

TOWN OF GRANITE FALLS

ORDINANCE NO. 453

AN ORDINANCE, RELATING TO THE ESTABLISHMENT AND OPERATION OF CHILD DAY CARE FACILITIES; ESTABLISHING LAND USE REGULATIONS AND A PERMIT SYSTEM THEREFORE; AND AMENDING APPLICABLE SECTIONS OF TOWN OF GRANITE FALLS ZONING CODE.

THE TOWN COUNCIL OF THE TOWN OF GRANITE FALLS DOES ORDAIN AS FOLLOWS:

SECTION 1. Purpose

The Council finds that affordable, good quality, and licensed child day care within the Town of Granite Falls is critical to the well-being of parents and children in the community and is a needed community service. Further, it is the purpose of this ordinance to facilitate the siting of licensed child day care facilities in the Town of Granite Falls in a manner which simplifies the review and approval process while ensuring conformance with the surrounding land use.

SECTION 2. Definition

For the purpose of this ordinance, unless otherwise apparent from the context, certain words and phrases used in this ordinance are defined as follows:

- A. "Child Day Care" means the provision of supplemental parental care and supervision
1. for a non-related child or children,
 2. on a regular basis,
 3. for less than 24 hours a day, and
 4. under license by the Washington State Department of Social and Health Services.

As used in this ordinance, the term is not intended to include babysitting services of a casual, non-recurring nature or in the child's own home. Likewise, the term is not intended to include cooperative, reciprocative child care by a group of parents in their respective homes.

- B. "Child Day Care Facility" means a building or structure in which an agency, person, or persons regularly provide care for a group of children for periods of less than 24 hours a day. Child day care facilities include family day care homes, out-of-home child mini-day care centers, and child day care centers regulated by the Washington State Department of Social and Health Services, as presently defined and hereafter amended (RCW 74.15, WAC 388-73-422).

SECTION 3. Family Day Care Home

- A. Family Day Care Home. A family day care home shall be permitted by right in all zoning districts permitting

residences and shall be subject to the following requirements:

1. Meet Washington State child day care licensing requirements;
2. Comply with all building fire safety, health code, and business licensing requirements;
3. Lot size, building size, setbacks, and lot coverage conform to the standards of the zoning district except if the structure is a legal nonconforming structure;
4. A safe passenger loading area must be provided;
5. Signage, if any, will conform to Section 4.16 of the zoning code;
6. Issuance of business license from the Town;
7. No structural or decorative alteration which will alter the single-family character of an existing or proposed residential structure or be incompatible with surrounding residences is permitted.

SECTION 4. Child Mini-Day Care Center

A. Child Mini-Day Care Center not located in the residence of the care provider). A child mini-day care center not located in the residence of the care provider is allowed in the designated zoning districts as follows:

1. Zoning Districts (R7200, R9600, RR2.3). A child mini-day care center not located in the residence of the care provider shall be permitted by Administrative Review.
 - a. Notice. Notice of the proposal shall be given as provided below:
 - 1) Notices shall be posted on the site and in two (2) other conspicuous locations in the vicinity of the site at least ten (10) calendar days prior to final action on the application.
 - 2) The notice shall include a description of the proposal, site location, deadline for submitting written comments, and the address and phone number of the Planning Commission of the Town of Granite Falls.
 - b. Administrative Review Requirements. The Planning Commission shall review applications for a mini-day care center not located in the residence of the care provider in R7200, R9600, RR 2.3 zones and may approve, modify, or deny the application subject to the following requirements:
 - 1) Meet Washington State child day care licensing requirements;
 - 2) Comply with all building, fire safety, health code, and business licensing requirements;
 - 3) Signage, if any, will conform to the requirements of Section 4.16 of the Zoning

- Code;
- 4) Issuance of Business License from the Town;
 - 5) Parking requirements shall conform to Section 4.7 of the zoning code;
 - 6) The site must be landscaped in a manner compatible with adjacent residences;
 - 7) No Structural or decorative alteration which will alter the residential character of an existing residential structure used for a child mini-day care center is permitted. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood;
 - 8) The Planning Commission may attach conditions to the permit in order to reduce conflicts between child mini-day care center and surrounding neighborhood; i.e., noise attenuation, special parking needs, and hours of operation;
 - 9) The child mini-day care center shall not be located within 300 feet of another child mini-day care center not located in the residence of the care provider or child day care center. Any child day care center which is an accessory use pursuant to SECTION 5D of this ordinance shall be excluded;
 - 10) If the Planning Commission finds that there is just cause for a public hearing, final approval shall be determined through the Conditional Use Permit process and shall be subject to the requirements of SECTION 5A(1) of this ordinance and Chapter 9 of the Zoning Code;

The process used to appeal an (Administrative Review) decision is contained in Section 9.8 of the zoning code (appeal of administrative decisions).

2. All Other Zoning Districts. A child mini-day care center not located in the residence of the care provider is permitted by right in all other zoning districts provided the conditions set forth in SECTION 4, parts b(1) through b(8) of this ordinance are met.]

SECTION 5. Child Day Care Center

A child day care center may be allowed in the designated zoning districts as follows:

- A. Zoning Districts R7200, R9600 and RR 2.3. A child day care center may be allowed in these zoning districts only upon issuance of a conditional use permit pursuant to Section 6 of the Zoning Code.

1. Conditional Use Permit Requirements.

- a. Meet Washington State child day care licensing requirements;
 - b. Comply with all building, fire safety, health code, and business licensing requirements;
 - c. Lot size, building size, setbacks and lot coverage conform to those applicable to the zoning district;
 - d. Signage, if any, will conform to the requirements for the applicable zoning district;
 - e. Issuance of business license from the Town.
 - f. Parking requirements shall conform to Section 4.7 of the zoning code;
 - g. A fence at least (4) feet high must be installed around the play yard;
 - h. The site must be landscaped in a manner compatible with adjacent residences;
 - i. No structural or decorative alteration which will alter the residential character of an existing residential structure used for a child day care center is permitted. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood.
 - j. The child day care center shall not be located within 300 feet of another child day care center or child mini-day care center not located in the residence of the care provider, excluding any child day care center which is an accessory use pursuant to SECTION 5D of this ordinance.
- B. All Other Zoning Districts. A child day care center is permitted by right in all other zoning districts besides R7200, R9600 and RR 2.3, subject to the following requirements:
1. Meet Washington State child day care licensing requirements;
 2. Comply with all building, fire safety, traffic safety, health code, and business licensing requirements;
 3. Setbacks, screening, landscaping, lot size, building size, and lot coverage shall conform to the pertinent portions of the zoning code;
 4. Parking requirements shall conform to Section 4.7 of the zoning code;
 5. Issuance of business license from the Town.
- C. Limitations in Use of a Family Residence. No child day care center shall be located in a private family residence unless the portion of the residence where the children have access is used exclusively for the children during the hours the center is in operation, or is separate from the usual living quarters of the family.
- D. Accessory Use. A child day care center, if sited on the premises of an operating community service facility shall be considered accessory to the principal use of the

property concerned.

SECTION 6. Registration

Each child day care service provider must register with the Town's Planning Commission by completing a child day care registration/land use application form as provided by the Town prior to initiation of the use. Upon registration, the child day care provider must be able to demonstrate compliance with the applicable conditions of this ordinance.

SECTION 7. Contradictions

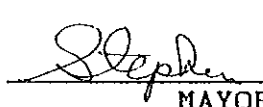
In the event of conflict between this ordinance and any other ordinance or zoning provision for the Town of Granite Falls, the provisions of this ordinance shall prevail.

SECTION 8. Effective Date

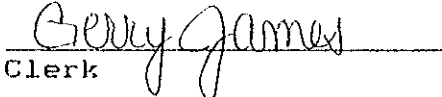
This ordinance shall take effect and be in force thirty (30) days after the date of its publication in the manner provided by law.

Said Ordinance was passed in open session by the Town Council of the Town of Granite Falls on the 10 day of

July, 1991 .


MAYOR

Attest:


Clerk

READING: June 26, 1991
READING: July 10, 1991
DATE OF PUBLICATION: July 20, 1991
EFFECTIVE DATE: July 20, 1991