

COJC Amendment	Staff Recommendation	Rationale
Permit Adult Care Services in all zoning districts where Childcare Services is proposed to be a permitted use	Yes	Consistent with best practices.
Require a Conditional Use Permit for Childcare Services in industrial zoning districts	Yes	Allowing childcare services through a conditional use permit in industrial zoning districts will improve access in employment centers, especially within the Eastern Crescent of the city while maintaining assurances that the site is suitable for the use at the time of site development application.
Determine incompatible commercial land uses and add a distance requirement that mirrors §25-2-839	No	Staff does not recommend the creation of additional minimum distance requirements for commercial uses. The rationale behind this decision was to alleviate the burden on both staff and applicants, as identifying and adhering to distance limitations from incompatible uses poses challenges. Minimum standards to protect the health, safety, and well-being of children in care are maintained by the Texas Health and Human Services Commission. These minimum standards include requirements to address hazards on-site including provisions for fire safety, emergency preparedness, and hazard detection. Provisions are primarily targeted toward indoor and outdoor facilities within the site containing the childcare use itself, as opposed to off-site or adjacent uses. Depending on the provision, inspections are required before license issuance and re-inspection is required annually or bi-annually. In addition to license requirements imposed by the Texas Health and Human Services Commission, the Department of State Health Services (DHS) provides safe siting guidelines for childcare operators. The Development Services Department (DSD) is responsible for implementation of minimum distance requirements. DSD indicated that minimum distance requirements may not be effective in ensuring safe siting of childcare facilities as a childcare facility would be permitted to locate next to an existing hazardous use.
Add Childcare and Adult Care Services as a permittable ground floor use in vertical mixed-use development	Yes	Consistent with goals of increasing access to childcare services.
Eliminate off-street parking requirements for Adult Care Services	No	Staff recommends the elimination of parking requirements for both childcare and adult care services be achieved through code amendment case C20-2023-010 Eliminate Minimum Parking Requirements. As proposed by the Transportation and Public Works Department, the existing minimum parking requirements (Appendix A) will remain in the Land Development Code as a point of reference to determine accessible parking requirements or other similar calculations. Removing adult care services from Appendix A may complicate the provision of accessible spaces in the future or the requirements would need to be added back to the table along with the adoption of amendment to eliminate parking requirements. The amendment to eliminate parking requirements is anticipated to be presented for Council adoption on November 2nd.
Remove “daytime” from the land use definitions and replace with “less than 24 hours”	Yes	Consistent with best practices.
Add to the Childcare Services land use definition that it is for children 13 and below	No	An age limit of 13 or below is not consistent with best practices identified in peer cities. Federal and state regulations allow for reasonable accommodations beyond age limitations in instances of disability. An age limit of 13 may prohibit an operator from providing services in accordance with reasonable accommodation exceptions and limit access to care services for teenagers with disabilities. Instead Staff recommends an age limit of 18 years or less or authorized under State or Federal exemptions.
Ensure the use does not “trigger” compatibility	Yes	Consistent with goals of increasing access to childcare services.