



STAFF REPORT

MEETING DATE: August 23, 2021

AGENDA ITEM TITLE: Ordinance Amending Chapter 16 of the City of Salida Municipal Code to address changes to family child care homes required by recent State Legislation

AGENDA SECTION: Public Hearing

REQUEST:

The request is to amend Chapter 16 of the City of Salida Municipal Code, regarding land use and development, to address changes to the family child care homes required by recent State legislation.

APPLICANT:

City of Salida, Community Development Department

PROCESS:

State legislation regarding family child care homes will take effect on September 8, 2021. City Council conducted the first reading of Ordinance 2021-13 on August 17th, and Council will hold a public hearing on September 7th. Planning Commission will make a recommendation to City Council for the public hearing on September 7th.

OBSERVATIONS:

HB21-1222 regarding the regulation of family child care homes will take effect on September 8, 2021. This act requires local governments to treat family child care homes as residential property when it comes to zoning, land use, fire and life safety, sanitation, and building code regulations. Local governments cannot impose regulations on family childcare homes unless the regulations apply to all residential properties. Under this bill, a family child care home is a type of state-licensed child care facility serving up to 12 children and operated by a person who resides in the same dwelling where the care is provided. A local government retains the ability to prohibit, on a case-by-case basis, the operation of childcare homes in immediately adjacent residences of two or more large family child care homes to manage the flow of traffic and parking.

The proposed ordinance is to amend Chapter 16 of the City of Salida Municipal Code to comply with HB21-1222.

REVIEW AGENCY COMMENTS:

None.

REVIEW STANDARDS:

None.

RECOMMENDED FINDINGS:

The proposed Ordinance 2021-13 addresses the changes required by recent State Legislation regarding family child care homes.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission recommend the Council approve the proposed amendment.

RECOMMENDED MOTION:

“I make a motion to recommend the City Council approve Ordinance 2021-13 amending Chapter 16 of the City of Salida Municipal Code to address changes to family child care homes required by recent State legislation.”

Attachments:

Ordinance 2021-13