



Early Child Care and Land Use Planning

**Barriers to Development: Zoning
and Permitting**

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ECE Facilities Roundtable Series and Topics

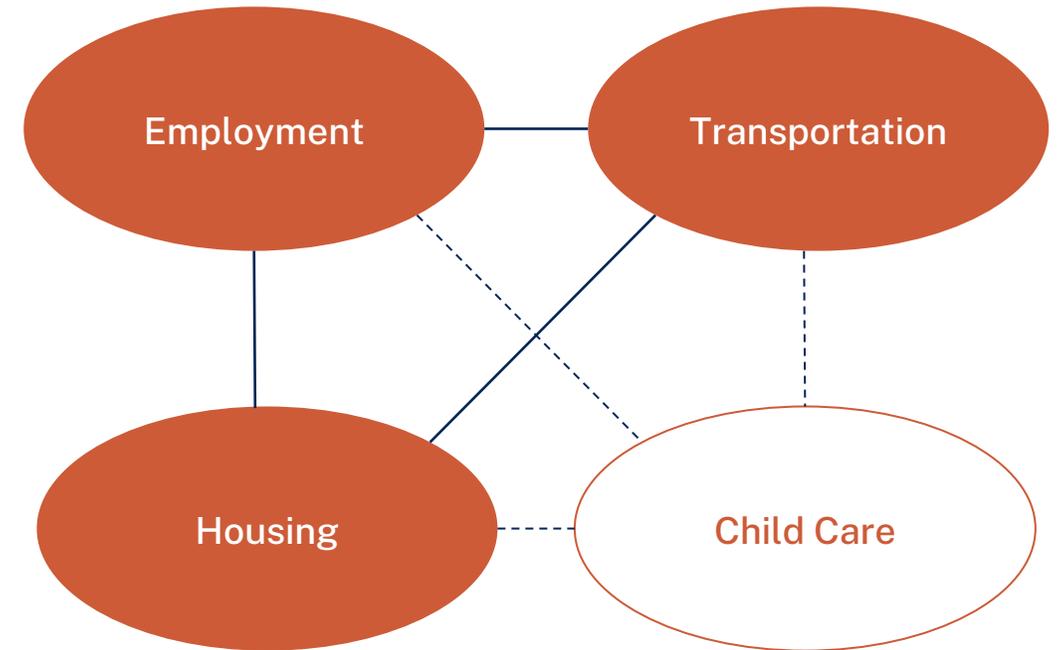
- Roundtable Series: An opportunity to discuss barriers and develop policy solutions to facilitate expansion of early child care (ECE) facilities and services
- Bring together folks from different fields that don't normally interact on a regular basis to discuss common issues and develop new solutions and policy ideas
- Roundtable meetings are organized into themes – 1st theme: reducing regulatory barriers to developing early child care (ECE) facilities, where appropriate
- Enterprise will share best practices, sample policies, solutions, model ordinance examples, and a menu of policy ideas to invest in ECE facilities



Child Care, A Missing Piece in Community Planning

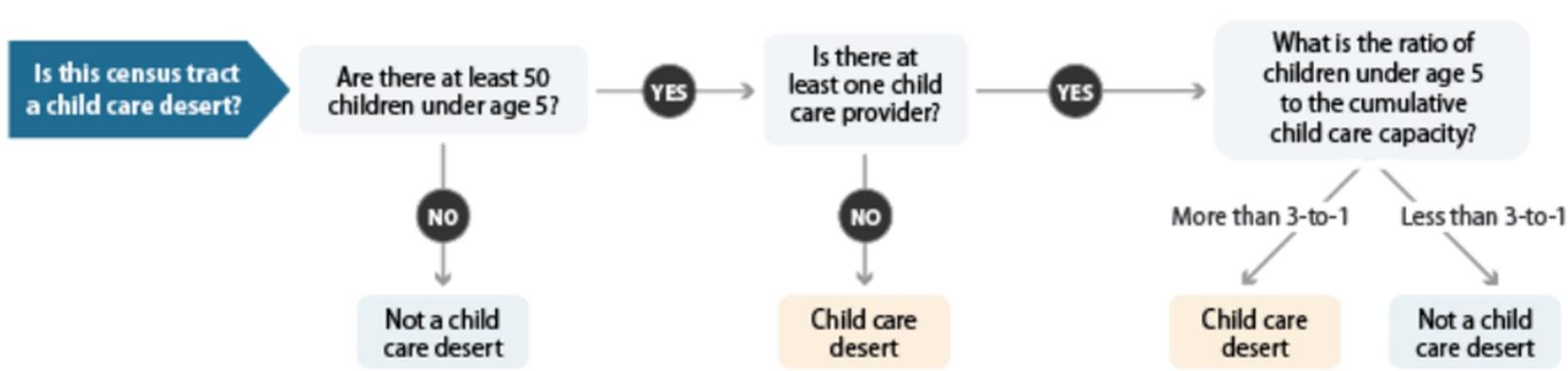
- Child care is not considered a “public good” in the US – there is no universal public system
- Child care IS a critical need for children’s emotional and academic development, and for parents to return to work!
- The APA recommends the inclusion of child care policies in local planning policies and zoning reforms ([APA Policy Guide on Child Care, 1997](#))
- Currently, child care centers are often not an integrated part of land use planning considerations reserved for other “public goods” like parks, public schools, and transportation
- Localities and public agencies are not *required* to plan for child care center facilities, or to assess how new developments affect child care demand
- **The availability of child care facilities currently relies on the commitment and leadership of local planners, public officials, community, and child care advocates to prioritize child care needs**

**Figure 1: From “Planning for Child Care in CA,”
Kristen Anderson, Solano Press Books*

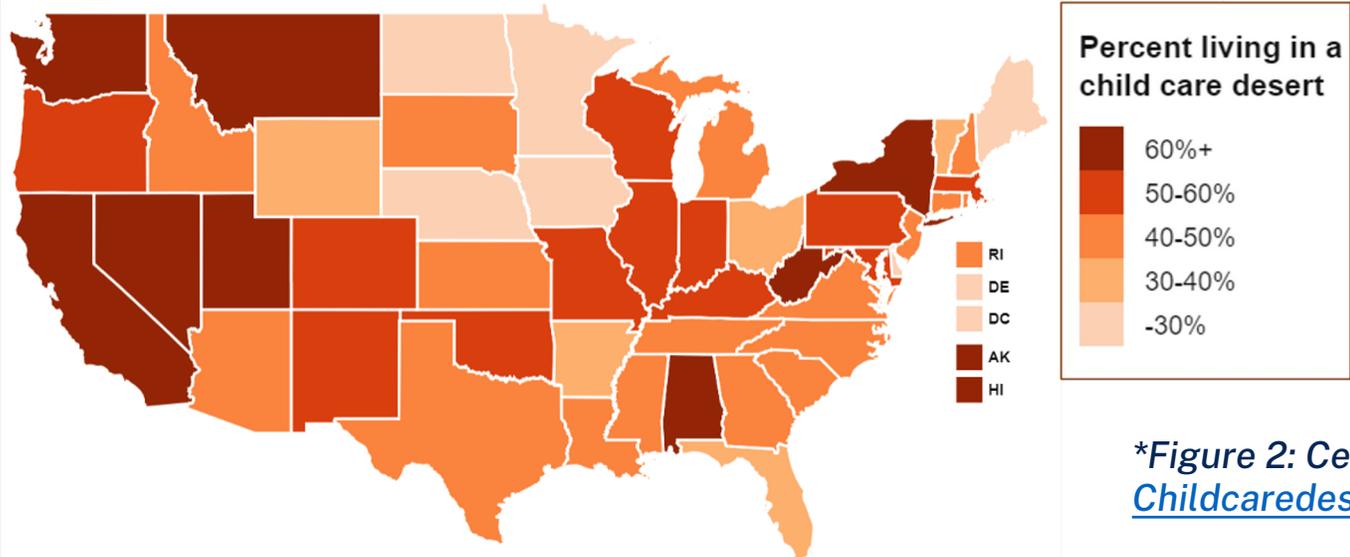


The U.S. Child Care Crisis

FIGURE 1
A working definition for child care deserts



63% of WA Residents live in a childcare desert



*Figure 2: Center for American Progress: Childcaredeserts.org

Causes and Impacts of the Child Care Crisis

- High-quality child care is labor-intensive, highly regulated, with thin profit margins
- Employee turnover and missed work due to child care access issues cost Washington employers an estimated **\$2.08 Billion annually**
- Cost of full-time child care for an infant and a child in preschool can equal up to **35%** of a two-parent family's income and up to **150%** of a single-parent's income – federal standard for affordability is **7%** of income
- In 2020 - **71%** of parents reported that difficulty finding child care affected their ability to work
- ECE Facilities are a major impediment to scaling a comprehensive birth to 5 system:
 - ECEAP entitlement in statute for 2026-27
 - Fair Start for Kids legislation dramatically increases the number of families eligible for state child care subsidies over the next 5 years



*Sources: WA State [Department of Commerce: "True Cost of Quality Child Care in WA"](#) and ["The Mounting Costs of Child Care"](#)

Interviews and Roundtables on Regulatory Barriers for ECE

Conducted in-depth interviews with 25 experts, including regulatory, land use, architects, and ECE providers in WA

- Interview questions focused on the regulatory challenges to ECE facilities development:
 - Are there certain requirements that felt overly burdensome, or not specific to child care?
 - Were waivers used or exemptions made for certain regulations?
 - If not, what waivers or exemptions would be helpful?
- Next slide shows draft barriers and solutions related to land use and permitting that came out of the interviews and first two roundtables



Common Regulatory Barriers for ECE Facilities Development

Initial Themes on Land Use and Permitting from Interviews and Roundtables

#	Category of Barrier	Description of Draft Barrier
1	Zoning restrictions for ECE	Conditional Use Permits (CUPs): Large barriers for ECE facilities project, requiring time and money with no guarantee of approval
2	Fees	CUPs, Impact Fees, and permit-related fees: Each fee ranges from \$0 to \$285K + depending on local enforcement
3	Wait Times	Wait times for CUPs and construction permits can take months, causing uncertainty around financing timelines and project completion. Extended delays in getting info from city and fire department on regulatory requirements (e.g. fire hydrant location, etc).

Category of Barrier	Description of Draft Solutions to Barriers
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1, 2, 3	Zoning restrictions for ECE, Fees, Wait Times	Child care allowed outright across majority of zones, where appropriate, making CUPs unnecessary. Reduce complexity of CUPs when they can't be avoided (administrative CUPs with no hearings). Develop model ordinance examples for cities around ECE best practices re: traffic, parking, etc.
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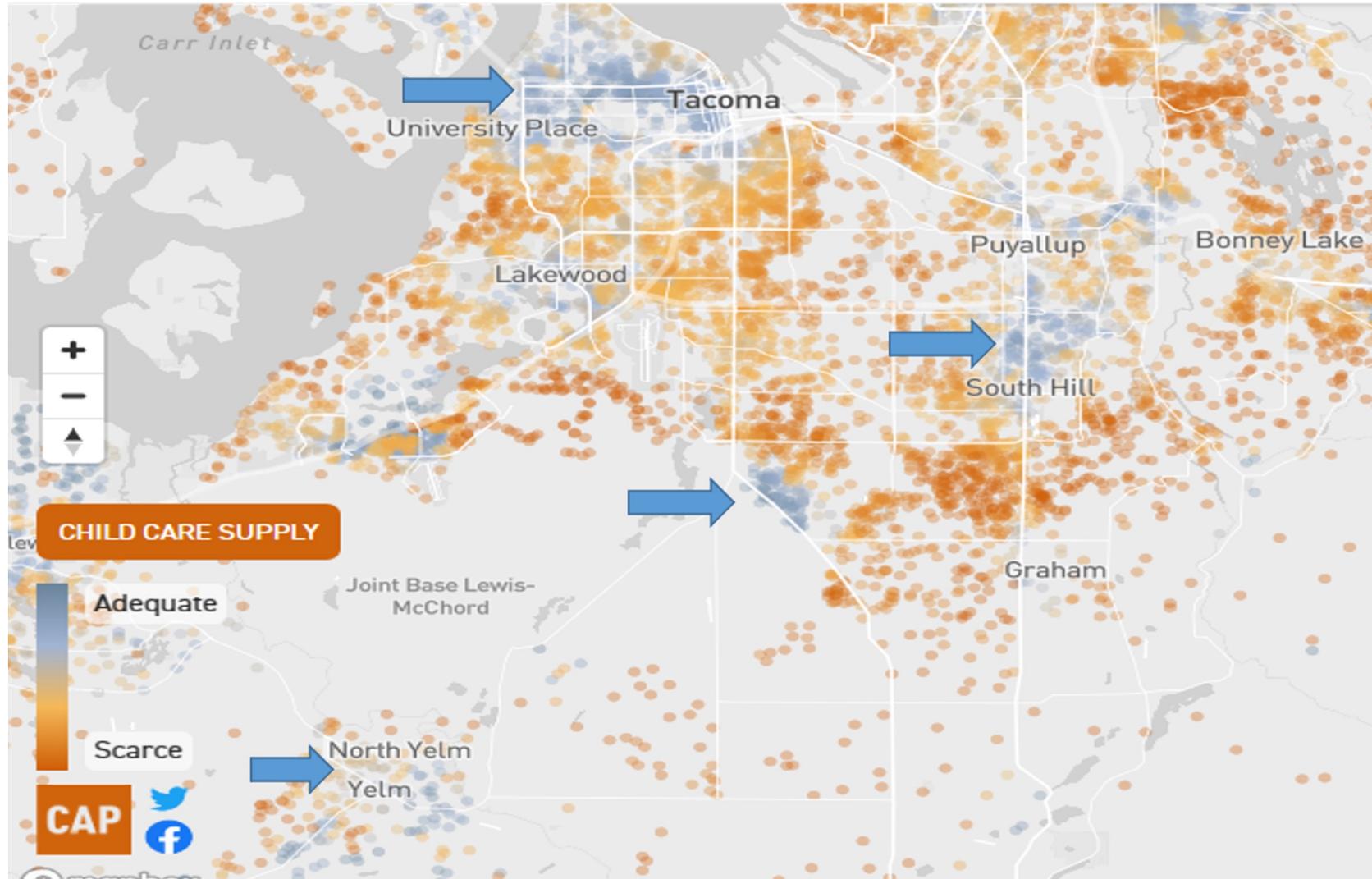
2	Fees	The state has provided legal means to waive Impact Fees for ECE, but local gov't has ability to impose these fees. Fees for ECE could be waived, reduced, staggered, or paid for by state. Or create a new Impact Fee on developments that increase ECE demand, to fund ECE facilities.
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Zoning Impacts on Child Care Expansion

- Patterns exist where jurisdictions imposing unnecessarily restrictive zoning barriers on commercial child care, with major consequence for ECE providers:
 - No zoning approval means no occupancy permit
 - No occupancy permit means no license and child care provider number from DCYF (Department of Children, Youth & Families)
 - No DCYF provider number means no ability to apply for eligible grants
 - Without a commercial use property, the provider is not eligible for commercial, SBA, or other forms of debt, critical to financing ECE facilities



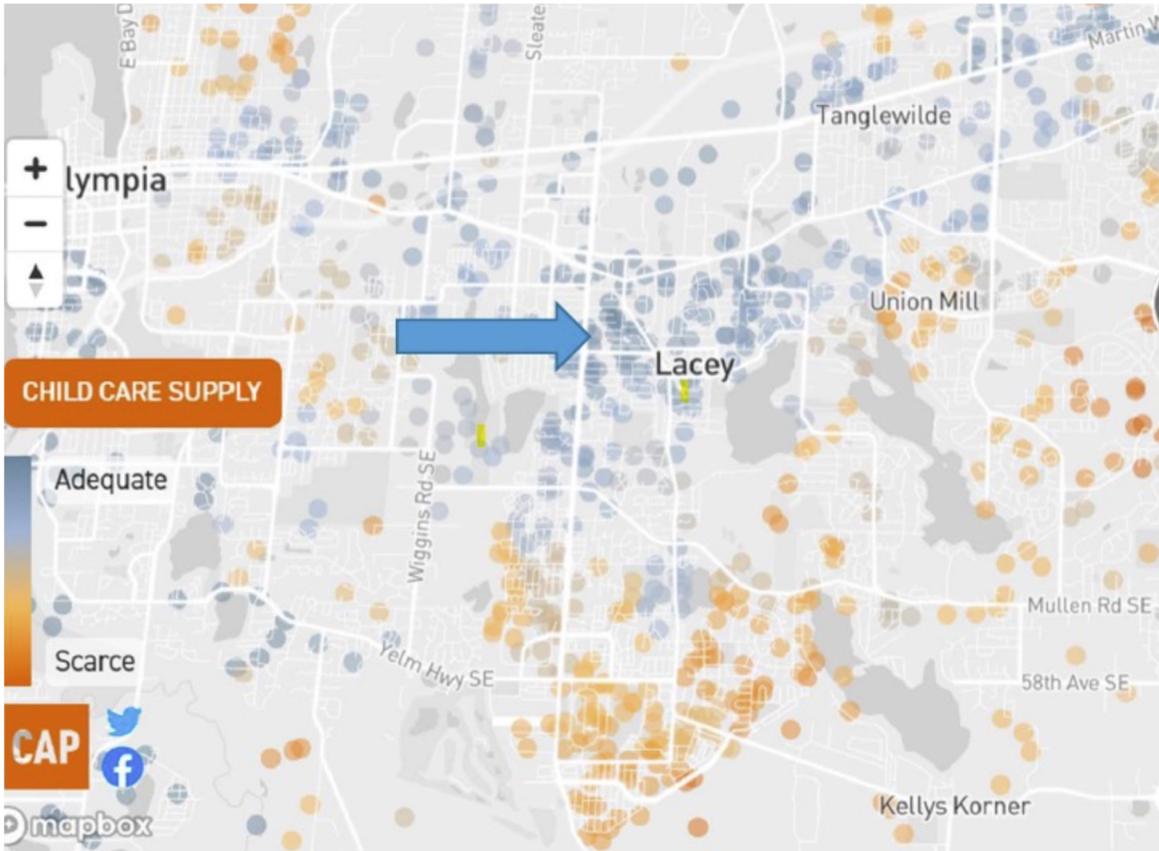
Where it is Zoned, Child Care Exists



- Yelm, WA long range planning has revised their comp plan for childcare allowing specialty use in all zones
- South Hill down the Meridian corridor allows commercial use allowing childcare providers ease of use
- Downtown Tacoma and 6th Ave are also heavily commercial zoned allowing ease of use for childcare providers

**Figure 3: Center for American Progress: Childcaredeserts.org*

Where it is Zoned, Child Care Exists, Cont.



- City of Lacey zones commercial child care within its Central Business Districts 4-7 and St. Martin's University
- Only 1.1% of Unincorporated Pierce County can be permitted outright for commercial childcare; Unincorporated Thurston County allows 0% outright
- In many jurisdictions, child care and marijuana shops have the same zoning designation, creating a conflict of shared business space and further limits
- In Nov 2023, the City of Lakewood amended its City Comprehensive Plan to allow child care centers in most commercial zones, and removed the CUP requirement for ECE centers in residential zones for buildings of assembly
- Lakewood's zoning changes expanded outright permitting of child care centers from 4% to 52% of its total area

Zoning Reform: City, County, and State Examples

Several cities, counties, and states have passed recent zoning reforms for child care:

- **City of Lakewood**
- **City of Seattle: 2020 Child Care Near You Ordinance**
 - Centers and Family Homes zoned outright for residential and nearly all zones
 - Exempts centers from Floor Area Limits in multifamily and commercial; removes max size limits for centers in some commercial; adds code flexibility for centers in mixed use zones
- **State of WA:**
 - *HB 1331 35-13 (2021)*: Gives local cities and counties the ability to reduce impact fees for affordability in building and expanding childcare and early learning facilities (up to local control)
 - *HB 1199 (2023)*: Prevents homeowners' associations and landlords from unreasonably restricting home child care
 - *HB 2468 (2024 - did not pass)*: Child care centers zoned outright if located near or in zones where there is an elementary school
- **Other states/local zoning reforms:** Clatsop County, OR; Arlington County, VA; Los Angeles County; San Francisco and Redwood City, CA; City of Austin, TX; states of OR/CA/CT/OK/CO, among others

Considerations and Next Steps

- SSMCP prioritizes advocacy to expand childcare through the reduction of unnecessary zoning restrictions for commercial child care facilities within our region and beyond
- Enterprise's interviews and roundtables will provide best practices, sample policies, and model ordinance examples for expanding ECE facilities development
- Currently, jurisdictions are undergoing their Comprehensive Plan Periodic updates - once every 10 years
 - **We recommend that local jurisdictions and counties review and amend their zoning and/or development regulations to remove unnecessary barriers to expanding child care facilities**
- Questions? Thank you!



Thank You

