

# DAY CARE FACILITIES



## GENERAL REQUIREMENTS RELATED ISSUES POINTS OF CONTACT AND PERMITS



A MESSAGE FROM:  
THE SUFFOLK DEPARTMENT OF  
PLANNING AND COMMUNITY  
DEVELOPMENT  
(757) 514-4150

### GENERAL REQUIREMENTS

- I.** Day cares are classified into three use groups within chapter 3 of the Building Code:
- A.** E-Educational: A day care facility which provides care for more than 4 children more than 2 ½ years of age for less than 24 hours per day is classified as Use Group E.
  - B.** I-2-Institutional: A child care facility that accommodates more than 4 children 2 ½ years of age or less for any length of time shall be classified as Use Group I-2.
  - C.** R-3-Residential: A child care facility that accommodates 4 or less children of any age shall be classified as Use Group R-3.
- II.** Day Care Facilities are allowed in the following Zoning Categories of the UDO.
- A. RESIDENTIAL DAY CARE**
    - Permitted:**
      - Agricultural District
      - Rural Residential District
      - Rural Estate District
      - Residential Low Density
      - Residential low-medium density
      - Residential Medium Density
      - Residential Compact
      - Residential Urban

- General Commercial District
  - Office-Institutional District
  - Commerce Park
- Conditional Permit Required:**
- Neighborhood Commercial District
  - Village Center District
  - Central Business District

**B. DAY CARE CENTER**

- Permitted:**
- Commerce Park
- Conditional Permit Required:**
- Residential Urban
  - Neighborhood Commercial District
  - General Commercial District
  - Village Center District
  - Central Business District
  - Office-Institutional District
  - Light Industrial District

**III.** Upon classification of the use group a facility must then be classified as to the type of construction. Construction types are outlined in Chapter 6-Type of Construction. There are 5 types of construction outlined in the chapter. Day Care is allowed in all types of construction with the following exceptions, I-2 Use Groups (more than five children 0 to 2 ½ years of age) are not permitted in:

- A.** 3B- Buildings and structures of type 3 construction are those in which the exterior walls are constructed of masonry or other approved noncombustible material; the interior structure elements, load bearing walls, partitions, floors, and roofs are constructed of any approved

material, i.e. unprotected wood studs, rafters, joist, etc.

**B.** 5B- Buildings and structures of type 5 construction are those in which the exterior walls, load bearing walls, partitions, floors, and roofs are constructed of any approved material, i.e. unprotected wood studs, rafters, joist, etc.

**IV.** Once the use group and construction types are defined, the structure will then be subject to General Building Requirements, limiting the building in height and area. There are many variations and modifications applicable to these requirements, making a clear determination unlikely until a building is identified and/or submitted for review.

**V.** Other requirements will include but are not limited to:

- A.** A fire protection signaling system (i.e. pull stations & visual audible alarms)
- B.** Fire Extinguishers
- C.** Smoke Detectors
- D.** Corridor Ratings 1 hour (requirement varies-based on occupant load & suppression system)
- E.** Exit Signs
- F.** Egress Lighting
- G.** Accessibility-Handicap-ADA (Americans with Disabilities Act)
- H.** Kitchen Hood Suppression
- I.** Duct Detectors (Requirements vary based on unit sizes)



**J.** Fire Dampers (Required when ducts pass rated assemblies)

**VI.** Asbestos and Lead paint issues will have to be addressed if applicable to the structure's intended use.

- A.** Asbestos certifications will be required per 108.10 and 36-99.7 of the USBC.
- B.** Lead paint with a content of more than .06% shall not be applied to any interior or exterior surface of day care facilities, including fences or outbuildings in these locations per R-224 of the USBC. An analysis of the paint will have to be made by an independent agency and submitted for record.

### RELATED ISSUES

**I.** Planning reviews site and its related issues: parking, landscaping, land use, playgrounds, fencing, etc. Site plans will need to be placed into review for **new construction** facilities and **additions** to buildings already in use or converting to day cares. Distribution of site plans to Public Utilities, Public Works, Engineering, VDOT and NDS are done by the city Planning Office.

**II.** Public Utilities should be contacted regarding service availability of sewer and water.

**III.** Social Service will handle all referrals to the state for licensing and can advise you on the requirements for day to day operations.

**IV.** The Fire Marshal will inspect and approve the structure for compliance to the State Fire Prevention Code and, if applicable, review and approve fire suppression drawings for permitting.

**V.** The Health Department will inspect the food service facilities for compliance to State Health Code Regulations.

**VI.** Neighborhood Development Services will issue permits, review building plans, site plans, and set up for courtesy inspections or business license inspections on facilities or homes intended to be utilized for day care purposes.

**VII.** The Commissioner of the Revenue will issue the business license upon receipt of your zoning permit and inspection approval

### POINTS OF CONTACT

Your points of contact should be made with the following offices to insure that all governing bodies have the information that they need to review and approve your project.

**I.** City Planning Department- 514-4060

**II.** Community Development Services- 514-4150

**III.** Fire Marshal- 514-7550

**IV.** Public Utilities- 514-7000

**V.** Health Department- 686-4919

**VI.** Social Services- 514-7450

**VII.** Commissioner of the Revenue- 514-4260

### Permits

- I.** Most Permits are issued in Neighborhood Development Services including permits for: Zoning, Building, Mechanical, Electrical, Plumbing, as well as applications for a Business License
- a. A Land Disturbance Permit may be required, determination is made during your site plan review.
  - b. Land Disturbance Permits are issued through Public Works @ 514-7672

**II.** Tap fees are required to be paid in public utilities prior to issuance of a building permit.

**III.** Upon approval of all final inspections, a certificate of occupancy will be issued.

**IV.** Social Services will need a copy of the C.O. as well as your business license in order for you to make

application for a state license. A state license is applied for through the Virginia Beach Office of Social Services.

### DON'T FORGET

**I.** Contact Virginia Power to make application for power.

**II.** Contact your Gas Company to make application for Gas Service.

- a. Virginia Natural Gas, Commonwealth Propane, and A&B Propane are our area service companies.

A final release from Neighborhood Development Services is made to your power or gas company upon final inspections. However, if you have not made application for the service, then they will not connect your meter.



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