



Staff Report & Decision
All Lil Cuties Daycare (2018-026-HOC)
December 6, 2018

- PROPOSAL:** The applicant proposes to operate a state licensed early learning in home daycare. The applicant has received a license from the State of Washington to operate an early learning daycare for a maximum of 6 children. The hours of operation are 6:30 am – 5:00 pm. No substantial increase in on-site traffic is expected. The site lies within a Low Density Residential (LDR-7.5) zoning district.
- LOCATION:** The site is located at 1427 E 3rd Circle, La Center, WA; Parkside Estates Lot 10 Sub 97. Southview Heights, Phase 8, lot 377; Clark County Assessor Property Identification Number (PIN) 209111020
- DECISION:** **APPROVED**, subject to the conditions listed herein.

I. CONTACTS

OWNER/APPLICANT(S)

Carmen Winkle
All Lil Cuties Daycare
1427 E 3rd Circle
La Center, WA 98629

LA CENTER STAFF

Naomi Hansen, Associate Planner
City of La Center
305 W. Pacific Highway
La Center, WA 98629

II. OVERVIEW

The applicant proposes to operate an in-home early learning daycare for a maximum of 6 children. No significant increase in on-site traffic is expected. The site is within a Low Density Residential (LDR-7.5) zoning district.

III. REVIEW

CRITERIA: LCMC 3.35 (Impact Fees)

This chapter provides for the assessment of impact fees.

Finding(s): This site is within the La Center municipal limits and is therefore subject to traffic impact fees (TIFs). 3.35 LCMC 3.35. The current land use is a detached single family residence. The primary use will remain a single-family residence with no significant (< 1 trip per day) net increase or decrease of PM Peak Hour trips. Therefore, the City will not assess TIFs.

CRITERIA: Title 12 LCMC (Street, Sidewalks and Public Ways)

Chapter 12.10 LCMC regulates the provision of public roads, private roads, and driveways.

Finding(s): The applicant does not propose an increase in activity that would warrant construction of frontage improvements at this time.

CRITERIA: Title 13 LCMC (Sewer System Rules and Regulations)

This title regulates the city's wastewater utility.

Finding(s): No new wastewater connections are proposed or warranted.

CRITERIA: LCMC 15.05 (Building Code & Specialty Codes)

The Building & Specialty Codes establish the minimum construction standards for development. The Fire Code establishes the minimum life safety and fire protection standards for developments.

Finding(s): Subsequent building permit(s), if any, may require compliance with the International Building Code and International Fire Code. Please consult with the Building Official. No significant amounts of hazardous materials may be stored on-site.

CRITERIA: LCMC 15.35 (School Impact Fees)

This chapter provides for the assessment of impact fees.

Finding(s): No new dwelling units are proposed; therefore, the proposed home occupation use is not subject to school impact fees.

CRITERIA: LCMC 18.130 (Low Density Residential)

Regulates uses within Low Density Residential zoning districts

Finding(s): Home occupations are permitted in the LDR-7.5 zone. LCMC Table 18.130.030(5) LCMC. The neighborhood is subject to private codes, covenants and restrictions but the HOA is not active.

CRITERIA: LCMC 18.245 (Supplementary Development Standards)

This chapter regulates fences, hedges, solid waste, lighting, noise and landscaping.

Finding(s): No changes to fences, hedges, solid waste, lighting, noise or landscaping are proposed.

CRITERIA: LCMC 18.270 (Limited Uses)

Home occupations subject to Type I or Type II review.

Finding(s): The application as proposed is consistent with the uses listed in LCMC 18.270.010 and meets all applicable provisions of LCMC 18.270. The conditions of LCMC 18.270.020 will apply.

CRITERIA: LCMC 18.275 (Sign Requirements)

This chapter regulates signage within the city limits.

Finding(s): No signage is proposed. Future signs will require a separate sign permit.

CRITERIA: LCMC 18.280 (Off Street Parking)

This chapter requires the provision of adequate off-street parking.

Finding(s): No additional off-street parking is required or warranted.

CRITERIA: LCMC 18.300 (Critical Areas)

This chapter requires protection of critical areas by providing appropriate delineations and buffering.

Finding(s): City and county GIS mapping does not indicate critical areas on site.

CRITERIA: LCMC 18.310 (Environmental Policy)

This chapter requires submittal of a SEPA environmental checklist and provides authority for issuance of Mitigated Determination of Non-Significance, if appropriate.

Finding(s): The application is exempt from SEPA review. LCMC 18.310.080.

CRITERIA: LCMC 18.320 (Stormwater and Erosion Control)

Requires the collection and treatment of stormwater and erosion control measures during construction.

Finding(s): The applicant does not propose the addition of any impervious surface or any ground disturbing activities. Therefore, stormwater management requirements and erosion control requirements are not triggered.

CRITERIA: LCMC 18.350 (Tree Protection)

Regulates removal of trees.

Finding(s): Tree removal is not proposed or approved.

IV. CONCLUSIONS & DECISION


The review authority finds the applicant has sustained the burden of proving the application complies with the applicable provisions of La Center's Municipal Code. Therefore, the subject application is hereby APPROVED subject to the following conditions:

1. The home occupation permit is limited to the area of operation identified in the application.
2. The applicant must maintain an active in-home daycare license with the State of Washington.
3. The applicant will use existing on-site facilities for parking and for the pick-up/drop-off location for the children.

4. No signs are proposed or permitted by this approval.
5. An outdoor play area shall be provided and maintained with a minimum area of 100 square feet per child. No other outdoor display of goods or outside storage of equipment or materials used in the home occupation shall be permitted.
6. The outdoor play area shall be enclosed with a fence or landscaping no less than 5 feet tall.
7. No more than two nonresident employees are permitted on the site at any one time.
8. No stock in trade shall be displayed or sold on the premises.
9. No alteration to the exterior of the principal residential building or garage.
10. No use shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy and a district in question under normal circumstances wherein no occupation exists.
11. No additional traffic is proposed or authorized by this approval.

V. APPEALS

Pursuant to §18.030.130 LCMC, a final decision regarding a Type II application may be appealed only by the applicant or applicant's representative. An appeal together with the requisite fee and information must be received by the city clerk within 14 calendar days of the date of the decision being appealed. Within seven calendar days after a timely, complete appeal is filed regarding a decision subject to a Type II process, the city clerk shall send to the hearings examiner a copy of the appeal and the case file together with any new evidence submitted with the appeal. The hearings examiner shall conduct a de novo review. Within 21 calendar days after a timely, complete appeal is filed, the hearings officer shall send to the city clerk a final decision for distribution to the applicant and applicant's representative.



Naomi Hansen, Associate Planner
City of La Center

Attachment
Location map