



**City of Twin Falls  
Building Department**  
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## OPERATING A DAY CARE CENTER

### WHAT IS A DAY CARE CENTER?

The Twin Falls City Code defines Day Care Service as “Services offered by persons who are paid to supervise or care for six (6) or more persons, **including the resident children, ...**”

This means that a person can care for no more than **five children** without being considered a Day Care Center, and that number includes the person’s own children being cared for at the same time as other children are being cared for.

Excluded from the Day Care Service definition are those businesses or religious institutions, which provide incidental day care service for patrons, or attendees while parents are on the premises.

### WHAT TYPE OF DAY CARE DO YOU WANT TO OPERATE?

The Twin Falls City Code defines two types of day care services: An In-Home Day Care and a Commercial Day Care Facility.

An **In-home Day Care** is defined as a “Daycare service in a home in which the provider lives full time and is the main on-site caregiver of the service.”

A **Commercial Day Care Facility** would be any type of day care service other than an in-home day care.

### OUTRIGHT PERMITTED?

Both an **In-Home Day Care** and a **Commercial Day Care Facility** are outright permitted in both the commercial zones (CB & C-1), Old Town (OT), and zones that carry the Neighborhood Commercial Overlay (NCO).

### PROHIBITED?

**Commercial Day Care Facilities** are prohibited in the AG, SUI, R-2, R-4, R-6, Open Space (OS) and Airport (AP) Zones.

### ARE PERMITS REQUIRED?

There are three different kinds of permits that may be required by the City for you to operate a Day Care Center:

1. A **Special Use Permit** from the City Planning & Zoning Commission,
2. A **Day Care Center License** from the City Fire Department, and
3. A **Certificate of Occupancy** and/or Building Permit from the City Building Inspection Department.

**NOTE:** To find out which of these permits you may need, contact the City Building Inspection Department at 324 3rd Avenue East or call (208) 735-7238.

### SPECIAL USE PERMITS?

#### **In-Home Day Care**

A **Special Use Permit** is required when an In-Home Day Care is proposed to be placed in any of the following zones: AG, SUI, R-1 VAR, R-2, R-4, R-6, M-1 and M-2. These include all residential zones and both industrial zones.

#### **Commercial Day Care**

A **Special Use Permit** is required when a Commercial Day Care Facility is proposed to be placed in any of the following zones: M-1, M-2, CSI and within a zone that carries a Professional Office Overlay

### THE SPECIAL USE PERMIT PROCESS

The Special Use Permit process requires a completed application be submitted to the City Planning & Zoning Department. The request is then scheduled for a public hearing to be held before the City Planning & Zoning Commission. The Commission meets the second and fourth Tuesday of each month. The Commission may deny the application, approve it, or approve it with conditions. The decision of the Commission is final unless it is appealed to the City Council within 15 days of the Commission’s decision.

**Applications for Special Use Permit are available at the City Planning & Zoning Office at 324 Hansen Street East, telephone number (208)735-7267 or online at <http://www.tfid.org/DocumentCenter/Home/View/273>**

Between six (6) to eight (8) weeks is required from the time of submittal of the application before the request can be heard by the City Planning & Zoning Commission. If an appeal is made to the City Council this will take an additional four (4) to six (6) weeks.

### **CERTIFICATE OF OCCUPANCY AND/OR BUILDING PERMITS?**

Building permits are required when any expansions or modifications are being made to a home for an **In-home Day Care** or a building for a **Commercial Day Care Facility**.

A Certificate of Occupancy is required when a Day Care Facility is being proposed for a building in which a Day Care has not previously been operating.

To find out if a Certificate of Occupancy and/or a Building Permit are required from the City Building Inspection Department please bring your plans to 345 Second Avenue East or if you have any questions you may call them at 735-7238.

### **BUILDING DEPARTMENT CHECK OFF LIST FOR EXISTING RESIDENCE ADDING AN IN-HOUSE DAYCARE:**

1. Provide accessible building entrance:
  - a. Threshold cannot exceed ¼" or be ½" & beveled.
  - b. Door hardware required to be lever style. (Knobs not allowed) Only deadbolts that are keyed from both sides are allowed.
  - c. Landing required in front of door to slope no greater than 1:48 and be level with threshold. (Normal size 48"x48" min.)
2. Provide accessible route to accessible entrance:
  - a. A ramp is required for ambulatory & wheelchair access. Steps are not permitted for an accessible entrance. Ramp slope shall be 1:12 rise max.
  - b. A 42" tall guard is required if ramp rise is greater than 30".
  - c. A 34"-38" handrail is required (on both sides) if ramp rise is over 6"
  - d. A 36" wide min. solid surface path required to accessible entrance.
3. Any room used for the daycare to have a door leading directly outside or remove door so that direct access will be provided to main exit.

4. Provide square footage of areas to be used for daycare. (Only Living Rooms, Dining Rooms, or adjoining bedrooms can be used to figure square footage). Divide square footage by 35 to determine allowable occupants per square footage. (Example: 500 s. ft. / 35 = 14 kids allowed)

### **DAY CARE CENTER LICENSES?**

A Day Care Center License is required of any day care in the City or its Area of Impact. Day Care Center Licenses are acquired through the City Fire Department, 345 2nd Avenue East, telephone number (208) 735-7232. The following information is required for a Day Care Center License:

1. A completed application form obtained from the City Fire Department.
2. A site plan.
3. A floor plan, drawn to scale and showing the designated use of each room.
4. An elevation view of each side of the facility showing ingress and egress doors, door dimensions & hardware and window details in all rooms used for sleeping purposes.
5. All smoke detector locations need to be shown on the floor plan.
6. Stairway details of the Day Care Center are to be provided on any floor other than the main floor.
7. The Special Use Permit granted by the Twin Falls City Planning & Zoning Commission is required prior to any inspections being performed by the City Fire Department for the Day Care Center License.

**NOTE:** Certain State of Idaho regulations may also apply. You should contact the Department of Health & Welfare, 601 Pole Line Road, Suite #6, Twin Falls, Idaho, telephone number (208) 734-4000, for further information.