

SENATE THIRD READING
SB 299 (Cabaldon)
As Amended August 21, 2026
Majority vote

SUMMARY

Expands existing California Environmental Quality Act (CEQA) exemptions for day care centers located in residential areas, while excluding projects located within 3,200 feet of a facility that actively extracts or refines oil or natural gas and projects located on natural and protected lands, as defined.

Major Provisions

- 1) Exempts from CEQA a project that consists exclusively of a day care center that is located in a residential area.
- 2) Provides that the exemption does not apply to a project located within 3,200 feet of a facility that actively extracts or refines oil or natural gas or to a project located on natural and protected lands.

COMMENTS

The primary effect of the bill is to exempt stand-alone day care center projects located in residential areas, which are not clearly covered by the several existing CEQA exemptions, and were excluded for no apparent reason from the hastily-drafted exemption added last year by SB 131. This bill's exemption includes larger preschool and school daycare projects that may not be considered a residential use by the city or county reviewing the project. While the bill provides a CEQA exemption for such projects, it does not override local zoning.

The proposed day care center in Napa that gave rise to this bill is located in a 20,000 square foot former church in a residential area and is planned to accommodate 250 children.

According to the Author

Last year, the Legislature enacted CEQA reform intended to streamline approval of childcare facilities. In practice, the language has limited the effectiveness of that exemption, particularly for facilities located on parcels zoned exclusively for residential use.

SB 299 provides that childcare facilities are not subject to CEQA delay where no meaningful environmental impacts are at issue. Most CEQA challenges to childcare projects in residential areas are unrelated to air, water, or natural resource protection and instead reflect local opposition to neighborhood-serving uses. SB 299 ensures families can access childcare close to home, consistent with both environmental values and community needs.

Arguments in Support

Writing in support of this bill, the Rural County Representatives of California and a diverse coalition of organizations argue, "CEQA has recently been used in an attempt to derail a daycare facility in Napa." Le Petit Elephant Nursery and Preschool (LPE) was founded in Napa in December 2015. Ten years later, LPE sought to expand into a new facility to accommodate additional children. LPE received the necessary local approvals and was awarded state, local, and federal grants. The coalition writes:

But then local neighbors filed a lawsuit to block the project, even complaining about the impacts that would be caused by the sounds of children in their neighborhood and youth-based activities at the center. The litigation nearly derailed the project, as the delay cost LPE a pre-approved Small Business Administration Loan that could only be replaced with a high-fee bridge loan.

Arguments in Opposition

None received.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, negligible state costs.

VOTES

SENATE FLOOR: 39-0-1

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Gonzalez

ASM NATURAL RESOURCES: 13-0-1

YES: Bryan, Ellis, Alanis, Connolly, Garcia, Haney, Hoover, Kalra, Macedo, Pellerin, Schultz, Wicks, Zbur

ABS, ABST OR NV: Muratsuchi

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Arambula, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

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