



**HOUSING &
PLANNING**

C20-2023-001: Childcare Services Part 1

Early Childhood Council

August 12th, 2023

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Background

- On October 4, 2018, the Austin City Council passed Resolution No. 20181004-036, directing the City Manager to review fee and zoning regulations for childcare centers. The goal was to promote affordable and high-quality childcare in the city. As a result, the Housing and Planning Department, Development Services Department, and Austin Public Health provided a report with recommendations for changes to the Land Development Code (LDC).
- In January 2023, City Council passed Resolution No. 20230126-055. The resolution aims to increase childcare services throughout the city by amending the Land Development Code (LDC). It also calls for the creation of a grant program to help qualifying childcare operations cover City fees associated with opening or expanding a childcare facility.



Resolution No. 20230124-055

1. Introduce zoning use classification and definition for Childcare Services
2. Remove non-accessible parking requirements for Childcare Services
3. Allow Childcare Services as an accessory use in residential
4. Increase maximum enrollees allowed in childcare services
5. Increase Childcare Services accessibility by:
 - a. Adjusting zoning districts to permit Childcare Services
 - b. Permit Childcare Services in areas within childcare deserts
 - c. Implementing other appropriate changes to the conditional use permitting process
6. Restrict Childcare Services in incompatible zoning districts



Proposed Changes – Definition & Occupancy

Existing Definitions: Day Care Services

Use is the use of a site for the provision of daytime care for:

- Limited: 6 persons or less
- General: more than 6 but not more than 20 persons
- Commercial: more than 20 persons

This use includes nursery schools, preschools, day care centers for children, and similar uses, and excludes public and private primary or secondary educational facilities.



Proposed Definitions: Childcare Services

Use is the use of a site for the provision of daytime care for:

- Limited: 12 persons or less
- General: more than 12 but not more than 24 persons
- Commercial: more than 24 persons

This use includes nursery schools, preschools, day care centers for children, and similar uses, and excludes public and private primary or secondary educational facilities.



Proposed Changes – Use Chart

- Permit Childcare Services in most zoning districts across Austin
- Require a Conditional Use Permit for Childcare Services in zoning districts:
 - **Commercial:** DR, AG
 - **General:** CR, DR, AG
 - **Limited:** CR, DR, AG
- Do Not Permit in industrial zoning districts
 - IP, MI, LI
- Create a new “Adult Care Services” use and definition that is modeled on the existing “Day Care Services”

ZONING DISTRICTS

DR: Development Reserve

AG: Agricultural

CR: Commercial Recreation

IP: Industrial Park

MI: Major Industry

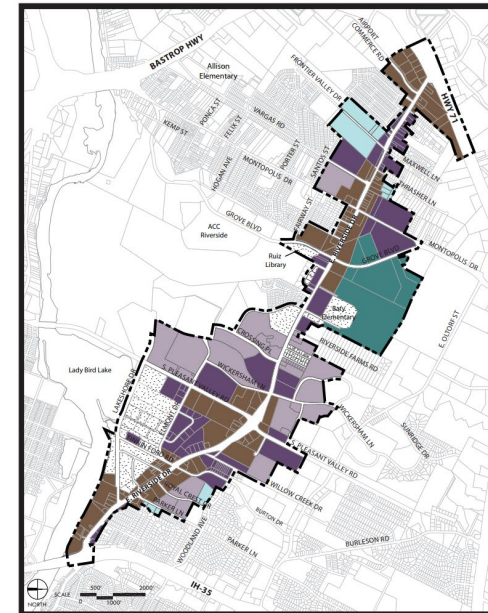
LI: Limited Industrial Services



Proposed Changes – Regulating Plans and Accessory Uses

- Update all regulating plans to match changes and to create parallel use language
- Childcare Services (Limited) added as an accessory use to a Principal Residential Use

Regulating Plan for the EAST RIVERSIDE CORRIDOR ZONING DISTRICT

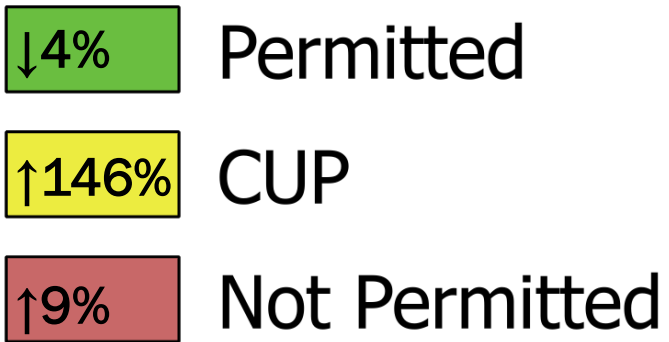


DATE ADOPTED: May 9, 2013
DATE EFFECTIVE: May 20, 2013



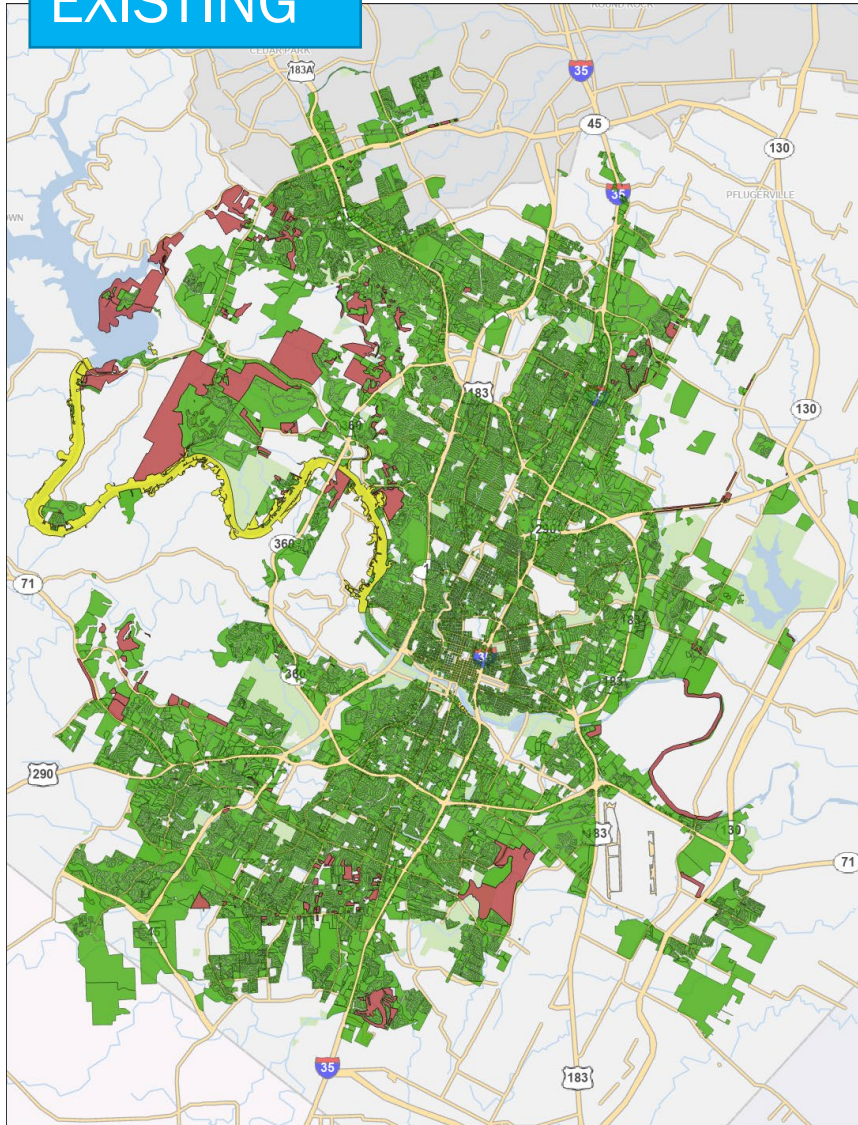
Accessibility– Childcare Services Limited

12 persons or less

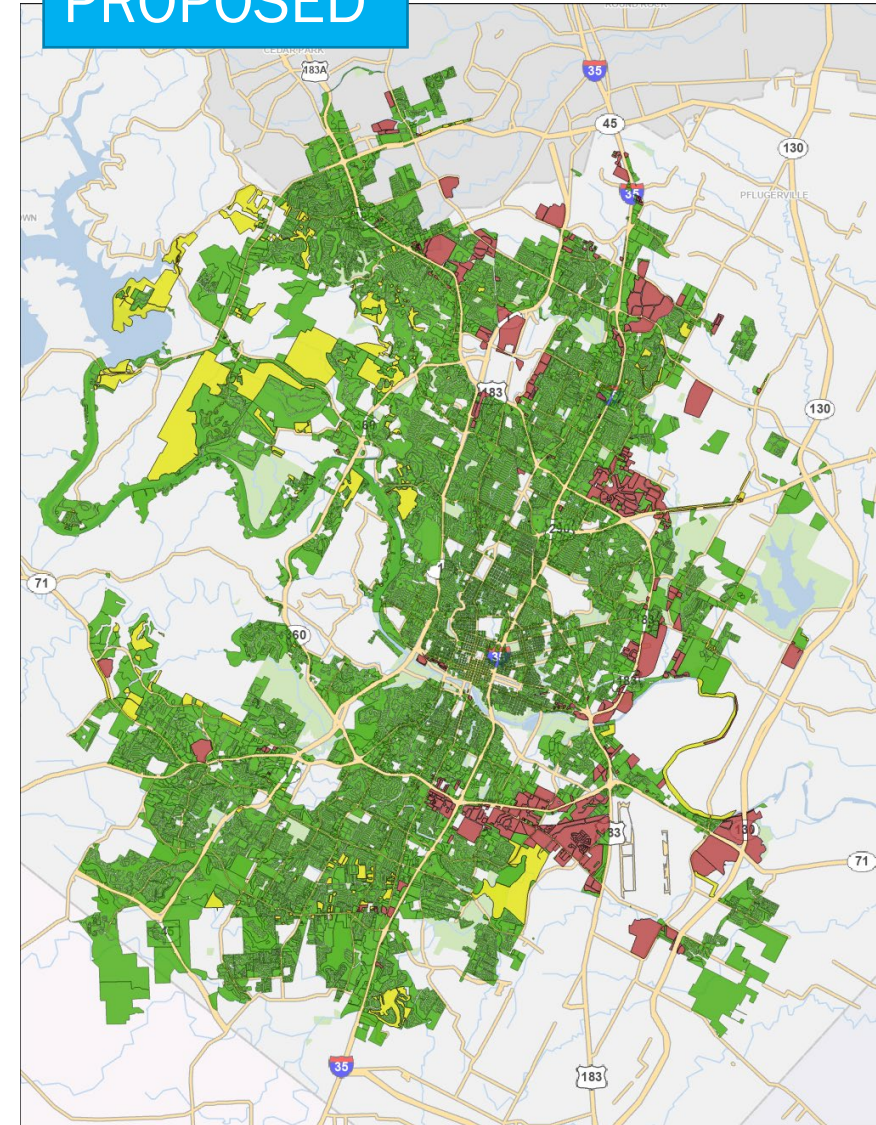


↑= Change in acreage

EXISTING



PROPOSED



*Maps do not include areas within Regulating Plans, TODs, R&D, or PUDs



Accessibility– Childcare Services General

More than 12 but
not more than 24
persons

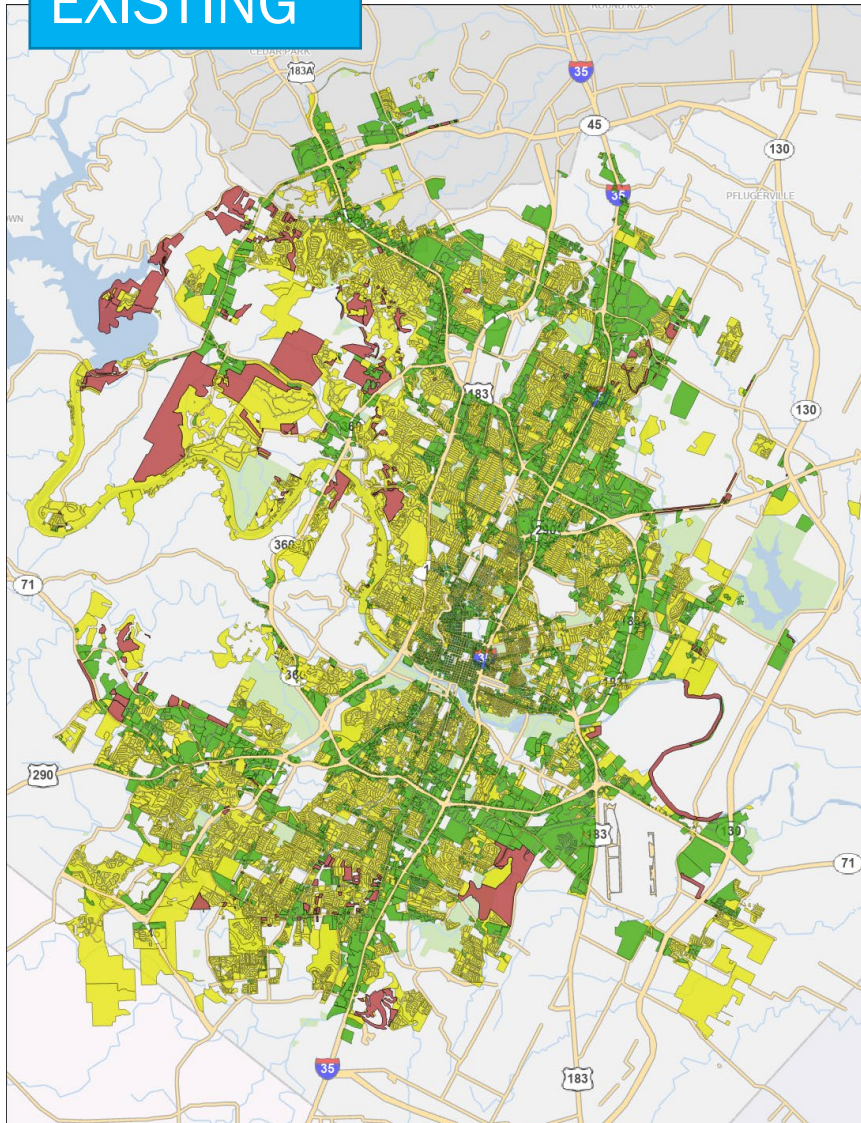
↑154% Permitted

↓85% CUP

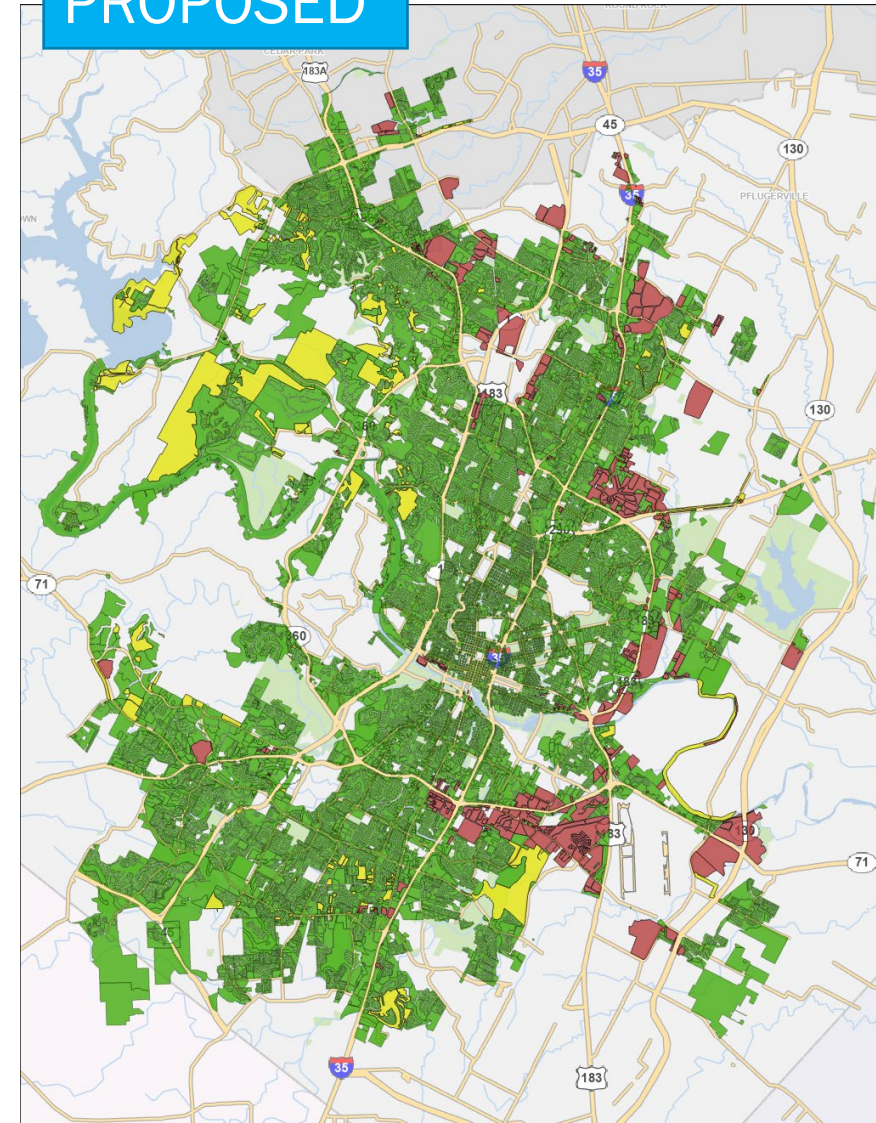
↑9% Not Permitted

↑= Change in acreage

EXISTING



PROPOSED



*Maps do not include areas within Regulating Plans, TODs, R&D or PUDs



Accessibility– Childcare Services Commercial

More than 24
persons

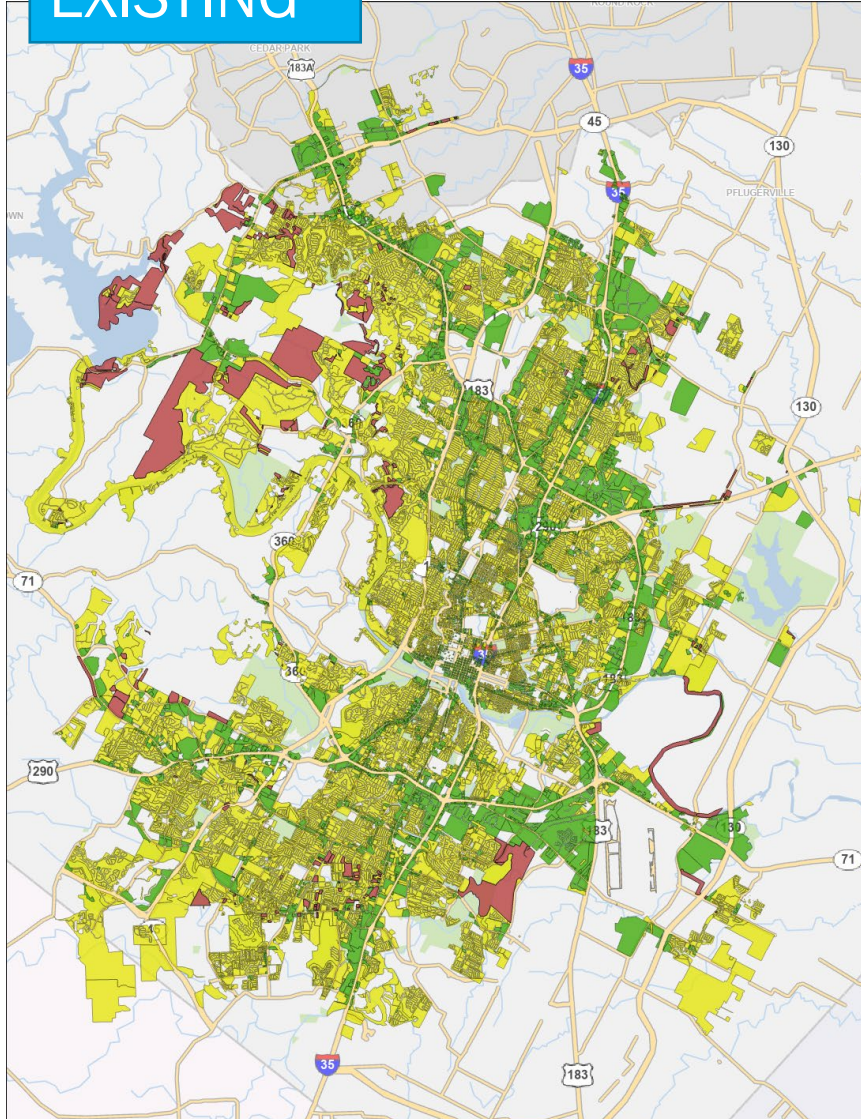
↑255% Permitted

↓77% CUP

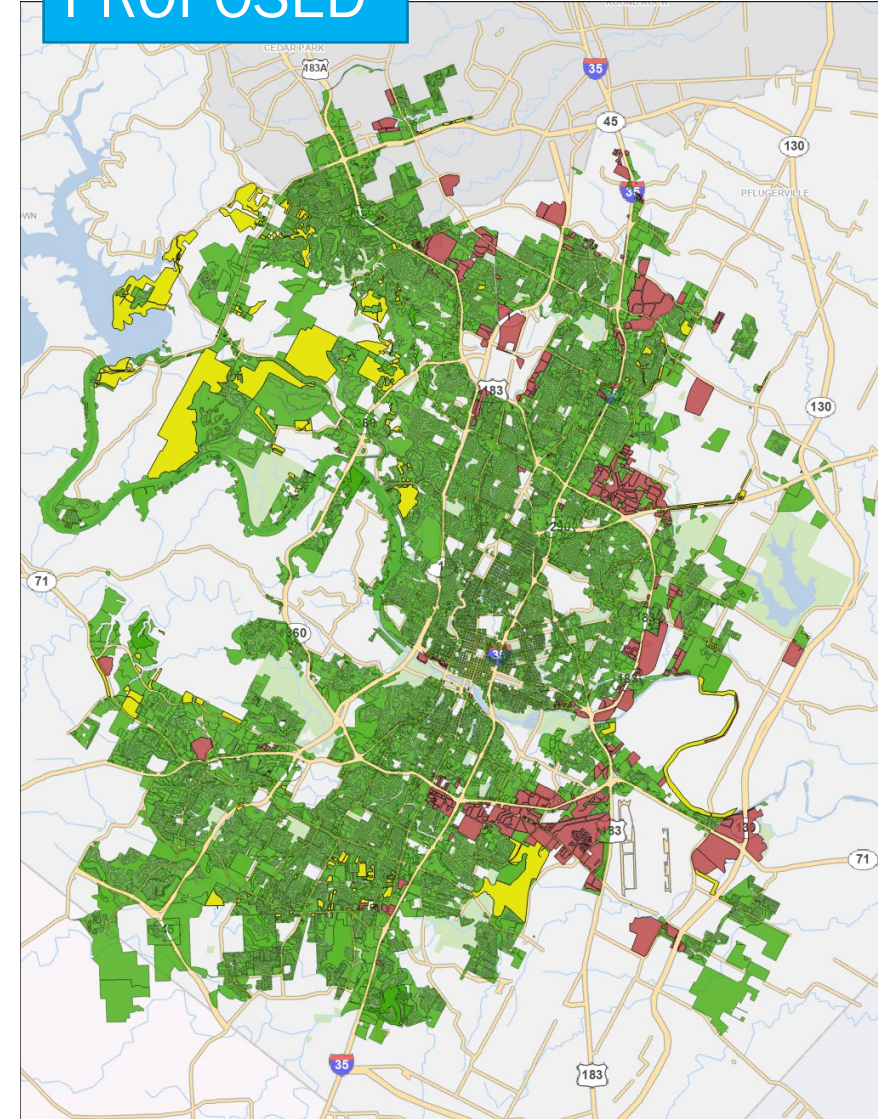
↑18% Not Permitted

↑= Change in acreage

EXISTING



PROPOSED



*Maps do not include areas within Regulating Plans, TODs, R&D, or PUDS



Proposed Changes - Parking

- Add subsection to 25-6-471 “Off-Street Parking Facility Required” requiring:
 - The minimum off-street accessible spaces are the greater of one accessible parking space or the number required by ADA or FHAA regulations
 - Accessible spaces to be located adjacent to the site and on an accessible route
 - Accessible parking to be provided off-street
 - The director to determine minimum **off-street loading** and **bicycle parking** requirements



Staff Recommendation

- Recommends modifications to land use definitions, zoning districts permitted uses, and off-street parking requirements
- Recommendation on a grant program for Part 2:
 - Staff recommends that Council consider waiving fees for other parts of the development process because the proposed changes minimize the likelihood that a Conditional Use Permit will be needed



Anticipated Timeline

- Early Childhood Council – August 12th, 2023
- Codes and Ordinances Joint Committee – August 16th, 2023
- Planning Commission – September 26th, 2023
- City Council – October 19th, 2023



Contact Us

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