



# STANDARD OPERATING PROCEDURES

## Construction Services Division

Subject: Day Care and ALF SOP

Last Updated: 12/14/2020

Purpose: To establish procedural guidelines in regard to permitting requirements for a change of use from a single-family residence (SFR) to either a home day care facility or an assisted living facility (ALFs) intended to be used for the care of others.

Legal Authority: FBC 305.2.2; FBC 466; F.S. 429.02

### DEFINITIONS (F.S. 429.02)

*Assisted Living Facility* means any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, regardless of whether operated for profit, which through its ownership or management provides housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator.

### PROCEDURE

#### **Permitting Requirements for Home Day Care Facilities**

For part or all of a single-family residence to be considered for purposes of providing day care services to children, Construction Services staff should make any permitting determinations based on the following criteria:

##### If there are five (5) or fewer children and all the children are above 2 ½ years of age

- No additional permitting requirements are needed to utilize the home for day care purposes, per FBC section 305.2.2.

##### If there are more than five (5) children and/or any children under 2 ½ years of age

- Additional permitting requirements are needed to utilize the home for day care purposes. Permitting requirements shall be enforced in accordance with FBC section 466, and at the time of permitting the following items will be required:
  - Floor plan (on minimum plan size 18" x 24", if submitting paper) showing the following:
    - Labeling of all rooms in the house.
    - Life safety plan for the house, illustrating travel distances from the furthest part of each room to the nearest exit(s).
    - Smoke detector locations in each room of the house.
    - Fire alarm device locations throughout the home.

#### **IMPORTANT NOTE**

*If there are any children under the age of 2 ½ years old, but the total number of children intended to be cared for is five (5) or less, then the day care shall be permitted under a Residential Alterations permit.*

*If there are more than five (5) children intended to be care for, then the day care shall be permitted under a Commercial Alterations permit and commercial code requirements shall apply.*

## **Permitting Requirements for Assisted Living Facilities (ALFs)**

For part or all of a single-family residence to be considered for purposes of providing care services to adults for a period exceeding 24 hours, the following items shall be required at time of permitting:

### If there are six (6) or less adults receiving care

- No Zoning approval/ signoff is required as long as there is not another ALF within 1,000 feet (as determined by Zoning before client submits for permitting).
- A floor plan of the home will be required at time of permitting with Construction Services. The floor plan must show the following items:
  - Labeling of all rooms in the house.
  - Life safety plan for the house, illustrating travel distances from the furthest part of each room to the nearest exit(s).
  - Smoke detector locations in each room of the house.
  - Fire alarm device locations throughout the home.

### If there are more than six (6) adults receiving care

- Zoning approval/ signoff (verified by searching in Accela for a “SNO” record) is needed prior to submitting for an alteration (change of use) permit with Construction Services.
- All of the permitting requirements above for an ALF of six (6) or less adults shall apply.
- In addition to floor plan details listed above, a site plan shall be required, illustrating the following:
  - Exact location of home, with property boundaries and cross streets shown.
  - Legal description and address of home.
  - All parking on site, including a parking table with parking count.

## **Additional Requirements for Assisted Living Facilities (ALFs)**

In the event part or all of a single-family residence is intended to be used as an ALF, in addition to the permitting requirements above the following requirements shall also apply based on the number of adults being cared for:

- If there are five (5) or less adults being cared for:
  - A Commercial Utility Application is required.
  - The change of use shall be permitted under a Residential Alterations permit.
  - A Commercial Miscellaneous permit will be required for fire sprinklers.
  - A Commercial Miscellaneous permit will be required for a commercial generator.
- If there are six (6) or more adults being cared for:
  - A Commercial Utility Application is required.
  - The change of use shall be permitted under as Commercial Alterations permit.
  - A Commercial Miscellaneous permit will be required for fire sprinklers.
  - A Commercial Miscellaneous permit will be required for a commercial generator.