

4



Long-Range Planning for Child Care; the General Plan

The planning policies adopted by each city and county can be powerful tools to encourage the development of child care within the community. A jurisdiction's land use powers begin with the creation of the general plan, and are reflected in specific zoning regulations that govern development. The need for and desirability of child care should be reflected at each juncture in the planning process.

Each community's general plan is a "constitution" for development, comprising the foundation upon which all land use decisions are based. The plan encompasses a local jurisdiction's entire geographical planning area, addressing the broad and evolving range of issues associated with the jurisdiction's development, including physical, social, and economic concerns.

Decision-makers who wish to encourage the development of child care should begin by incorporating child care policies in the community's general plan. As stated in *Planning For Child Care* by Abby J. Cohen, Esq.: "The development of the general plan and its constituent elements presents child care advocates and the public with the opportunity to:

- (1) Make child care as important as other services when long range planning is done;
- (2) Develop a legal basis for requesting that child care needs be considered before building permits, site permits, subdivision approvals and other land use approvals are given;
- (3) Develop a legal basis for zoning ordinances which would be favorable to the establishment of child care; and
- (4) Educate decision-makers and the public about the need for child care and the importance of planning affirmatively for it."

State law requires each city or county to include seven elements in the general plan. These include Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety. In addition, cities and counties may voluntarily add other elements judged desirable by the jurisdiction. This flexibility enables communities to incorporate child care in their general plans through an independent child care element or via another element or section of the plan.



Most commonly, child care has been incorporated into another element or sub-element of the plan. More than 25 cities and counties in California have included child care objectives in existing elements of their general plans. The elements most commonly targeted are Community Development, Community or Human Services, Public Facilities, and Land Use.

In addition to language in the general plan, some cities have developed a set of child care policies or a child care master plan. Both child care policies and a child care master plan provide a framework for future planning decisions that involve child care considerations. San Jose and Sunnyvale are examples of cities that have developed child care policies, while Palo Alto has developed a child care master plan.

Proposed Legislation

In addition to local policies, child care land use can be affected by state legislation. AB 2954 (Simitian 6/25/02) would require, upon the adoption or amendment of a city or county's general plan, on or after January 1, 2004, the land use element of the general plan to address the distribution of child care center facilities. At printing, this bill has passed the Assembly and the Senate Appropriations committee, and is due to be addressed by the Senate Rules Committee.