

Addressing Childcare Facilities Needs through Housing Elements

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Childcare and early education services are critical to communities. Housing, employment, childcare, and transportation pose daily logistical and financial challenges for most working families. Public decision-makers should address these needs in short-and long-range community planning, including in the General Plan, a mandate for every city and county in California.

A General Plan (GP)¹ provides the community's vision for future growth. California law requires each plan to address the mandated elements listed in Government Code section 65302: land use, circulation, housing, conservation, open space, noise, and safety. Certain jurisdictions also must address environmental justice and air quality. The **Housing Element (HE)** is the only one that has extensive requirements and must be updated every eight years and reviewed by the state Department of Housing and Community Development (HCD).

The HE includes assessments of the city or county's existing and projected housing needs for the upcoming period to support housing preservation, improvement, and development for all economic segments of the community. Jurisdictions must plan to meet their fair share of regional housing needs, which is determined by the California Department of Housing and Community Development (HCD) through the Regional Housing Needs Allocation (RHNA) process. This plan also includes adopting policies and programs to address those needs and identify available locations for housing development. Cities and counties usually do not act as housing developers, but they can remove barriers in policies and approvals to incentivize development.

This policy brief was designed for Advocates

- Community-Based Organizations
- Local Childcare and Development Planning Councils
- Childcare Resource & Referral Agencies

While a GP might include childcare policies in other elements such as Land Use, the close relationship between housing and childcare calls for policies and implementation programs in the HE. At Build Up California, we consider the levels of support or engagement by a city or county as follows:

- ▶ **BASIC** - Identifying the linkage between housing and childcare availability; and, if needed, ensuring alignment with state law in regards to Large Family Childcare Homes
- ▶ **SUPPORTIVE** - Reducing barriers in zoning, permitting processes, fees, etc.; supporting co-location of childcare in housing developments; and promoting existing housing-related resources to Family Childcare Home Providers
- ▶ **PROACTIVE** - Engaging developers to build spaces for childcare; providing land/financing

The **Housing Element update process** is lengthy, providing several opportunities for community input even before formal hearings at Planning Commission and City Council/Board of Supervisors meetings. To influence this process, advocacy organizations can engage communities in participating in their local HE update process and providing comments. Cities and counties may offer study session(s), community input sessions, surveys, and other opportunities for participation. Planning Commissions, City Councils, and Board of Supervisors host various hearings before the formal adoption of the HE. Generally, we recommend giving input as early as possible in the process.

It is very important to attend these events and to promote the participation of various community members, but giving input in writing by email or mail is also crucial. We included in this Policy Brief a sample letter that you can adapt and address to your local public decision-makers to request the inclusion or improvement of aspects related to childcare as part of the housing elements.

Websites for more information:

- [California State Association of Counties](#) | List of cities in your county
- [California Department of Housing and Community Development](#) | Statewide schedule for HE updates, a HE Download tool, and Building Blocks- A Comprehensive Housing Element Guide
- [Governor's Office of Planning and Research](#) | General Plans
- [Campaign for Fair Housing Elements](#) | Advocacy group with resources and database
- [California Department of Social Services](#) | Family Childcare Home Providers: Remedies for Housing Discrimination (SB 234)



In July 2022, the Childcare Partnership Council of San Mateo County (LPC) and Build Up for San Mateo County's Children sent a joint letter and sample language to city councils of San Mateo County's 21 jurisdictions, copying City Managers and Planning Directors. We used their letter to create this template.

Letter Template

RE: Policy recommendations for Housing Element Updates

Dear City/County Leaders,

On behalf of the [organization name], we are writing to encourage your city/county to include policies that support the development of childcare facilities in the [Name of City or county]'s updated Housing Element. For working families with young children, having accessible childcare near their homes reduces traffic and commute times, and generally improves the quality of life for these residents. Including policies supportive of childcare in or near housing is a straightforward way for cities and counties to contribute to creating sustainable communities where families with young children can thrive. [Name of city or county] 's Housing Element update provides an opportunity to address all working families' housing and childcare needs while examining the housing and childcare needs of special populations, such as single-parents and female-headed households.

High-quality childcare is essential to families and vibrant economic development, yet operators of potential new childcare facilities face numerous barriers to opening new programs to meet community needs. While many of the challenges for childcare facilities development are similar to housing, the childcare sector lacks housing developers' mandates, financing sources, or expertise. One of the biggest challenges is finding a location for a childcare facility. Ideally, childcare facilities are located in or near housing and are close to family-friendly transportation options.

Housing affordability also affects the childcare sector. In our high-cost area, home-based childcare businesses may struggle to afford the cost of rent or mortgage. As older providers retire, new providers cannot afford to buy homes in our communities. Those who rent a house or apartment often face business instability. In addition, childcare programs across [Name of city or county] are struggling to hire enough workers – the childcare workforce is predominantly low-income women of color. Many are struggling with their own housing needs.

In examining Housing Elements throughout California, we have noted that many cities and counties have included goals and policies that support childcare development in or near housing. We have compiled sample policies in the attached document in hopes that [Name of city or county] will include a number of them in the Housing Element update.

If you have questions or would like further support for connecting childcare and housing in your city/county, please do not hesitate to contact us at [your phone and email].

Sincerely,

Sample Housing Element Language to Support Childcare near Housing

Jurisdictions are encouraged to include policy language as appropriate for their community.

Basic: identifying the linkage between housing and childcare availability; and, if needed, ensuring alignment with state law regarding Large Family Childcare Homes

- ⦿ Support family housing that addresses residents' needs for childcare, youth services, recreation opportunities, and access to transit.
- ⦿ Ensure that zoning code and permitting practices are consistent with [state law](#) (2019) that prohibits use permits, business licenses, etc., for Large Family Childcare Homes.
- ⦿ Maintain the quality of life within neighborhoods by maintaining adequate community facilities, such as childcare centers and municipal services.
- ⦿ Facilitate and encourage the development of larger rental units appropriate for families with children, including the provision of supportive services such as family childcare.
- ⦿ Support the provision of childcare services, employment training, rental assistance, and other supportive services to enable households to be self-sufficient.
- ⦿ Promote sustainable communities through locating housing near employment, transportation, childcare, and other community services

Supportive: reducing barriers in zoning, permitting processes, fees, etc.; and promoting existing housing-related resources to Family Childcare Home Providers

- ⦿ Encourage the siting and development of childcare centers and family childcare homes in all residential, mixed-use, and other zones where residences are permitted, for the convenience of families.
- ⦿ Encourage the establishment of childcare centers in appropriate locations and consider modified zoning standards, review procedures, and other incentives to facilitate their development.
- ⦿ Reduce permitting requirements or allow childcare centers by right in some zones (and building types).
- ⦿ Allow childcare facilities to serve as traffic mitigation measures.
- ⦿ Encourage the inclusion of space for childcare in new housing developments, including affordable housing developments.
- ⦿ Promote existing housing-related programs to Family Childcare Home providers, including but not limited to: fair housing counseling, housing rehabilitation loans, renovation/repair, first-time homebuyer, and down payment assistance.

Proactive: engaging developers; providing land/financing

- Provide incentives for developers to provide childcare facilities or services as part of new residential, commercial, and industrial developments, including but not limited to: density bonuses, increases in floor area ratios, parking reduction, community benefits credit, traffic impact fee exemption, expedited entitlements, or modifications to zoning regulations.
- Assess the demand for childcare created by new housing developments.
- Work proactively with all housing developers to incorporate, where feasible, childcare that serves families of all incomes and children of all ages.
- Include childcare facility space as a priority or required component in Request for Proposals (RFPs) for city land and Notices of Funding Available (NOFA) for affordable housing developments
- Support inclusion of specially designed and located housing units, in multi-family projects, for licensed Family Childcare Home providers. (Resource materials available)