



DAYCARE REQUIREMENTS IN CUMBERLAND COUNTY

Cumberland County divides Day Care into two categories; (1) In Home (Home Occupation) Day Care and (2) Commercial Day Care. Following is some basic information we hope you will find useful if you are considering going into the day care business.

DAYCARE APPLIATION PROCESS

There are several ways to go into the day care business. You may have a day care in your home, you may build a new daycare, you may convert an existing building to a day care or you may acquire an existing day care. In each scenario there are zoning requirements, state fire code requirements, and NC Childcare requirements to meet. The following is a brief description of the process you must go through to have your site approved.

1. **CONTACT DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF CHILD CARE DEVELOPMENT:** 919-662-4527. Web Page: www.ncdhhs.gov
This office Issues your State Permits for Day Care.
2. **SUBMIT APPLICATION TO CODE ENFORCEMENT:**
Home Occupation = *Miscellaneous Application*
New Day Care Center = *Building/Zoning Application*
Converting an existing building to a Day Care Center = *Miscellaneous Application*
Acquiring Existing Facility = *Miscellaneous Application*
These forms can be obtained at our office located in Rm. 101, Historic Court House, 130 Gillespie St. or on the internet at: www.co.cumberland.nc.us/planning/applications.asp
3. **SUBMIT SITE PLAN TO PLANNING:** Day Care is allowed in all County Zoning Classifications except the CD – Conservancy District as indicated in the attached Use Matrix. Site plan review, for new centers & conversions, is required in the non-residential zones of C1(P), C2(P) & C(P). This review will determine what you will need to do to bring the property into compliance with the County Zoning Ordinance. In all other zones (except CD), a Special Use Permit must be approved by the Cumberland County Board of Adjustment. A site plan is part of the application submitted for review by this Board. Site plans are submitted to the Planning Staff in Rm. 103, Historic Court House, 130 Gillespie St.
For details on site plan review contact the Planning Staff @ 678-7765.
4. **PROVIDE CONSTRUCTION PLANS:** These are submitted with your application.
New Centers: All New Centers will require TWO complete sets of drawings prepared by a North Carolina Licensed Engineer or Architect when required. A complete set of drawings should include the following:
Site Plan, Architectural Plans, Structural Plans, Plumbing Plans, Mechanical Plans, Electrical Plans, Fire Alarm Plans, and Sprinkler System Plans if Required. These plans should include the information listed in A & B in the next section Day Care in Existing Buildings.

Day Care In Existing Buildings: It is recommended that a designer with specific experience in the building of day cares be consulted when creating the plans and details listed in this procedure. Along with meeting Current NC Building Code requirements the following specific information is necessary to complete the plan review process:
 - A. A floor plan must be drawn to scale detailing the following:
 - a. Complete dimensions for ALL rooms, including hallways
 - b. List the finishes on ceilings, walls and floors as well as ceiling heights for all rooms and hallways
 - c. Show the location of interior and exterior doors; include the dimensions and the swing of each door

- d. Show the location of windows; include the dimensions and operation of each window, noting the sill height above the finished floor
 - e. Show all fixtures and devices relating to:
 - Plumbing – Lavatories, water closets, and drinking fountains
 - Electrical – Location of the panel box, lights, and G.F.I. devices
 - Mechanical – Type of heating and cooling system and all exhaust fan locations in bathroom and kitchen
 - f. Show all fire alarm devices, including the location of all smoke detectors and fire extinguishers
 - g. Show site plan detailing parking requirements, such as the number of parking spaces and designated handicap spaces
 - h. Show handicap accessibility devices, such as grab bars in bathrooms and handicap ramps
- B. Occupancy classification of the building must be determined. Each would be designated as R-3, R-4, I-2, I-4 or E. Indicate the ages of children that will occupy the building.
5. **BUILDING EVALUATION:** An existing building must be evaluated by your architect or engineer. Code enforcement staff will no longer perform these evaluations. If any corrections are needed, they must be performed by a North Carolina licensed contractor when required. If permits are required, a NC licensed contractor must acquire the required permit prior to starting work which could include building, electrical, plumbing and mechanical. Your contractor will be responsible for scheduling inspections during the appropriate phase of construction. When all construction is complete and has passed final inspections, you will receive your Certificate of Occupancy (C.O.). This document allows you to occupy the building.
6. Other local offices you will need to contact are the County Fire Marshall @ 910-321-6736; Health Department @ 910-433-3660.

IN HOME DAYCARE

ZONING REQUIREMENTS

Cumberland County allows you to care for children in your personal residence. The zoning ordinance refers to this as a Home Occupation. Section 1002 A, of the zoning ordinance, describes the criteria for home occupations as follows:

A home occupation shall be permitted as an accessory use to any dwelling unit and may be conducted in the principal structure or an accessory structure provided that:

1. The principal person or persons providing the business or service resides in the dwelling on the premises;
2. The area used for the business or service does not exceed 25 percent of the combined floor area of the structures or 500 square feet, whichever is less;
3. All work associated with the home occupation is conducted inside the designated building(s);
4. An attached sign not more than two square feet in area is allowed;
5. The property contains no outdoor display or storage of goods or services associated with the home occupation;
6. The home occupation causes no change in the external appearance of the of the existing building and structures of the property;
7. One additional parking space is allowed;

8. Wholesale sales of goods do not occur on the premises;
9. The home occupation employs no more than one person who does not reside on the premises;
10. The home occupation does not create and parking congestion, noise, vibration, odor, glare, fumes or electrical or communications interference which can be detected by the normal senses off the premises, including visual or audible interference with radio or television reception;
11. One vehicle, no heavier than $\frac{3}{4}$ ton, used in connection with the home occupation is permitted and shall be located on the premises in such a manner, so as not to disrupt the quiet nature and visual quality of the neighborhood;
12. A small home day care shall be permitted as accessory to any dwelling unit, provided that the following additional conditions are met, as well as the other conditions of this section:
 - a. If an outdoor play area is provided, it must be located in the side and/or rear yard of the property, provided that the yard area is not adjacent to any street, and the outdoor play area is fenced with a solid (opaque) fence; and
 - b. No more than eight children who are unrelated to the operator can be cared for during any 24-hour period.
13. All Federal, State, and local regulations, including the County Environmental Health regulations are complied with in the conduct of the home occupation.

You can also find this information on line at:

www.co.cumberland.nc.us/planning/downloads/zoning/County_Zoning_Ordinance_05-05-08.pdf

The above information applies to the unincorporated areas of Cumberland County and within the Towns of Godwin, and Wade only. The other municipalities within Cumberland County have their own separate criteria. Questions regarding zoning criteria may be directed to a Code Enforcement Officer @ 910-321-6640.

FIRE INSPECTION REQUIREMENTS

1. You must have a working, mounted fire extinguisher rated 2-A: 10-B:C, 5lbs or larger, readily available on each level of the home.
2. Unused outlets are covered and only listed extension cords are used for portable appliances and not as a substitute for permanent wiring.
3. Smoke detectors are electric with battery back-up for 5 or less children. Effective 7/1/09, you may have up to eight (5 preschool and 3 after school aged) in a home without having a fire alarm system.
4. A fire evacuation route with exits marked is posted in a prominent place.
5. You have a working telephone not dependent on electricity to function with emergency phone numbers posted nearby.
6. Doors and windows in rooms used for sleeping open properly with little effort.
7. All hallways, doorways, entrances, ramps, steps, and corridors are unobstructed, free of storage, and readily accessible.
8. The interior finish of rooms used for daycare is restricted. Wood paneling may not be allowed unless it is rated.
9. Electrical panels must have a clear space maintained in front of them.
10. Documentation of monthly fire drill shall be available. If this is a new daycare, then you should have the document used to record the fire drill available.
11. When you call to schedule your inspection ask about anything else that may be expected based on your specific home.

Questions regarding the Fire Code criteria should be directed to the County Fire Marshall @ (910)-321-6736.

In addition to zoning and fire criteria you should also be aware that there are other state codes that you may need to comply with such as Building and Health. Contact numbers for these departments are: Building Inspector (910) 321-6648 and Health Department (910) 433-3660. Additionally you can obtain state child care facility requirements from the Department of Health and Human Services Division of Child Development. Their web site is: www.ncdhhs.gov.

To obtain a permit follow the instructions in the "Daycare Application Process".

COMMERCIAL DAY CARE

If you wish to care for more than eight persons, you fall into the category of a large day care center. There are special zoning requirements for these types of establishments. In the agricultural, residential, O&I(P), M1(P), and M(P) zoning districts, these centers are "Special Uses" and must receive approval by the Cumberland County Board of Adjustment before permits can be issued. In the C1, C2(P) and C(P) commercial zones, Day Cares are permitted uses and undergo "Site Plan" review by the Planning & Inspections Department Staff prior to permit issuance. In both cases, Section 906 of the Cumberland County Zoning Ordinance list design criteria you need to be aware of. These criteria also apply to property within the Towns of Wade, Godwin and Eastover. The entire zoning ordinance is on the web at the address below and covers additional criteria such as landscaping and buffers.

www.co.cumberland.nc.us/planning/downloads/zoning/County_Zoning_Ordinance_05-05-08.pdf

SECTION 906 DAY CARE FACILITIES

- A. For locations within residential zoning districts the following provisions must be complied with:
 1. Minimum lot size shall be 20,000 square feet.
 2. The minimum setbacks shall be as follows:
 - a. Front yard: 30 feet from any public or private street;
 - b. Rear yard setback: 35 feet;
 - c. Side yard setback: 20 feet; and
 - d. Corner lots: shall provide a minimum of 30 feet from both streets.
 3. Subject property must abut and have direct access to a major or minor thoroughfare or higher street classification, as identified in the Highway Plan, for all day care facilities located in residential districts.
- B. Day care facilities allowed in zoning districts other than residential districts shall comply with the district dimensional requirements of the zoning district.
- C. Minimum of two off-street parking spaces, plus one off-street parking space for each employee, shall be provided.
- D. There shall be sufficient paved driveway to accommodate at least two motor vehicles at one time for the purpose of loading and unloading passengers in addition to any off-street parking area.
- E. All children's outside play areas shall be enclosed with at least a four-foot high fence and located only within the side and/or rear yards, provided the yards are not adjacent to a street. The horizontal/vertical spacing in the fence shall be a maximum of four inches and at a minimum the fence must comply with the guard limitations for spacing established in the N.C. Bldg. Code § R312.2 (2006).

In addition to zoning requirements, the structure you plan on using or constructing must meet the N.C. Building Code. Specifically, your plans need to be prepared by a NC licensed engineer or

architect when required. The requirements are too numerous to mention in this pamphlet. An engineer can assist you in designing your structure to meet all building and fire code standards. Your project must also meet the requirements of the Department of Health and Human Services Division of Child Development, and Environmental Health requirements.