

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