



25 own, increasing availability of quality ECE programs, and encouraging living  
26 wages for ECE providers” as Strategy 10 in Economic Opportunity and  
27 Affordability; and

28 **WHEREAS**, the Imagine Austin vision of “Complete Communities”  
29 involves creating communities that are more natural and sustainable, prosperous,  
30 livable, mobile and interconnected, educated, creative, and which value all  
31 Austinites; and

32 **WHEREAS**, the process to build a new childcare operation, or any new  
33 facility within the City can be very costly and the application and permitting  
34 process can take a significant amount of time to navigate; and

35 **WHEREAS**, childcare costs are either the first or second largest annual  
36 family budget item, after housing costs, so child care programs cannot pass on  
37 higher costs for occupancy and/or facilities to the families through increased  
38 tuition; and

39 **WHEREAS**, in response to Council Resolution No. 20170928-057, the  
40 Childcare Working Group, which included significant stakeholder input, identified  
41 associated permitting fees from various City departments and limited zoning  
42 categories where day care services are allowed City-wide as one of the major  
43 barriers to opening, expanding, and/or operating high-quality childcare operations  
44 in the City; and

45 **WHEREAS**, the Childcare Working Group report identified the Conditional  
46 Use Permit as a costly and burdensome barrier and the limited zoning categories  
47 where childcare operations are allowed as a restriction to access to affordable high-  
48 quality childcare for Austin families; and

49           **WHEREAS**, on October 4, 2018, Council approved Resolution No.  
50 20181004-036, which directed the City Manager to evaluate fee and zoning  
51 regulations relating to childcare operations; and

52           **WHEREAS**, on April 12, 2019, City staff provided a response to Resolution  
53 No. 20181004-036 with various recommendations to reduce barriers to opening or  
54 operating childcare operations in Austin, including, but not limited to, increase the  
55 number of enrollees allowed in each Day Care Services use category, creating an  
56 economic development grant program for qualifying childcare operations to pay  
57 for City fees assessed when opening or expanding a childcare operation and  
58 eliminating development-related fees assessed by Austin Public Health (APH) and  
59 Austin Fire Department (AFD); **NOW, THEREFORE**,

60 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

61           Council initiates amendments to Title 25 (*Land Development*) of the City  
62 Code and directs the City Manager to develop proposed amendments that achieve  
63 the following:

- 64           1. Create a separate zoning use classification and definition for “Child  
65           Care Services” and modify the existing “Day Care Services” use and  
66           definition to “Adult Care Services.”
- 67           2. Make parking requirements for childcare services mirror these  
68           concepts:.5 space per employee for Day Care Services (General) and  
69           Day Care Services (Commercial).
- 70           3. Make a childcare service that mirrors Day Care Services (Limited) as  
71           an accessory use in a principle residential use.

- 72 4. Allow the maximum number of enrollees in childcare services to  
73 mirror the following concepts: Day Care Services (Limited) from 6 to  
74 12, increase the number of enrollees allowed in Day Care Services  
75 (General) from 20 to 24, and increase the number of enrollees allowed  
76 in Day Care Services (Commercial) from 21 or more to 25 or more.
- 77 5. Increase opportunities for childcare services throughout the city,  
78 particularly in childcare deserts, by:
- 79 a. designating the newly created childcare services conditional  
80 uses in zoning districts in which day care services are not  
81 permitted and permitted uses in zoning districts in which day  
82 care services are currently conditional uses; and
  - 83 b. making childcare services permitted uses in areas of the City  
84 that are considered childcare deserts; and
  - 85 c. making other appropriate changes, such as changes to the  
86 conditional use permitting process, that are consistent with the  
87 goal increasing the availability of childcare services.

88 **BE IT FURTHER RESOLVED:**

89 Council directs the City Manager to create an economic development grant  
90 program for qualifying childcare operations to pay for City fees assessed when  
91 opening or expanding a qualifying childcare operation.

- 92 1. The program shall be funded in a pre-determined amount per fiscal year,  
93 with a cap on the total amount available per grant application.

- 94 a. The City Manager shall propose a cap on the total amount available  
95 per grant application and an overall cap on the total amount available  
96 per fiscal year.
- 97 b. The City Manager shall develop sufficient controls to ensure the  
98 money is used in a manner that satisfies the purpose of the program.
- 99 2. The program should cover fees associated with:
- 100 a. the conditional use permitting process; and
- 101 b. for high quality licensed childcare programs (those accredited by the  
102 National Association for the Education of Young Children, the  
103 National Accreditation Commission for the Early Care and Education  
104 Programs or have a four-star rating from the Texas Rising Star  
105 Program) that accept childcare subsidies:
- 106 i. annual AFD fees; and
- 107 ii. fees related to use of the property, like a right-of-way fee,  
108 assessed by the Austin Transportation Department.
- 109 3. Council directs the City Manager to bring the proposed program,  
110 implementation plan, and costs and funding sources to Council for its  
111 consideration in the annual budget process.
- 112 4. If Council approves the proposed program, Council directs the City Manager  
113 is directed to bring any ordinances necessary to implement the program for  
114 Council consideration.
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119 **BE IT FURTHER RESOLVED:**

120 Council directs the City Manager to bring an ordinance related to the Title  
121 25 (*Land Development*) changes for Council consideration no later than July 20,  
122 2023.

123 **ADOPTED:** \_\_\_\_\_, 2023 **ATTEST:** \_\_\_\_\_

124 Myrna Rios  
125 City Clerk  
126

DRAFT