570-6753

BUILDING BUREAU

June 8, 2006

Pat Brown
5390 East 8th Street
Long Beach, CA 90804

SUBJECT: 85 WEST DEL AMO BOULEVARD, LONG BEACH, CA 90805

Mr. Brown:

On June 6th 2006, an inspection was performed on the subject one-story, 1800 square foot Type V-N single-family dwelling. The purpose of the inspection was for a change of occupancy from a residence (R-3 occupancy), to a daycare facility (E-3 occupancy). The requirements listed below are based on the 2001 California Building Code, the 2004 National Electrical Code and 2001 California Plumbing Code.

1. The side exit door is a sliding-glass door. When the occupant load exceeds 10 the entry door must be of the hinged type. The door may swing inward if the occupant load does not exceed 50; however, the door must be equipped with disable access hardware and capable of being opened with five pounds of pressure or less. The threshold of the door may not be greater in height than ½ -inch.
2. The water heater venting does not comply. Water heater vents may not exceed more than 60 degrees from horizontal and must terminate one foot past the roof.
3. There are no permits or approvals for the water installed within the enclosed metal patio cover. Obtain permits, approvals and inspections.
4. There no permits for the addition added next to the enclosed metal patio cover. Obtain permits, approvals and inspections.
5. There are no permits to enclose the metal patio cover. Obtain permits, approvals and inspections.
6. Obtain Planning and Zoning approval for E-3 occupancy at this location.
7. Obtain Fire Department approval for E-3 occupancy at this location.
8. Exterior wall and opening protection for E-3 occupancies shall be protected less than 10 feet and not permitted less than 5 feet for type V-N construction.

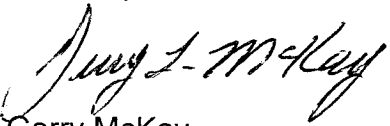
9. Means of egress shall be provided as specified in chapter 10 of the CBC.
10. Access and egress from building require to be accessible; this building does not comply with Disabled Access requirements.

To complete the change of occupancy process, architectural plans must be submitted to the Department of Planning and Building as well as the Fire Prevention Bureau for approval. The plans must be stamped by a licensed professional, drawn to a readable scale (preferable $\frac{1}{4}" = 1'$ scale) and the plans must reflect all proposed building, mechanical, electrical, and plumbing alterations. When your plans are approved, the required permits may be obtained. A Certificate of Occupancy will be issued for the change of occupancy and for the tenant improvement when all final inspections are obtained.

Please note that a business license must be obtained before opening for business. It is not a part of the permit process and there are separate inspections involved. The timing of the inspections is critical, as it must occur at time of final inspection for the tenant improvement. To obtain additional information regarding the business license, please contact Wendy Goetz at (562) 570-6307, Monday through Friday.

Should you have any further building questions, I can be contacted at (562) 570-6451 Monday through Friday from 7:30 – 9:00 a.m. and 3:00 – 4:30 p.m.

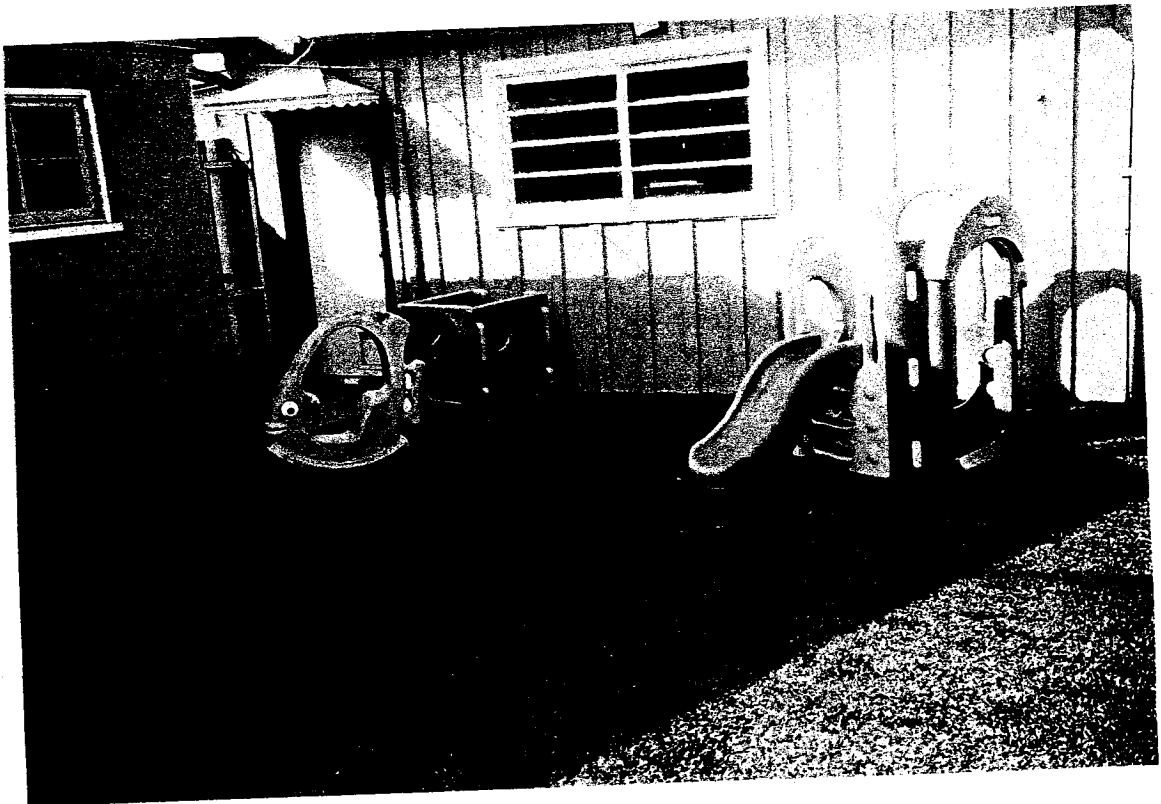
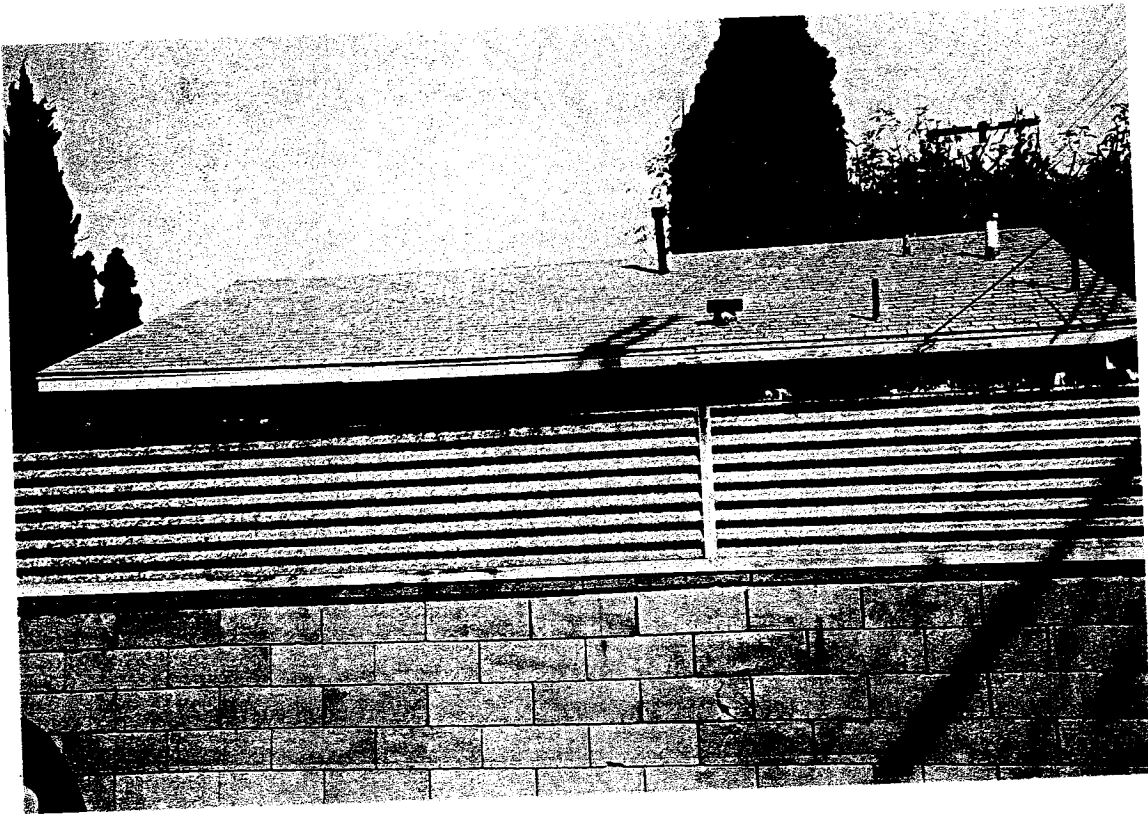
Sincerely,



Gerry McKay
Principal Building Inspector

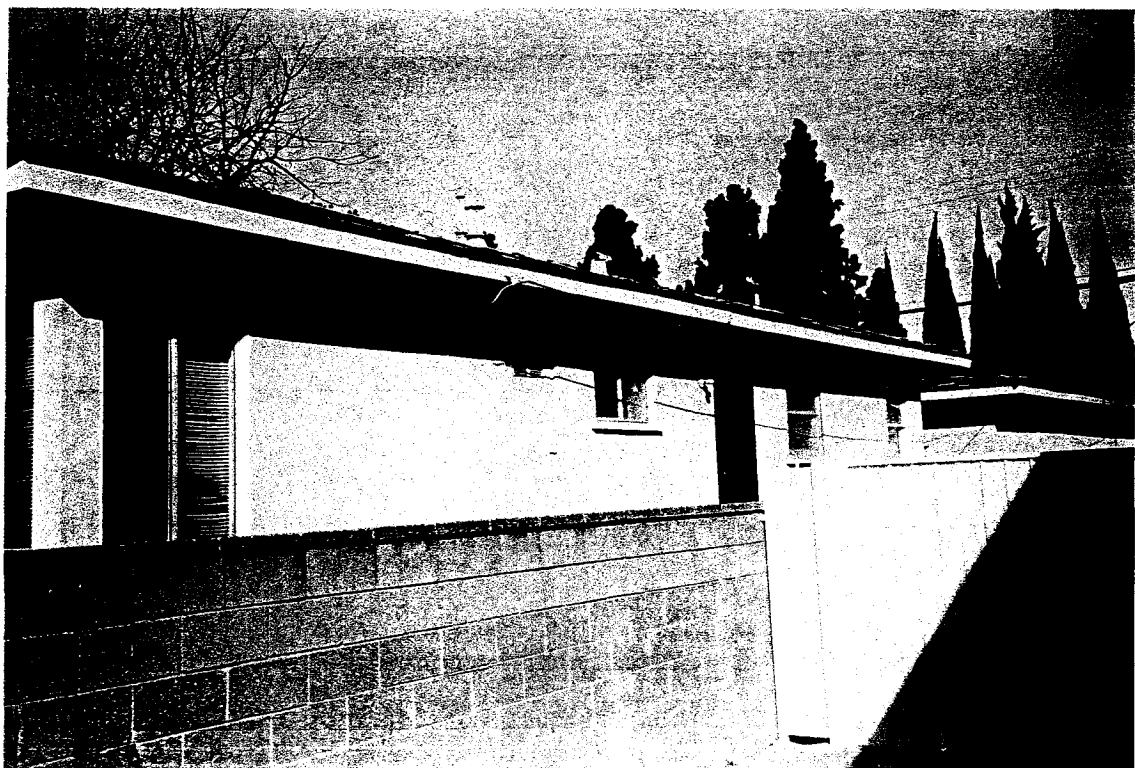
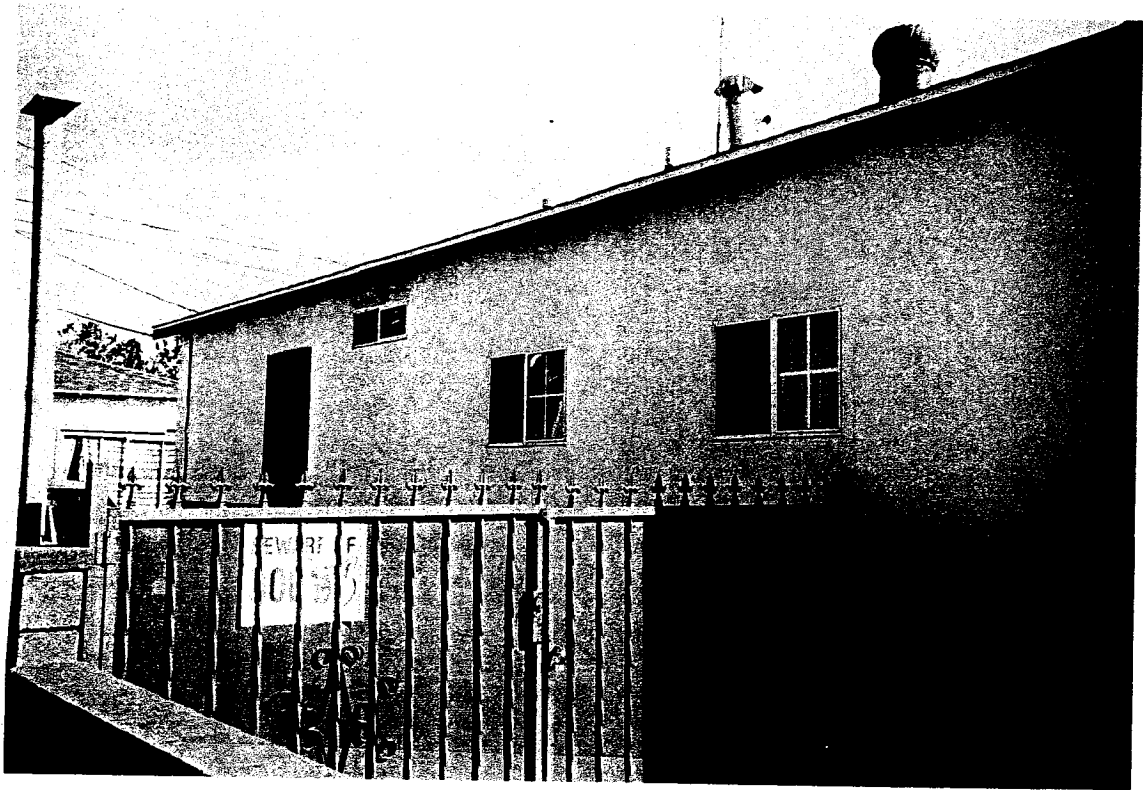
GLM/er
85 W. Del Amo/special

Single family located to the north

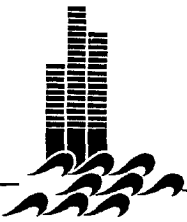


PLAYGROUND AREA

single family located to the east



single family located to the west



CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 West Ocean Boulevard, 7th Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

ZONING DIVISION

October 5, 2006

CHAIRMAN AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Request for approval of a Conditional Use Permit and Standards Variance to allow the operation of a childcare center with less than code required parking. (Council District 8)

LOCATION: 85 W. Del Amo Blvd

APPLICANT: Pat Brown
5390 E. 8th Street
Long Beach, CA 90804

RECOMMENDATION

Continue to the hearing of October 19, 2006


DISCUSSION

The applicants will not be able to attend the October 5, 2006 hearing and have requested a continuance to the hearing of October 19, 2006.

Respectfully submitted,

SUZANNE FRICK,
DIRECTOR OF PLANNING AND BUILDING

By:


STEVEN VALDEZ
PLANNER II

Approved:


CAROLYNE BIHN
ZONING ADMINISTRATOR



CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 West Ocean Boulevard, 7th Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

ZONING DIVISION

October 5, 2006

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SUZANNE FRICK,
DIRECTOR OF PLANNING AND BUILDING

By:


STEVEN VALDEZ
PLANNER II

Approved:


CAROLYNE BIHN
ZONING ADMINISTRATOR

C I T Y P L A N N I N G C O M M I S S I O N M I N U T E S**N O V E M B E R 1 6, 2 0 0 6**

The regular meeting of the City Planning Commission and public hearing convened on November 16, 2006, at 1:40pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, CA.

PRESENT: **COMMISSIONERS:** Leslie Gentile, Charles Greenberg,
Morton Stuhlbarg, Charles Winn

ABSENT: **EXCUSED:** Matthew Jenkins, Nick Sramek

CHAIRMAN: Leslie Gentile

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Greg Carpenter, Planning Manager
Carolynne Bihn, Zoning Officer
Angela Reynolds, Advance Planning
Derek Burnham, Planner
Steve Valdez, Planner
Craig Chalfant, Planner

OTHERS PRESENT: Mike Mais, Deputy City Attorney
Stephanie Reich, Urban Design Officer
Pat Smith, RDA consultant
Marcia Gold, Minutes Clerk

P L E D G E O F A L L E G I A N C E

The pledge of allegiance was led by Commissioner Greenberg.

S W E A R I N G O F W I T N E S S E S**C O N S E N T C A L E N D A R**

Commissioner Winn moved to accept the staff recommendation for continuation on Items 1A, and staff recommendations on Items 1B and 1C. Commissioner Stuhlbarg seconded the motion, which passed 4-0. Commissioners Jenkins and Sramek were absent.

1A. Case No. 0606-25, Conditional Use Permit, CE 06-135

Applicant: Royal Street Communications
Laton Fuller, Representative
Subject Site: 1455 Magnolia (Council District 7)

Commissioner Greenberg commented that he felt it would be better if the Cultural Heritage Commission was actively engaged in reviewing historically significant projects before passing them on to the Commission with their comments and recommendations. Suzanne Frick stated that staff would look into the suggestion as a possible modification.

Commissioner Winn noted that developers who wished to retain historical aspects of a project would find it hard to get an EIR approved without first going to the Commission to work out long-term changes, which could lead to appeals.

Chairman Gentile commented that the guidelines were clear and concise without dictating style and architecture, and asked that the issues of durability, quality and scale of building materials be clarified.

Commissioner Winn said he felt long-lived recycled and imitation materials should be allowed as long as they looked and felt original.

Ms. Reich stated that staff would clarify the intent of the guidelines to include appropriate materials.

C O N T I N U E D I T E M S

2. Case No. 0602-06, Conditional Use Permit, Standards Variance

Applicant: Pat Brown
Subject Site: 85 W. Del Amo Blvd. (Council District 8)
Description: Request for approval of a Conditional Use Permit and Standards Variance to allow the operation of a childcare center with less than code required parking.

Steve Valdez presented the staff report recommending partial approval of the request since staff believes the site can support a total of only 20 children on the project site based on the limited parking availability and relatively small size of the play area.

Pat Brown, 5390 S. 8th Street, applicant representative, presented a petition from area residents in favor of a larger operation.

Tina Brown, 85 W. Del Amo, applicant, explained that there was a great need for her services in the area, and that she wanted to

Commissioner Stuhlbarg seconded the motion, asking for a condition to require removal of the garage.

Commissioner Winn accepted the addition to his motion, which passed 3-0-1, with Commissioner Greenberg abstaining and Commissioners Jenkins and Sramek absent.

R E G U L A R A G E N D A

This item was taken out of order

4. Case No. 0607-24, Administrative Use Permit, Local Coastal Development Permit, CE 06-158

Applicant: Albert Espinoza for Pet Partners
Animal Hospital
Subject Site: 1058 E. Broadway (Council District 2)
Description: Appeal of the Zoning Administrator's decision to deny a request for a Local Coastal Development Permit and Administrative Use Permit to convert a commercial lease area in a residential zone to a veterinary clinic without boarding.

Chairman Gentile moved to continue the item to the January 4, 2007 meeting as per staff's recommendation. Commissioner Stuhlbarg seconded the motion, which passed 4-0. Commissioners Jenkins and Sramek were absent.

3. Case No. 0510-03, PD Amendment, Site Plan Review, Tract Map, Standards Variance, EIR 28-05

Applicant: Press-Telegram Lofts c/o Jim Brophy
Subject Site: 604 Pine Avenue (Council District 1)
Description: Review the adequacy of Environmental Impact Report No. 28-05 in accordance with Section 15204 of the CEQA Guidelines; a request to amend the Downtown Planned Development District (PD-30) to change the subarea designation for the subject site from Downtown Mixed Use to Downtown Core; a request to amend the allowable height from 100 feet to 250 feet; a request for approval of a Site Plan Review and a Tentative Map to demolish the Meeker-Baker Building and portions of the Press-Telegram Building to construct two 22-story buildings and various four- to five-story buildings for a mixed-use project consisting of 542 residential units, 14,000 square feet of commercial space, 24,000 square feet of office/gallery space, and 1,186 parking spaces, with the following code exceptions: (1)

shadow study and addressed changes to the project that had been made in response to staff concerns.

Bill Reifsteck, 21031 Middleton, Killdeer, IL 60047, applicant's historic preservation specialist, outlined their plan to restore or reuse historical elements of the original building and the problems preventing reuse, including the dangerous and rundown interior.

Pat Gibson, 5390 E. 8th Street, Santa Monica, presented results of a parking study done by ??? and declared that their peak demand recommendations were more accurate than staff's.

Bob Stemler, 400 Oceangate, expressed relief that due to the changes in the project, there would be less massing on top of or near Press Telegram.

Commissioner Winn expressed concern about the deteriorated interior of the building, and asked why it would be unreasonable to remove such elements as long as the outside façade remained the same.

Mr. Reifsteck pointed out that adaptive reuse was usually not possible due to life safety and code violation issues.

Commissioner Stuhlbarg noted that he had visited the site with Mr. Brophy, and agreed that the condition of the building's interior was dismal, and renovation seemed hopeless.

Chairman Gentile noted that the treatment above the building in the plans seemed to detract from the original style, and Mr. Reifsteck said they felt the step back would enhance the original façade.

Mr. Brophy added that the project would bring desperately needed affordable housing to the area, with 60 units earmarked for sale at below market rates to the University for faculty housing. He assured the Commission that when safely and economically feasible, historical aspects of the building would be preserved and restored.

Commissioner Greenberg revealed that he had discussed project design details with applicant representative Mark Donahue.

Mark Stevens, publisher, Long Beach Press Telegram, 604 Pine Avenue, assured the Commission he was receiving no benefit from

that lack of light on the play areas of the school would have a long-term negative effect on the children there.

Michael Wylie, 714 Pacific Avenue, spoke in favor of the project because it would bring affordable housing to the area and strengthen the economic viability of the City.

Craig Kojian, 100 W. Broadway #170, representative, Downtown Long Beach Association, expressed support for the project, citing quality of workmanship and design and the project's potential to stimulate the business corridor.

Dr. Patricia Rozee, 7890 E. Spring St. #180, representing the CSULB Center for Community Engagement, expressed support for the project, saying it would enhance the community arts program and be a visible University presence in the downtown area.

Don Darnauer, 801 Pine Avenue, Pine Plaza Homeowners Association, said it was a commendable project with quality elements and green, affordable housing. Mr. Darnauer acknowledged that area residents were concerned about construction impacts on nearby schools and shopping as well as traffic and parking problems that could result from the development, but that they felt the developer was making sincere efforts to address these problems.

John Molina, 1 Golden Shore Drive, also spoke in favor of the project, saying it was not risky or bold, and would unify the City by bringing in affordable housing and a University presence downtown.

Commissioner Winn moved to adopt the Resolution certifying EIR 28-05/SCH #2006031124; to continue the hearing on the requests for Site Plan Review, Tentative Map and Standards Variances in order to allow consideration of an application for a Certificate of Appropriateness by the Cultural Heritage Commission prior to Planning Commission reconsideration; and to direct staff to prepare amendments to the Downtown Planned Development District.

Commissioner Greenberg agreed it was a good project but said he would not approve a bifurcation of approval of the EIR from the project without an extraordinary reason. Mr. Greenberg acknowledged that the project seemed fairly non-controversial and enjoyed widespread area support, but unresolved environmental issues remained.

CITY PLANNING COMMISSION MINUTES

October 19, 2006

The regular meeting of the City Planning Commission convened Thursday, October 19, 2006 at 1:35 pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Leslie Gentile, Matthew Jenkins, Nick Sramek, Charles Winn

ABSENT: COMMISSIONERS: Charles Greenberg, Mitchell Rouse, Morton Stuhlbarg

CHAIRMAN: Leslie Gentile

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Greg Carpenter, Planning Bureau Manager
Angela Reynolds, Advance Planning Officer
Carolyn Bihn, Zoning Officer
Jeff Winklepleck, Planner
Steve Valdez, Planner
Heidi Eidson, Minutes Clerk

OTHERS PRESENT: Lisa Malmsten, Deputy City Attorney

PLEDGE OF ALLEGIANCE

Commissioner Winn led the pledge of allegiance.

SWEARING OF WITNESSES

CONSENT CALENDAR

Item #1A was pulled from the Consent Calendar and moved to the Regular Agenda.

Commissioner Winn moved to approve Items 1B, 1C, and 1D as presented by staff. Commissioner Jenkins seconded the motion which passed 4-0. Commissioners Greenberg, Rouse and Stuhlbarg were absent.

1A. Case 0605-29, Conditional Use Permit, CE 06-101

Applicant: Orange Rocket, LLC
c/o Melinda Byrd
Subject Site: 6640 Cherry Avenue (Council District 9)
Description: Conditional Use Permit to allow the operation of a 1,610 square foot check cashing/payday advance business in an existing retail center.

Moved to Regular Agenda.

1B. Case No. 0608-10, Tentative Tract Map, CE 06-171

Applicant: David Lines
Subject Site: 1760 Temple Avenue (Council District 4)
Description: Request for approval of Tentative Tract Map No. 67762 to convert four (4) apartments into condominiums.

Approved Tentative Tract Map No. 67762, subject to conditions.

1C. Case No. 0607-09, Tentative Tract Map, CE 06-95

Applicant: 318 Cherry LLC/SUBTEC
Robert Vargo, Representative
Subject Site: 318 Cherry Avenue, (Council District 2)
Description: Request for approval of Tentative Tract Map No. 65589 to convert twelve (12) residential dwelling units of an existing apartment building into condominiums.

Approved Tentative Tract Map No. 65589, subject to conditions.

1D. Case No. 0606-25, Conditional Use Permit, CE 06-135

Applicant: Royal Street Communications
Laton Fuller, Representative
Subject Site: 1455 W. Willow Street (Council District 7)
Description: Request for approval of a Conditional Use Permit to construct and maintain a ground-mounted cellular and personal communication services facility, consisting of a forty-five foot (45') high monopole antenna structure designed as a palm tree with accessory equipment.

Continued to November 16, 2006.

REGULAR AGENDA

1A. Case 0605-29, Conditional Use Permit, CE 06-101

Applicant: Orange Rocket, LLC
c/o Melinda Byrd
Subject Site: 6640 Cherry Avenue (Council District 9)
Description: Conditional Use Permit to allow the operation of a 1,610 square foot check cashing/payday advance business in an existing retail center.

Jeff Winklepleck presented the staff report recommending approval of the project. The item had been continued from a prior meeting and staff was directed to prepare Findings and Conditions of Approval in support of the project.

Pat Brown, applicant's representative, stated that the applicant was in agreement with the conditions as presented.

Jesse Brown, 353 E. Plenty Street, stated that he was opposed to the project because he felt that it would invite crime due to its location and proximity to the 91 Freeway entrance.

Commissioner Jenkins moved to approve the Conditional Use Permit request. Commissioner Winn seconded the motion which passed 4-0. Commissioners Greenberg, Rouse and Stuhlbarq were absent.

2. Case No. 0602-06, Conditional Use Permit, Standards Variance, CE 06-25

Applicant: Pat Brown
Subject Site: 85 W. Del Amo (Council District 8)
Description: Request for approval of a Conditional Use Permit and Standards Variance to allow the operation of a childcare center with less than code required parking.

Steven Valdez presented the staff report, recommending approval of the Conditional Use Permit request for a childcare center with 20 children instead of 31 as requested by applicant.

Pat Brown, applicant's representative, requested that the item be continued, as the applicant was unable to be present at the hearing.

In response to a query from Commissioner Winn, Carolyn Bihn stated that she was not aware of any consistent complaints being received by the City regarding parking issues at childcare centers. She added that staff would provide further research into the issue when the item came back before the Commission.

Ms. Bihn stated that staff recommended that the item be continued until the hearing of November 16, 2006.

Jesse Brown, 353 E. Plenty Street, stated that he was opposed to the project because parking in the area is congested.

Commissioner Jenkins moved to continue the item to November 16, 2006. Commissioner Sramek seconded the motion which passed 4-0. Commissioners Greenberg, Rouse and Stuhlbarq were absent.

3. Case No. 0603-01, Tentative Tract Map, CE 06-33

Applicant: Pacific Property Assets
c/o ALS Consulting
Subject Site: 1190 Newport Avenue (Council District 4)
Description: Request for approval of Tentative Tract Map No. 65798 for the conversion of nineteen (19) units into condominiums.

Greg Carpenter stated that the applicant had requested that the item be continued until the hearing of November 2, 2006.

Commissioner Jenkins moved to continue the item to November 2, 2006. Commissioner Sramek seconded the motion.

In response to a query from Commissioner Winn, Ms. Bihn stated that the Condominium Conversion Ordinance does not allow for a certain percentage of units under 450 square feet. She continued that another similar project would be coming to the Commission in the near future and that staff would recommend not approving the small units, but rather combining them.

The question was called and the motion passed 4-0. Commissioners Greenberg, Rouse and Stuhlbarg were absent.

MATTERS FROM THE AUDIENCE

There were no matters from the audience.

MATTERS FROM THE DEPARTMENT OF PLANNING AND BUILDING

Mr. Carpenter stated that the City Council had approved the amendment to PD-30 to adopt a loft district and they directed staff to add a definition of loft and also to establish minimum parking standards for re-use of commercial buildings to residential. They also requested that the Director of Planning and Building be able to waive the standard on a case by case basis.

MATTERS FROM THE PLANNING COMMISSION

There were no matters from the Planning Commission.

ADJOURN

The meeting adjourned at 2:05.

Respectfully submitted,

Heidi Eidson
Minutes Clerk



CITY OF LONG BEACH

Department of Planning and Building

333 WEST OCEAN BOULEVARD

LONG BEACH, CALIFORNIA 90802

(562) 570-6194

FAX (562) 570-6068

APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the

() Zoning Administrator on the 16 day of NOVEMBER 2006.

(X) Planning Commission

APPELLANT: JESSE A. BROWN

APPLICANT: PAT BROWN

Project address: 85 W. ISEL AND BLVD

Permits requested: APPROVAL OF A CONDITIONAL USE PERMIT AND STANDARDS VARIANCE

Project description: OPERATION OF A CIVILISARIE CENTER

WITH LESS THAN CODE REQUIRED PARKING (COUNCIL DIST. 8)

Reason for appeal: TRAFFIC DATA INCOMPLETE, R-1 TRANSFER TO COMMERCIAL PROPERTY, INADEQUATE STAFF PARKING

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the () Zoning Administrator or (X) Planning Commission and () approve or (X) deny this application.

Signature of Appellant: Jesse A. Brown

Print name of Appellant: JESSE A. BROWN

Mailing address: 353 E. PLENTY ST. LONG BEACH, CA. 90805

Phone No.: (562) 208-8000

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter staff: C Jackson Case No. 0602-06 Date: 11/22/06

Filing Fee required: (X) Yes () No Application complete: (X) Yes () No

CONDITIONAL USE PERMIT/STANDARDS VARIANCE

CONDITIONS OF APPROVAL

Case No. 0602-06

Date: February 13, 2007

1. This permit and all development rights hereunder shall **terminate one year** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
2. The use permitted on the subject site, in addition to other uses permitted in the R-1-N zoning district, shall be a commercial child daycare center with a maximum of 31 children. No retail, office, or social service land uses shall be permitted at any time.
3. The code exception approved for this project is as follows:
 - Three (3) onsite parking spaces for a day care center, with a total of 31 children.
4. The applicant shall provide for the use of two onsite loading spaces and one 24-minute (green curb) parking space at 85 W. Del Amo Blvd. as long as the day care center remains in operation. Within thirty (30) days of approval of this permit, the applicant shall ensure that the required parking spaces are available for the day care center.
5. Not more than thirty (30) days after the Final Action date, the applicant shall submit plans to the Department of Planning and Building to change the occupancy of the building to E3, a commercial daycare center. Building permit approvals shall then be secured no more than sixty (60) days after the Notice of Final Action and work shall be completed within ninety (90) days of the Notice of Final Action date.
6. The applicant shall fully comply with all Building Code requirements to the satisfaction of the Superintendent of Building and Safety, including Title 24 compliance.
7. The existing two-car garage shall be removed and additional landscaping added to create additional play area. A deed restriction shall also be filed with the Los Angeles County Records office stating that a two car garage shall be replaced if the commercial day care use is converted back to a single family residential use.

8. The applicant shall file a separate plan check and 850-form submittal to the Long Beach Fire Department for their review and approval, prior to the issuance of a building permit.
9. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return **written acknowledgment** of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
10. If, for any reason, there is a **violation of any of the conditions** of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
11. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
12. This approved land use is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall be available for **periodic re-inspections**, conducted at the discretion of City officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
13. All operational conditions of approval for this permit **must be posted** in a location visible to the public in such a manner as to be readable when the use is open for business.
14. All conditions of approval **must be printed** verbatim on all plans submitted for plan review to the Planning and Building Department. These conditions must be printed on the site plan or a subsequent reference page.
15. The Director of Planning and Building is authorized to make **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the

approved design/project. **No substantial changes** shall be made without the prior written approval of the Site Plan Review Committee and/or Planning Commission.

16. Site development, including landscaping, shall conform to the approved plans on file in the Department of Planning and Building. At least **one set of approved plans** containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps **shall be maintained at the job site**, at all times for reference purposes during construction and final inspection.
17. All **landscaped areas** must be maintained in a neat and healthy condition, including public parkways and street trees. Any dying or dead plants materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
18. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
19. Any graffiti found on site must be removed within 24 hours of its appearance.
20. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
21. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed
21. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the

applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach

CALIFORNIA CHILD CARE CENTER LICENSING REGULATION HIGHLIGHTS January 2007

101152 DEFINITIONS

- Child Care Center means any child care facility of any capacity, other than a Family Child Care Home, in which less than 24-hour per day non-medical care and supervision are provided to children in a group setting.
- The Department means the California Department of Social Services agency authorized to assume licensing responsibilities.

101156 LICENSE REQUIRED

- Unless a child care arrangement is exempt from licensure (101158), no adult, partnership, corporation, public agency or other governmental entity shall operate, establish, manage, conduct or provide care and supervision without a valid license from the Department.

101160 POSTING OF LICENSE

- The license shall be posted in a prominent, publicly accessible location in the center.

101162 ADVERTISEMENTS

- Licensees shall reveal each license number in all advertisements.

101167 TRANSFER

- A license is not transferable.

101169 APPLICATION

- The applicant shall attend an orientation prior to filing an application.
 - The orientation will cover how to complete the application process and the scope of Child Care Center operations subject to regulation by the Department.

101170 CRIMINAL RECORD CLEARANCE

- The Department will conduct a criminal record review of all persons working in a child care facility including:
 - Adults responsible for administration or supervision of staff
 - Any person other than a child, residing in the facility
 - Any person who provides care and supervision to children
 - Any staff person who has contact with the children
- Relatives and legal guardians of a child in the facility are exempt
- A volunteer or student who is always directly supervised by a fingerprinted staff, and who spends no more than 16 hours per week at the facility is exempt
 - Prior to employment, residence or initial presence in the child care facility, all individuals subject to a criminal record review shall obtain a Department of Justice clearance, or request a transfer of a current clearance to be associated with the facility.

101170.2 CHILD ABUSE CENTRAL INDEX

- A Child Abuse Central Index review shall be conducted on the applicant and all individuals subject to a criminal record review prior to licensure, employment or initial presence in the facility.

101171 FIRE CLEARANCE

- All Child Care Centers shall secure and maintain a fire clearance.

101173 PLAN OF OPERATION

- Each licensee shall keep on file a current, written, definitive plan of operation. This document must contain the program methods; goals; admission policies, procedures, and agreement; the administrative organization and staffing plan; a sketch of the building; sample menus and transportation arrangements.

101174 DISASTER PLAN

- Each licensee shall have a disaster plan of action in writing.
- Disaster drills shall be documented and conducted every six months.

101175 WAIVERS AND EXCEPTIONS FOR PROGRAM FLEXIBILITY

- The Department has the authority to approve the use of alternate concepts, programs, services, equipment, space, qualifications, ratios and demonstration projects when there is an alternative for safe and adequate services submitted in writing with substantiating evidence to support the request.

101179 CAPACITY DETERMINATION

- A license is issued for a specific capacity which is the maximum number of children that can be cared for at any given time. The number of children is determined by the fire clearance; the physical features of the Child Care Center, including available space; and the available staff to meet the care and supervision needs of the children.

101182 ISSUANCE/TERM OF LICENSE

- A separate license is issued for each age component.
- At least one director or teacher at the center shall have 15 hours of training on preventive health practices including pediatric cardiopulmonary resuscitation and pediatric first aid. A staff member with certification in pediatric CPR and first aid shall be present at all times.

101187 APPLICATION/ANNUAL FEES

- The licensee shall be charged application and annual fees.

101193 DEFICIENCIES IN COMPLIANCE

- If during a licensing evaluation the evaluator determines that a deficiency exists, a notice of deficiency will be issued in writing, unless the deficiency is corrected during the visit.
- The person in charge of the facility shall meet the evaluator to discuss any deficiencies noted and to jointly develop a plan of correction.

101200 INSPECTION AUTHORITY

- The Department has inspection authority to enter and inspect a facility without advance notice.
- The Department has the authority to interview children or staff, and to inspect and audit child or Child Care Center records, without prior consent.

101206 REVOCATION OR SUSPENSION OF LICENSE

- The Department has the authority to suspend or revoke a license.

101208 EXCLUSIONS

- The Department may prohibit an individual from being employed or allowed in a licensed facility or from service as an administrator for the facility.

101212 REPORTING REQUIREMENTS

- The licensee shall report to the Department required information about the center director, any intent to make structural changes to the facility, or any change in the plan of operation that would affect services to children.
- The licensee shall report the following incidents to the Department:
 - Any injury to any child that requires medical treatment
 - Any unusual incident or child absence that threatens safety
 - Any suspected physical or psychological abuse of any child

101213 FINANCES

- The licensee must develop a financial plan to meet operating costs and maintain financial records.

101214 ACCOUNTABILITY

- The licensee is accountable for the general supervision of the Child Care Center and for the establishment of policies concerning its operation.

101215 ADMINISTRATOR QUALIFICATIONS

- The administrator shall have knowledge of the type of care and supervision needed by children; knowledge of and ability to comply with applicable laws and regulations; ability to establish the center program and budget; and the ability to recruit, employ, train, direct and evaluate qualified staff.

101215.1 CHILD CARE CENTER DIRECTOR QUALIFICATIONS

- All centers shall have a director who is responsible for the operation of the center and compliance with regulations and communications with the Department. The director shall be on the premises during the hours of operation and shall not accept outside employment that interferes with the duties specified.
- When the director is absent, a fully qualified teacher can act as substitute.
- The director's qualifications prior to employment are:
 - High school graduation or GED
 - 15 semester units at an accredited college in specified early childhood education classes. Three of the required units shall be in administration or staff relations and 12 units shall include courses that cover the area of child growth and development; child, family and community; and program/curriculum.
 - 4 years of teaching experience in a licensed center or comparable group child care program.
 - Two years of experience are required if the director has an AA degree with a major in child development, or one year of experience is required if the director has a BA Degree in child development.
 - A Child Development Site Supervisor Permit or Child Development Program Director
 - Permit issued by the California Commission on Teacher Credentialing is also qualifying.

101216 PERSONNEL REQUIREMENTS

- The director shall complete 15 hours of health and safety training, if necessary, pursuant to Health and Safety Code Section 1596.866.
- Personnel shall be competent to provide necessary services to meet the individual needs of children in care and there shall be enough staff to meet those needs.
- Licensees may utilize volunteers provided that volunteers are supervised and are not included in the staffing plan.
- Center personnel and volunteers shall be at least 18 years old.
- All personnel shall be in good health and physically and mentally capable of performing assigned tasks.
- A health screening, including a tuberculosis test is required.
- Personnel shall provide for the care and safety of children without physical or verbal abuse, exploitation or prejudice.

101216.1 TEACHER QUALIFICATIONS

- A teacher shall have completed with passing grades at least six postsecondary semester units of specified early childhood education classes or have a valid Child Development Assistant permit issued by the California Commission on Teacher Credentialing. A teacher hired with six units must complete at least two additional units each semester until fully qualified.
- A fully qualified teacher shall have 12 postsecondary semester units in early childhood education from an accredited college and six months of work experience in a licensed Child Care Center or similar program. The units specified shall include courses covering child growth and development; child, family and community; and program/curriculum.
- A teacher shall complete 15 hours of health and safety training, if necessary, pursuant to Health and Safety Code, Section 1596.866.

101216.2 TEACHER AIDE QUALIFICATIONS

- An aide in a Child Care Center must be 18 years of age, a high school graduate, or be currently participating in an occupational program at high school.
- An aide shall work only under the direct supervision of a teacher.
- An aid may escort or assist children in going to the bathroom and may supervise napping children without being under the direct supervision of a teacher.

101216.3 TEACHER – CHILD RATIO

- There shall be a ratio of one teacher visually observing and supervising no more than 12 children in attendance. The total number of children shall not exceed licensed capacity.
- Activities outside the center pose additional hazards to children. A ratio of one adult to six children should be obtained with the use of volunteers.
- The licensee may use teacher aides in a teacher-child ratio of one teacher and one aide for every 15 children.
- A ratio of one fully qualified teacher and one aide for every 18 children is allowed if the aide has six semester units of early childhood education from an accredited college.
- The director may be included in the teacher-child ratio when the director is actually teaching a group of children.
- Licensees shall maintain an up-to-date list of qualified substitutes.
- A teacher is not required to perform housekeeping or maintenance duties that prevent him/her from performing duties related to providing care and supervision to children.

- Persons employed for clerical, housekeeping and maintenance functions are not included as teachers in the teacher-child ratio.

101216.4 TODDLER COMPONENT

- Licensees serving preschool-age children may create a special program component for children between the ages of 18 months and 30 months.
- A ratio of six children to each teacher shall be maintained for all children in attendance in the toddler program.
- The maximum group size with two teachers, or one fully qualified teacher and one aide shall not exceed 12 toddlers.
- The toddler program must be physically separate.

101218.1 ADMISSION PROCEDURES

- The licensee shall have policies that allow the center to understand the state of the child's health and development and to assess whether the center can meet the individual needs of the child.
- The child's authorized representative will receive written information about the center's policies including services, activities, hours, fees and procedures to be followed in the case of emergency, illness or injury.
- The licensee shall inform the parents or authorized representative of his/her rights including the right to enter and inspect the Child Care Center, to file a complaint against the licensee with the local licensing office, and to review at the center the licensing visit reports, or the center's public file at the licensing office.
- The licensee shall post the PUB 393, Child Care Center Notification of Parents' Rights Poster, in a prominent accessible area at the center.

101219 ADMISSION AGREEMENTS

- The licensee and the child's authorized representative shall complete a current individual written admission agreement for the child. This document must specify the basic services, payment provisions, modification conditions, refund conditions, the rights of the Department, and termination provisions.

101220 CHILD'S MEDICAL ASSESSMENTS

- Prior to, or within 30 calendar days following enrollment, the licensee will obtain a licensed physician's written medical assessment of the child. The assessment must be less than one year old.

101220.1 IMMUNIZATIONS

- Prior to admission to a Child Care Center, children shall be immunized against diseases as required by the California Code of Regulations, Title 17.
- The licensee is permitted to exempt a child from this requirement if either a physician provides a written statement that an immunization should not be given to the child or the child's authorized representative provides a written statement that immunizations are contrary to his/her personal or religious beliefs.
- A child who does not meet any of these requirements shall not be admitted to a Child Care Center.
- The licensee must document and maintain each child's immunizations record for as long as the child is enrolled.

101221 CHILD'S RECORDS

- A separate, complete and current record for each child must be maintained.
- All information and records obtained from or regarding children are confidential.

101223 PERSONAL RIGHTS

- The licensee will ensure that each child is accorded the following personal rights:
 - To be accorded dignity in his/her personal relationships with staff.
 - To receive safe, healthful and comfortable accommodations.
 - To be free from corporal or unusual punishment, infliction of pain, humiliation, intimidation, ridicule coercion, threat, mental abuse or other actions of a punitive nature including interference with functions of daily living such as eating, sleeping or toileting or withholding of shelter, clothing, medication or aids to physical functioning.
 - To be free to attend religious services or activities of his/her choice.
 - Not to be locked in any room, building or center premises.
 - Not to be placed in any restraining device.
 - The center must inform each child's authorized representative of these rights and provide a copy of the Personal Rights form. This form must also be posted.

101223.2 DISCIPLINE

- Any form of discipline or punishment that violates a child's personal rights is not permitted regardless of authorized representative consent or authorization.

101224 TELEPHONES

- All Child Care Centers shall have working telephone service onsite.

101225 TRANSPORTATION

- Only drivers licensed for the type of vehicle operated shall be permitted to transport children.
- Motor vehicles used to transport children shall be maintained in safe operating condition.
- All vehicle occupants shall be secured in an appropriate restrain system. Children shall not be left in parked vehicles.

101226 HEALTH-RELATED SERVICES

- The licensee shall immediately notify the child's authorized representative if the child becomes ill or sustains an injury more serious than a minor cut or scratch.
- The licensee shall document all minor injuries and notify the child's authorized representative of the nature of the injury when the child is picked up from the center.
- The licensee shall make prompt arrangements for obtaining medical treatment for any child as necessary.
- The licensee shall maintain first-aid supplies.
- In centers where the licensee chooses to handle medications:
 - Medications must be kept inaccessible to children.
 - Prescription medications must be administered in accordance with the label directions as prescribed by the child's physician.
 - Nonprescription medications must be administered in accordance with the product label and the written approval and instructions from the child's authorized representative.

101226.1 DAILY INSPECTION FOR ILLNESS

- The licensee shall be responsible for ensuring that children with obvious symptoms of illness are not accepted.
- No child is accepted without contact between center staff and the person bringing the child to the center.

101226.2 ISOLATION FOR ILLNESS

- A center shall be equipped to isolate and care for any child who becomes ill during the day.

101227 FOOD SERVICE

- Food selection, storage, preparation and service shall be safe and healthful and of the quality and quantity necessary to meet the needs of children.
- Meal service is elective.
- Between meals, snacks must be available for all children. Snacks will include servings from two or more of the four major food groups.
- Menus must be in writing and posted at least one week in advance.
- Pesticides and similar toxic substances must not be stored with food.
- Soaps and cleaning compounds must be stored separately from food.
- Kitchens and food areas shall be clean.
- All food shall be protected against contamination.
- Necessary equipment includes a sink, refrigeration, hot and cold running water and storage space. This equipment must be well maintained.

101229 RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION

- The licensee shall provide care and supervision as necessary to meet the children's needs. No child shall be left without the supervision of a teacher at any time. Supervision includes visual observation.

101229.1 SIGN IN AND SIGN OUT

- The licensee will develop, maintain and implement a written procedure to sign the child in/out of the center. The person who signs the child in/out shall use his/her full legal signature. All sign in/out sheets shall be kept for one month.

101230 ACTIVITIES AND NAPPING

- Each center shall provide for a variety of daily activities including quiet and active play, rest and relaxation, eating, and toileting.
- All children shall be given an opportunity to nap or rest without distraction.
- A napping space and a cot or mat must be available for each child under age 5.
- No child shall be forced to stay awake or stay in the napping area longer than the normal napping period.
- A teacher-child ratio of one teacher or aide supervising 24 napping children is permitted provided that the remaining teachers necessary to meet the overall ratios are immediately available at the center.

101231 SMOKING PROHIBITION

- Smoking is prohibited on the premises of a Child Care Center.

101238 BUILDINGS AND GROUNDS

- The center shall be clean, safe, sanitary and in good repair at all times.
- All children shall be protected against hazards.
- Licensees shall ensure the inaccessibility of pools and all bodies of water.
- Disinfectants, cleaning solutions, poisons and items that could pose a danger to children shall be stored where inaccessible to children.
- Storage areas for poisons shall be locked.
- Firearms and other weapons are not allowed on the premises.

101238.2 OUTDOOR ACTIVITY SPACE

- There shall be at least 75 square feet per child of outdoor activity space. The outdoor space shall provide a shaded rest area and permit children to reach the activity space safely.
- The surface of the activity space shall be in a safe condition and free of hazards.
- The areas around and under climbing equipment, swings, slides and similar equipment shall be cushioned with material that absorbs falls.
- Sandboxes shall be inspected daily and kept free of foreign materials.
- The playground shall be enclosed by a fence at least four feet high.
- Hazardous equipment such as a fuse box shall be inaccessible.

101238.3 INDOOR ACTIVITY SPACE

- There shall be at least 35 square feet of indoor activity space per child. This space does not include halls, bathrooms, offices or permanent storage.

101238.4 STORAGE SPACE

- Each child shall have an individual storage space for personal items.
- There must be storage space in the playrooms for materials and equipment.

101239 FIXTURES, FURNITURE, EQUIPMENT, AND SUPPLIES

- A comfortable temperature shall be maintained at all times.
- All window screens shall be in good repair and free of insects and debris.
- Fireplaces and open-faced heaters shall be inaccessible.
- Faucets for children's personal care must deliver hot water.
- All containers used for storing solid wastes must have a tight-fitting cover.
- There must be one toilet and one hand-washing sink for every 15 children.
- Common towels or washcloths are prohibited.
- Tables and chairs scaled to the size of children must be provided.
- All play equipment and materials used by children must be age-appropriate.
- Furniture and equipment must be maintained in good condition.
- A baby walker shall not be allowed on the premises.
- Permanent playground equipment must be securely anchored to the ground.

101239.1 NAPPING EQUIPMENT

- Cots must be maintained in a safe condition.
- Floor mats used for napping must be wiped clean, be at least ¾ inch thick, and marked to distinguish the sleeping side from the floor side.
- Bedding must be individually stored and kept clean.

101239.2 DRINKING WATER

- Drinking water must be readily available both indoors and outdoors.
- Children must be free to drink as they wish.

SCHOOL-AGE CHILD CARE CENTER

101451 GENERAL

- In addition to Child Care Center General Licensing Requirements, school-age centers shall be governed by this chapter.

101471 SCHOOL-AGE CHILD CARE CENTER FIRE CLEARANCE

- In addition to Section 101171, School-age centers located on functioning school sites may submit verification of the school fire inspection. The school fire inspection shall be accepted as sufficient fire clearance for licensing purposes.

101482 ISSUANCE OF A SCHOOL-AGE CHILD CARE CENTER LICENSE

- The Department shall issue a license to an applicant according to Health and Safety Code Section 1597.21, after a completed application has been submitted, and all licensing requirements have been met.

101515 SCHOOL-AGE CHILD CARE CENTER DIRECTOR QUALIFICATIONS AND DUTIES

- In addition to Section 101215.1, the following shall apply:
 - All school-age centers shall have a director. In a combination program, the director of the Child Care Center may also direct the school-age component.
 - Units and training may be combined to meet the total educational requirement: 15 units or 300 training hours, or any combination thereof.
 - As an alternative educational requirement, a director may substitute 6 units in early childhood education with 6 units appropriate to school-age children.
 - As an alternative educational requirement, a director of a school-age program that stands alone may substitute 20 training hours for each required unit of education in Section 101215.1(h)(1). Units and training hours may be combined to meet the total educational requirement.
 - In addition to a 3-unit semester administration course, 3 units in early childhood education, child development or school-age courses, the director may substitute 9 core units from the following: recreation, physical education, human services, units earned toward an elementary or middle school teaching credential, early childhood education, child development or school-age child units.
 - A director is required to complete 12 units or 240 training hours prior to employment. The remaining 3 units must be completed within one year of employment.
 - A director may qualify by possessing an Associate of Arts or a Bachelor's Degree from an accredited or approved college provided at least 3 units or 60 training hours are in early childhood education, child development, or school-age child courses; and 3 units in administration or staff relations.
 - Section 1597.21(f) of the Health and Safety Code allows a director to use alternative approved sources of education.
 - Verification of education shall be by transcript or certificate with hours completed shown on the certificate.

- A director needs to have verified experience of at least 3 hours a day for a minimum of 100 days in a calendar year. Health and Safety Code Section 1597.21 allows for alternative types of experience.

101516.2 SCHOOL-AGE CHILD CARE CENTER TEACHER QUALIFICATIONS AND DUTIES

- In addition to Section 101216.1, the following shall apply:
 - As an alternative education requirement, a school-age teacher may substitute 20 training hours for each required unit. Units and training hours may be combined to meet the total educational requirements of 12 units or 240 training hours, or any combination thereof.
 - School-age teachers may use alternative educational requirements. A teacher may substitute: recreation, physical education, human services, units earned toward an elementary or middle school teaching credential; early childhood education, child development or school-age child units.
 - A teacher is required to complete 6 units prior to employment.
 - Health and Safety Code, Section 1597.21(f), allows a teacher to use alternative approved sources of education.
 - Alternative types of experience may also be accepted. To be a fully qualified schoolage teacher, experience must be verified showing at least 3 hours a day for a minimum of 50 days in a six-month period.
 - In a combination center, a fully qualified teacher shall be designated to work closely with the director planning the daily activities of the school-age center.

101516.5 TEACHER-CHILD RATIO

- In addition to Section 101216.3, the following shall apply:
 - One teacher to supervise no more than 14 children.
 - One teacher and 1 aide can supervise no more than 28 children.
 - Staffing for mixed-age groups shall be based on the youngest child in the group.
 - Directors may be counted in the ratio when actually working with groups of children.

101520 MEDICAL ASSESSMENTS

- Notwithstanding Section 101220, the licensee shall not be required to document medical assessments on school-age children who are enrolled in a public or private school.

101520.1 IMMUNIZATIONS

- Notwithstanding Section 101220.1, the licensee is not required to document immunizations of children also enrolled in a public or private elementary school.

101521 CHILD'S RECORDS

- In addition to Section 101221(except (h)(8)), the following shall apply:
 - The licensee shall obtain from the child's representative, a health background related to the child's ability/inability to participate in center activities.

101526.1 DAILY INSPECTION FOR ILLNESS

- In addition to Section 101226.1, upon arrival or admittance to the center, school-age children shall be observed for signs of illness. If a child is found to be ill, follow Section 101226.

101527 FOOD SERVICE

- In addition to Section 101227, before and after school programs shall offer nutritious snacks to children.

101529.1 SIGN-IN AND SIGN-OUT

- In addition to Section 101229.1:
 - Center staff shall sign in a school-age child who arrives at the center on their own.
 - Center staff shall sign out a school-age child whose authorized representative has agreed in writing to allow the child to leave the center on their own.

101538.2 OUTDOOR ACTIVITY SPACE FOR SCHOOL-AGE CHILDREN

- In addition to Section 101238.2:
 - Outdoor activity space for school-age children shall be physically separated from space provided other children at the center.
 - School-age child care programs that are operated on the site of a functioning school ground are exempt from square-footage requirements.

101538.3 INDOOR ACTIVITY SPACE FOR SCHOOL-AGE CHILDREN

- In addition to Section 101238.3, the following applies:
 - Indoor space for school-age children shall be physically separated from space provided other children in the center.
 - School-age child care programs that are operated on the site of a functioning school are exempt from square-footage requirements.

101539 FIXTURES, FURNITURE, EQUIPMENT AND SUPPLIES

- In addition to Section 101239, the following applies:
 - Toilets used by school-age children shall provide privacy. Toilet facilities shall not be used simultaneously by children of both sexes.
 - School-age programs that operate on the site of a functioning school are exempt from toilet requirements.

INFANT CARE CENTERS

101351 GENERAL

- Child Care Centers providing infant care shall be governed by the requirements of this subchapter. These centers shall also be governed by the previously listed Child Care Center General Licensing requirements.

101361 LIMITATIONS ON CAPACITY AND AMBULATORY STATUS

- A child, whose developmental needs require continuation in an Infant Care Center, may remain in an Infant Care Center up to the age of three years.

101415 INFANT CARE CENTER DIRECTOR QUALIFICATIONS AND DUTIES

- An infant center director must meet the requirements of Section 101215.1, and the following:
 - Experience requirements shall be completed in an Infant Care Center or a comparable group child care program with children less than five years of age.
 - At least 3 semester units completed must be related to infant care.

- When the infant director is temporarily away from the center, the director shall appoint a substitute director.
- In centers where an assistant director is required, the assistant director shall act as a substitute.
- A fully qualified infant care teacher can act as a substitute for the director, or the assistant director.
- If the director's absence is more than 30 consecutive days, a substitute director shall meet the qualifications of a director.

101415.1 ASSISTANT INFANT CARE CENTER DIRECTOR QUALIFICATIONS AND DUTIES

- An assistant director shall be present if the center has 25 or more infants in attendance.
- The assistant director has to be a fully qualified infant teacher and have completed, with passing grades, at least three semester units in administration at an approved college. This course work may be completed within one year of employment as the assistant director.
- The assistant director shall work under the direction of the center director.

101416.2 INFANT CARE TEACHER QUALIFICATIONS AND DUTIES

- In addition to Section 101216.1, infant care teachers need to have taken and passed, at least 3 semester units in early childhood education or child development, and 3 semester units in the care of infants from an approved college.
- After employment, a teacher who has not completed the 12 required semester units, shall complete with passing grades, at least 2 units each semester until the 12 semester units are completed.
- To be a fully qualified infant care teacher a teacher shall:
 - Complete 12 semester units, with passing grades, in early childhood education or child development. At least 3 units shall be related to the care of infants.
 - Have at least 6 months experience in a licensed infant care program or comparable program for children under five years old.
- The center must keep photocopies of teachers' transcripts.
- The infant care teacher provides direct care and supervision to infants under the supervision of the director.
- Teachers shall visually observe aides working with infants except when those infants are sleeping.

101416.3 INFANT CARE AIDE QUALIFICATIONS AND DUTIES

- An aide must meet the requirements of Section 101216.2, and the following:
 - An aide must work under the supervision of the director or a fully qualified teacher, except when observing sleeping infants.
 - Aides shall participate in an on-the-job training program.
 - An aide shall provide direct care and supervision to infants.

101416.5 STAFF-INFANT RATIO

- There shall be a ratio of one teacher to every four infants.
- An aide may be substituted for a teacher if there is a fully qualified teacher directly supervising no more than 12 infants, and each aide is responsible for supervising no more than 4 infants.
- When in activities away from the center there shall be a minimum of one adult to every two infants.
- The director may be counted in the staff-infant ratio when actually working with infants.

- There shall be one staff visually observing no more than 12 sleeping infants, as long as additional staff are available at the center to meet the above ratios when necessary.

101416.8 STAFFING FOR INFANT WATER ACTIVITIES

- A ratio of one adult to two infants shall be required during activities near a swimming pool or any natural body of water.

101417 TODDLER COMPONENT IN AN INFANT CARE CENTER

- Licensees serving infants may create a special program component for children between 18 and 30 months.
- A ratio of one teacher for every 6 toddlers is required.
- An aide participating in on-the-job training can substitute for a teacher when directly supervised by a fully qualified teacher.
- Maximum group size is two teachers to 12 toddlers.
- The toddler program shall be conducted in areas physically separate from those used by older or younger children.

101419.2 INFANT NEEDS AND SERVICES PLAN

- A plan must be completed and on file for every infant prior to attending the center. This plan must be signed by the authorized representative.
- The plan shall include: an individual feeding plan, individual toilet training plan, and any services needed different from those provided by the program.

101419.3 MODIFICATIONS TO INFANT NEEDS AND SERVICES PLAN

- The plan shall be updated quarterly or as often as necessary.

101423.1 INFANT CARE DISCIPLINE

- In addition to 101223.2, no infant shall be confined to a crib, high chair, playpen, or any other furniture or equipment as a form of discipline.

101425 INFANT CARE TRANSPORTATION

- Driver has to be 18 years old or older to transport infants.
- The vehicle must contain a first-aid kit.
- Children must be secured in a child passenger restraint system, i.e., a car seat.
- Staff/infant ratios must be maintained whether the vehicle is moving or parked.
- Infants in vehicles shall have constant adult supervision and shall not be left unattended.

101426.2 INFANT CARE ISOLATION FOR ILLNESS

- In addition to 101226.2, the isolation area must have a crib, cot, mat or playpen for each ill infant. This isolation area must be under constant visual supervision by staff.

101427 INFANT CARE FOOD SERVICE

- In addition to 101227, the following shall apply:
 - Each infant shall have an individual feeding plan completed prior to the infant's first day at the center. This plan must be developed by the director, infant's representative and/or physician.

- The plan shall include: instructions for infant's special diet, feeding schedule, breast milk or formula, schedule for introduction to solid/new foods, food consistency, likes and dislikes, allergies, schedule for introduction of cups and utensils.
- This plan shall be updated as often as necessary.
- Bottle fed infants shall be fed at least every four hours.
- Infant Care Centers shall have appropriate food available for the infant.
- The center shall provide only commercially prepared formulas that are stored and prepared in accordance with the label.
- The infant's representative may provide formula or breast/mother's milk. Such formula or milk shall be bottled before being accepted by the center.
- Bottles shall be labeled.
- Center may heat formula or breast/mother's milk.
- Center must keep a supply of nipples. Bottles/nipples can not be shared between infants unless sterilized.
- Infants unable to hold a bottle shall be held by staff for bottle feeding.
- Bottles cannot be propped; infants shall not carry a bottle while ambulatory; a bottle given to an infant able to hold his/her own, shall be unbreakable.
- High chairs or appropriate seating equipment shall be used for infants during feeding. Infants unable to sit unassisted shall be held by staff for feeding.
- Bottles, dishes and food containers brought from infant's home shall be labeled with infant's name and current date.
- Formula partially consumed in a bottle shall be discarded at end of each day.
- Food shall be discarded if not consumed within 72 hours of date on the container label.
- The Infant Care Center shall not serve honey.
- Commercially prepared baby food in jars shall be transferred to a dish before being fed to the infant. Any food left over in the dish at end of a meal shall be discarded.
- Mother may make arrangements with center for privacy to nurse infant.
- Bottles and nipples in center shall be sterilized.
- Infants shall not be bathed in, and diapers or clothing shall not be rinsed in, the food preparation area.

101428 INFANT CARE PERSONAL SERVICES

- There shall be a written toilet-training plan for each infant being toilet trained.
- Whenever a potty chair is used, it shall be placed on the floor and promptly emptied, cleaned, and disinfected after each use.
- No child shall be left unattended while on a potty chair or seat.
- Each child shall receive instruction and assistance in hand washing after use of the toilet.
- The infant shall be kept clean and dry at all times.
- Soiled or wet clothing provided by the infant's representative shall be placed in an airtight container and given to the representative at the end of the day.
- When changing an infant's diaper, each infant shall be on a changing table and no infant shall be left unattended while on that changing table.
- Towels and washcloths used for cleaning infants shall not be shared and shall be washed after each use.
- The changing table shall be disinfected after each use.

101429 RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION FOR INFANTS

- In addition to 101229, each child shall be constantly supervised and under direct visual observation by a staff person at all times. Under no circumstances shall any infant be left unattended.

101430 INFANT CARE ACTIVITIES

- The center shall implement a written plan to ensure the provision of indoor and outdoor activities designed to meet the needs of the infants, including but not limited to, quiet and active play; rest and relaxation; eating; toileting; individual attention; being held by a caregiver.
- All infants shall be given the opportunity to nap/sleep without distraction or disturbances.
- No infant shall be forced to sleep, stay awake, or stay in the napping area.

101438.1 INFANT CARE GENERAL SANITATION

- All items used by pets and animals shall be kept out of the reach of infants.
- Each caregiver shall wash his/her hands with soap and water before feeding and after each diaper change.
- Areas that infants have access to shall be washed, cleaned and sanitized as follows: floors shall be vacuumed or swept and mopped daily and as often as necessary. Carpeted floors shall be vacuumed daily and cleaned at least every 6 months. Walls shall be washed with a disinfecting solution at least weekly.
- The diaper changing area shall be disinfected including walls and floors; dispensers for talc, lotion, soap and paper towels; countertops, sinks, drawers and cabinets.
- Objects that are used by infants that are mouthed shall be washed and disinfected.
- All disinfectants and other hazardous materials shall be stored inaccessible to infants.

101438.2 OUTDOOR ACTIVITY SPACE FOR INFANTS

- In addition to Section 101238.2, the following shall apply:
 - Outdoor space shall be physically separate from space used by children not in the infant center.
 - There shall be age-appropriate toys and equipment.

101438.3 INDOOR ACTIVITY SPACE FOR INFANTS

- In addition to Section 101238.3, the following shall apply:
 - Indoor space for infants shall be physically separate from space used by older children not in the infant center.
 - The sleeping area for infants shall be physically separate from the indoor activity space.
- The indoor activity space shall be equipped with age-appropriate washable toys and equipment.

101439 INFANT CARE CENTER FIXTURES, EQUIPMENT AND SUPPLIES

- In addition to Section 101239, the following shall apply:
 - There shall be appropriate furniture and equipment such as cribs, cots or mats, changing tables and feeding chairs.
 - High chairs or low-wheeled feeding tables or any equipment used for seating an infant shall have broad-base legs.
 - No infant shall be permitted to stand up in a high chair.
 - All equipment shall be washed/disinfected after each use.
 - Infant changing tables shall have a padded surface no less than 1 inch thick; raised sides at least 3 inches high; kept in good repair, within an arm's reach of a sink, and not located in the kitchen or food preparation area.

- There shall be one hand washing sink for every 15 infants and one potty chair for every 5 infants being toilet trained.
- Infants shall not be permitted to play with the potty chair.
- Toy storage containers shall be safe and maintained in good condition.
- Containers shall not be lockable.
- Toys shall be safe and not have any sharp edges, or small parts.
- Fixtures, furniture, equipment or supplies shall not be made of or contain toxic substances.

101439.1 INFANT CARE CENTER NAPPING EQUIPMENT

- In addition to Section 101239.1, the following shall apply:
 - A standard size six-year crib or porta-crib shall be provided for each infant who is unable to climb out of a crib.
 - Cribs shall not limit the ability of staff to see the infant.
 - Cribs shall not limit the infant's ability to stand upright.
 - Crib mattresses shall be covered with vinyl or similar moisture-resistant material; shall be wiped and disinfected daily and when wet or soiled.
 - Cribs shall be maintained in a safe condition.
 - Each crib shall be occupied by only one infant at a time.
 - Each infant's bedding shall be used by him/her only, and replaced when wet or soiled.
 - Cribs, mats or cots shall be arranged so as to provide a walkway and work space between the cribs, mats or cots sufficient to permit staff to reach each infant without stepping over any other infant.

Effective January 1, 2007 – Assembly Bill 633 (Benoit)

Documents to be Made Accessible to the Public:

The licensee, upon receipt, shall make accessible to the public any licensing report, any licensing documents that document a noncompliance conference between licensing management and the licensee, and/or a copy of an Accusation that indicates the licensing agency's intent to revoke the facility's license.

Documents to be Provided to Parents/Legal Guardians:

Upon receipt by the licensee, the licensee is to provide to parents/guardians the following:

- Copies of any licensing report that documents a Type A citation – this includes facility visits and substantiated complaint investigations
- Copies of any licensing documents pertaining to a noncompliance conference between licensing management and licensees
- Copies of a summary of an accusation indicating the Department's intent to revoke the facility's license
- Copies of any of the above licensing documents the licensee has received in the prior 12 months should be provided to parents/guardians of newly enrolling children

The licensee shall keep verification of receipt in each child's file at the facility

Administration of Child Care Programs:

Within 90 days of employing a new director a Child Care Center licensee shall secure verification that the newly hired director has completed attendance at an orientation given by Licensing and verification of such shall be kept on file.

101171 FIRE CLEARANCE

- All Child Care Centers shall secure and maintain a fire clearance.

101173 PLAN OF OPERATION

- Each licensee shall keep on file a current, written, definitive plan of operation. This document must contain the program methods; goals; admission policies, procedures, and agreement; the administrative organization and staffing plan; a sketch of the building; sample menus and transportation arrangements.

101174 DISASTER PLAN

- Each licensee shall have a disaster plan of action in writing.
- Disaster drills shall be documented and conducted every six months.

101175 WAIVERS AND EXCEPTIONS FOR PROGRAM FLEXIBILITY

- The Department has the authority to approve the use of alternate concepts, programs, services, equipment, space, qualifications, ratios and demonstration projects when there is an alternative for safe and adequate services submitted in writing with substantiating evidence to support the request.

101179 CAPACITY DETERMINATION

- A license is issued for a specific capacity which is the maximum number of children that can be cared for at any given time. The number of children is determined by the fire clearance; the physical features of the Child Care Center, including available space; and the available staff to meet the care and supervision needs of the children.

101182 ISSUANCE/TERM OF LICENSE

- A separate license is issued for each age component.
- At least one director or teacher at the center shall have 15 hours of training on preventive health practices including pediatric cardiopulmonary resuscitation and pediatric first aid. A staff member with certification in pediatric CPR and first aid shall be present at all times.

101187 APPLICATION/ANNUAL FEES

- The licensee shall be charged application and annual fees.

101193 DEFICIENCIES IN COMPLIANCE

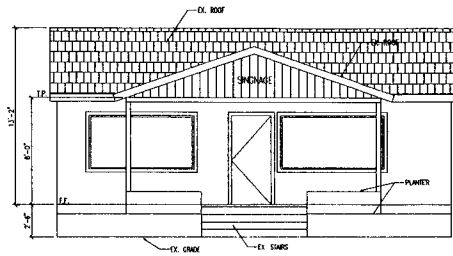
- If during a licensing evaluation the evaluator determines that a deficiency exists, a notice of deficiency will be issued in writing, unless the deficiency is corrected during the visit.
- The person in charge of the facility shall meet the evaluator to discuss any deficiencies noted and to jointly develop a plan of correction.

101200 INSPECTION AUTHORITY

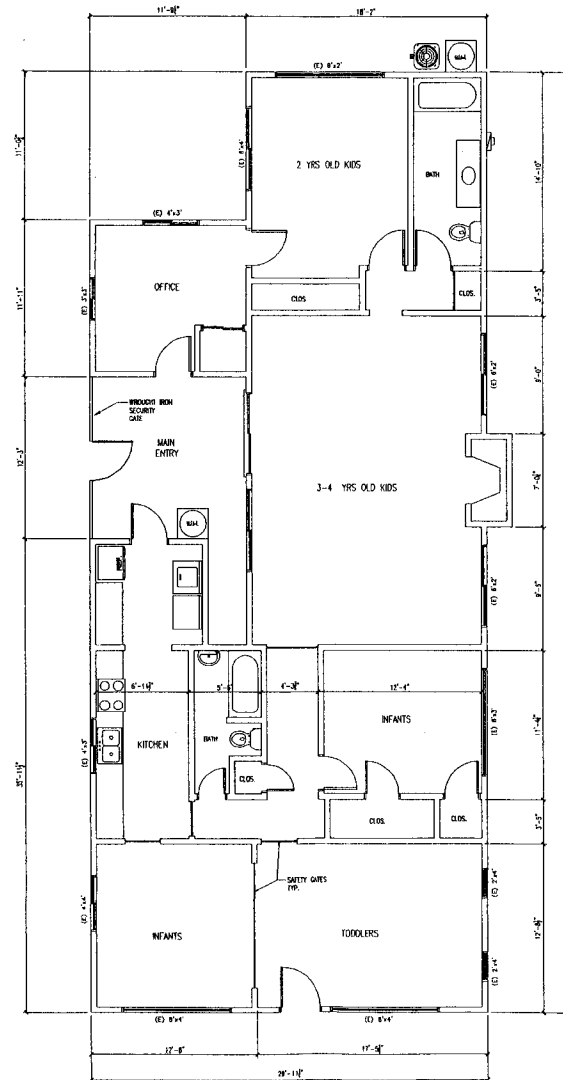
- The Department has inspection authority to enter and inspect a facility without advance notice.
- The Department has the authority to interview children or staff, and to inspect and audit child or Child Care Center records, without prior consent.

101206 REVOCATION OR SUSPENSION OF LICENSE

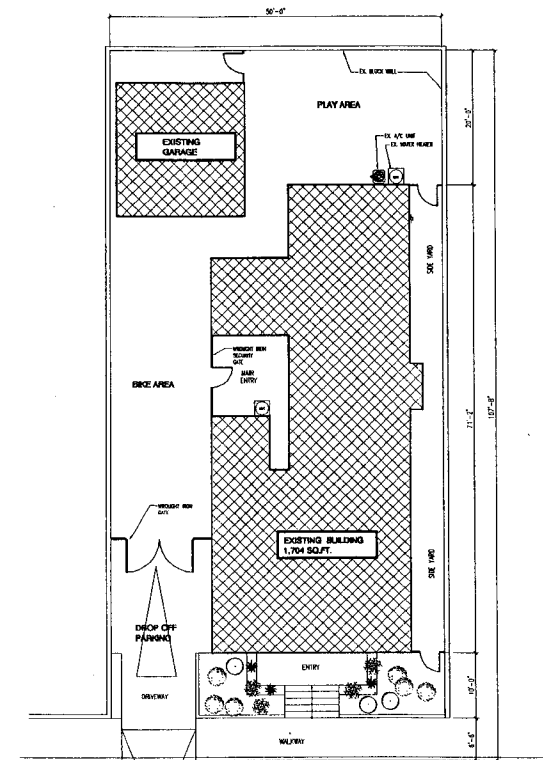
- The Department has the authority to suspend or revoke a license.



8 FRONT ELEVATION
1/4" = 1'-0"



2 FLOOR PLAN
1/8" = 1'-0"



① SITE PLAN
1/8" = 1'-0"

DEL AMO BLVD

[illegible]



CITY OF LONG BEACH

Department of Planning and Building

333 WEST OCEAN BOULEVARD ■ LONG BEACH, CALIFORNIA 90802 ■ (562) 570-6194 FAX (562) 570-6068

APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the

() Zoning Administrator on the 16 day of NOVEMBER 2006.

(X) Planning Commission

APPELLANT: JESSE A. BROWNAPPLICANT: PAT BROWNProject address: 85 W. IDEL AND BLVDPermits requested: APPROVAL OF A CONDITIONAL USE PERMIT
AND STANDARDS VARIANCE

Project description: _____

OPERATION OF A CIVILCARE CENTER
WITH LESS THAN CODE REQUIRED PARKING (COUNCIL DIST. 8)Reason for appeal: TRAFFIC DATA INCOMPLETE, R-1 ZONING
TO COMMERCIAL PROPERTY, INADEQUATE STAFF
PARKING

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the () Zoning Administrator or (X) Planning Commission and () approve or (X) deny this application.

Signature of Appellant: Jesse A. BrownPrint name of Appellant: JESSE A. BROWNMailing address: 353 E. PLENTY ST. LONG BEACH, CA. 90805Phone No.: (562) 208-8220

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter staff: C Jackson Case No. 06 05-20 Date: 11/22/06

Filing Fee required: (X) Yes () No Application complete: (X) Yes () No