

*"Children playing in West Canton Park" (1970) taken by Boston Redevelopment Authority
Freedom House, Inc. Records, Northeastern University Archives and Special Collections*



Citywide Child Care Zoning Text Amendment

Public Meeting – 08.28.2023



**boston planning &
development agency**

Zoom Controls to Listen to Interpreters



(EN) Look for the interpretation icon (globe) at the bottom of your screen and select the language you want to hear.

(Cabo Verdean) Djobe íkune di interpretason (un globu) na parti inferior di tela y selesiona bu língua ki bu kre skuta reunion.

(Kreyòl Ayisyen) Chèche ikòn entèpretasyon ki gen fòm (glòb) anba ekran ou an epi seleksyone lang ou vle tande a.

(Español) Busque el ícono de la interpretación (globo) en el borde inferior de su pantalla y seleccione el idioma en el que desea escuchar.

(Tiếng Việt) Tìm biểu tượng phiên dịch (hình quả địa cầu) ở phía cuối màn hình của bạn và chọn ngôn ngữ bạn muốn nghe.

(简体中文) 查找屏幕底部的翻译图标（地球仪），然后选择您想听到的语言。

(繁體中文) 查找屏幕底部的翻譯圖標（地球儀），然後選擇您想听到的語言。

Zoom Controls to View Translated Slides

(EN) Look for the “View options” button at the top of your screen and select “Share Screens,” then select the language of the slides that you want to view.

(Caboverdean) Prokura buton "View Options" (Djobe Opon) na parti di sima di tela y skodje “Share Screens” (Partilha Tela), dipos skodje idioma ki bu ta gostaba di djobe aprezentason.

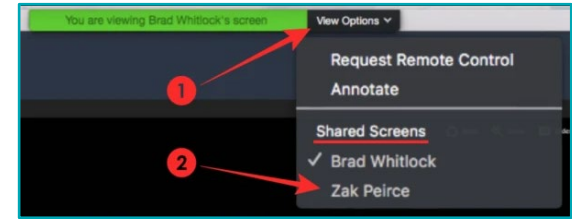
(Kreyòl Ayisyen) Chèche bouton "View options" ki anlè ekran ou a epi chwazi "Share Screens", epi chwazi lang ou vle wè nan diapositives yo.

(Español) Busque el botón "Ver opciones" en la parte superior de la pantalla y seleccione "Compartir pantallas", luego seleccione el idioma de las diapositivas que desea ver.

(Tiếng Việt) Tìm nút “Tùy chọn xem” ở đầu màn hình của bạn và chọn “Chia sẻ màn hình”, sau đó chọn ngôn ngữ của các trang chiếu mà bạn muốn xem.

(简体中文) 查找屏幕顶部的“查看选项”按钮并选择“共享屏幕”。然后选择要查看的幻灯片的语言。

(繁體中文) 查找屏幕頂部的“查看選項”按鈕並選擇“共享屏幕”。然後選擇要查看的幻燈片的語言。

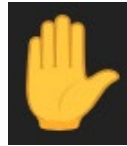


Zoom Meeting Info + Tips

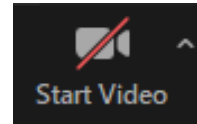
- **The BPDA will be recording this meeting** and posting it on the BPDA's project webpage. If you do not wish to be recorded during the meeting, please turn off your microphone and camera.
- **Zoom controls are available at the bottom of your screen.** Clicking on these symbols activates different features.
- **Use raise hand function** (dial 9 followed by 6 if joining by phone) **and wait to be called upon** before asking your question or providing comment.



Mute/unmute



Raise hand to get in line to ask a question or provide comment



Turn video on/off

Introduction +
Background

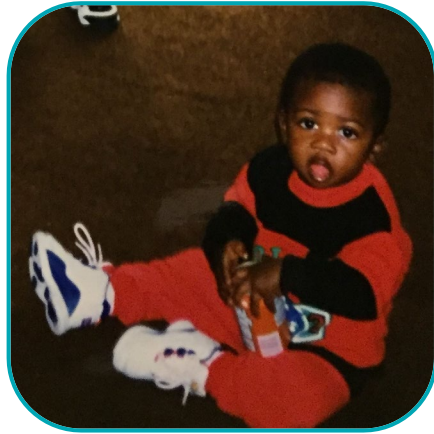
Presentation from
the Office of Early
Childhood on Child
Care Supply +
Demand

Presentation from
the BPDA on the
Zoning Text
Amendment

Questions +
Comments

Agenda





Abdul-Razak Zachariah

Planner I, Zoning Reform Team

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**boston planning &
development agency**

Background on Citywide Child Care Efforts in Boston



Recent Research & Policies

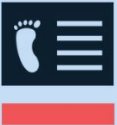
2023 STATE OF EARLY EDUCATION AND CARE REPORT

**(Re)Building Boston's
Early Education and Care Sector:
Supply, Affordability and
Quality Needed**

Boston Opportunity Agenda Report



Mayor Wu's Executive Order
Inclusion of Day Care Facilities Requirement



City of Boston
Early Childhood

Mayor's Office of Early Childhood

MAYOR'S OFFICE OF EARLY CHILDHOOD



OFFICE OF EARLY CHILDHOOD



Kristin McSwain

*Director & Senior
Advisor, Office of
Early Childhood*



Paula Gaviria

*Child Care Program
Director, Office of
Early Childhood*



Farah Elhadidy

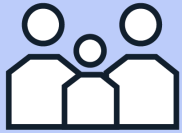
*Operations Manager,
Office of Early
Childhood*



**Peninna Delinois-
Zephir**

*Child Care Housing
Manager, Office of Early
Childhood*

DEMAND



In 2020, Boston had approximately 39,992 children aged 0–5 years old



53% of them (21,222) were 0-2 years old

SUPPLY



In June 2022, Boston had approximately 747 childcare providers



Estimated capacity: 24,276 formal early education & care seats for children ages 0 to 5 years



Only **21%** of the seats available are for children 0 to 2 years of age

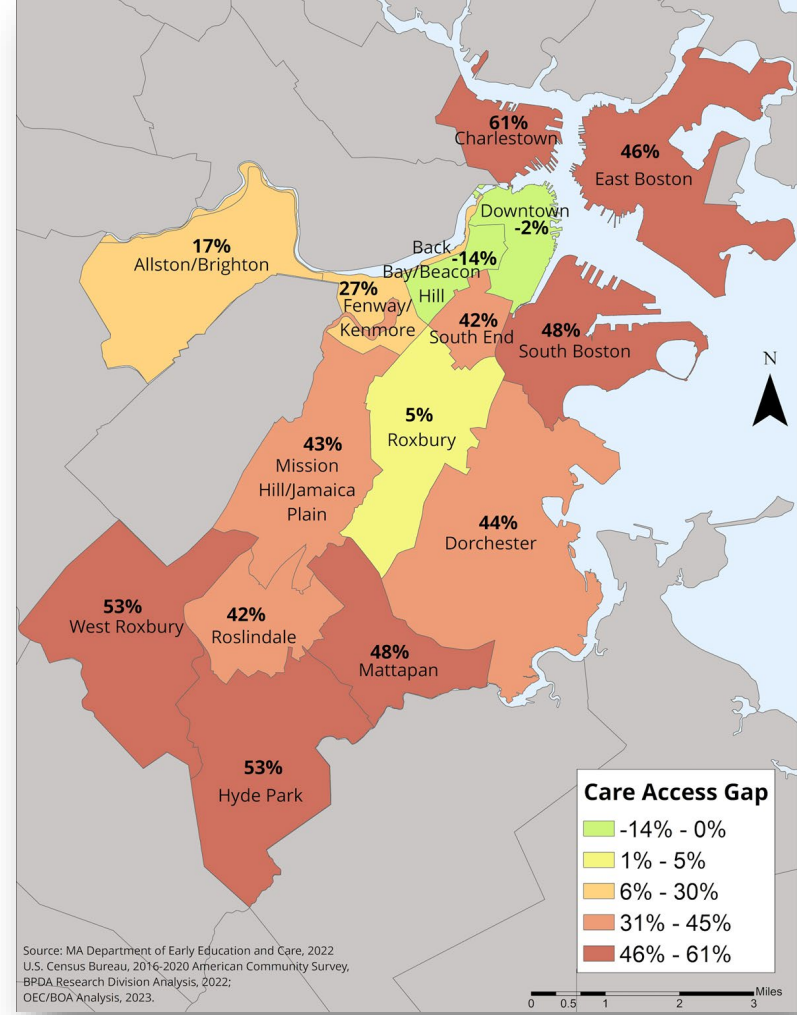


Access Gap

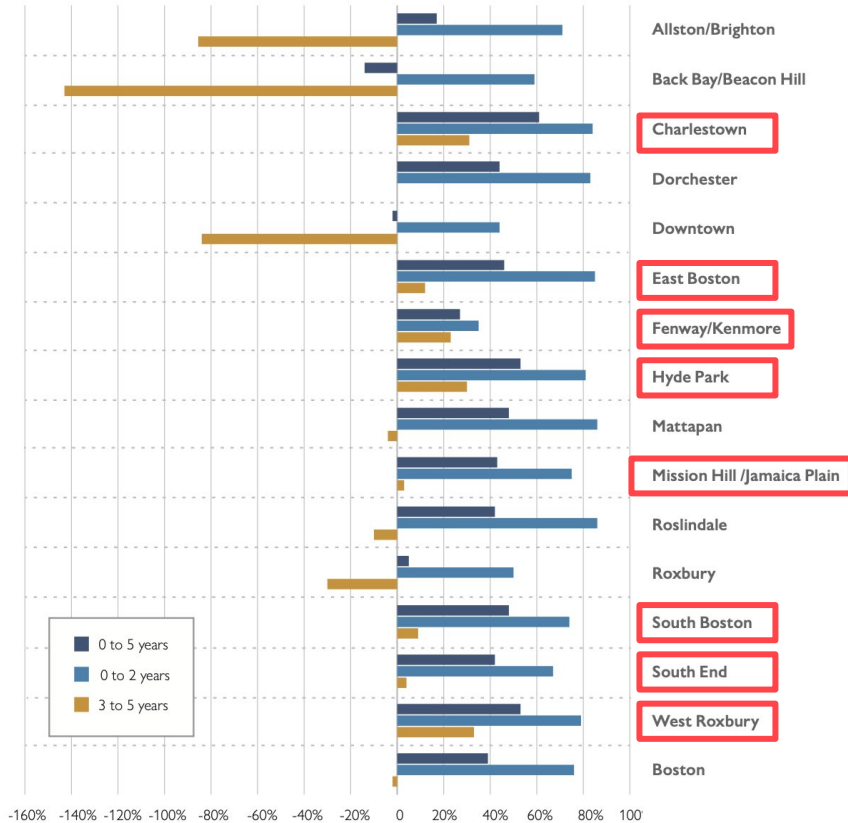
OFFICE OF EARLY CHILDHOOD



**Early Education and Care
Access Gap for Children
Ages 0 to 5 years in Boston,
by neighborhood (2022)**

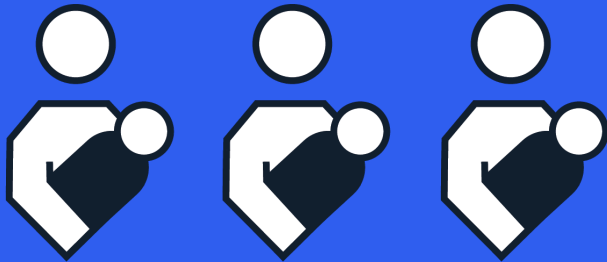


Access Gap by Age Group and Neighborhood (Boston, 2022)



- Boston had an **average 39% access gap** for children ages 0 to 5 years old
- The citywide gap is driven by the lack of seats for infants and toddlers
- If all children ages 0 to 2 needed to be enrolled in a formal setting, 76% would not have a seat
- For preschoolers, there were 19,115 seats to serve 18,770 children.
- This 2% surplus of preschool seats masks gaps in 8 neighborhoods

Only 1 in 4 infants and toddlers would find a seat in a formal child care setting





The Massachusetts Department of Early Education and Care (EEC)

OFFICE OF EARLY CHILDHOOD



ABOUT EEC



- EEC is part of the Executive Office of Education
- The Department has one central and five regional offices
- The Board of Early Education and Care **sets policies and regulations related to early education and care programs** and services in the Commonwealth of Massachusetts
- EEC ensures the **safety and quality** in the following early education and care programs:
 - *Family and center-based child care*
 - **Preschools**
 - *Family support*
 - *Residential (e.g. group homes, residential schools) and*
 - *Placement (e.g. foster and adoption)*

- **Licensing and oversight** to approximately 8,700 public and private organizations.
 - *Each of these entities requires annual licensing visits, ongoing monitoring and support, and technical assistance provided by the Department.*
- **Training and support to improve the quality** of education and care they provide.
 - *This includes a quality rating system in which 5,000 early education and care programs participate, as well as other types ongoing training, support, and additional resources*
- **Support to thousands of early educators** in public and private organizations.
 - *This is done through professional development requirements and activities, credential and competency standards, background record checks, and scholarships to support degree attainment*

LICENSURE AND APPROVAL

606 CMR 7.00



EEC has developed **specific regulations to be met by all providers of early care and education services** in the Commonwealth, whether home (FCC), school or center-based (CBO).

The Department may issue a child care license provided that:

- *in the opinion of EEC, the services offered by the program are adequate to protect the health and safety of the children;*
- *the applicant submits a completed application on a form provided by EEC, the required license application fee and the required documents;*
- *completes background Record Check policies for all staff (CORI and SORI)*
- *complies with indoor and outdoor space requirements, building code, fire code, and zoning codes*

For CBOs a regular license or approval is **valid for two years** and for FCCs **for three years** from the date of issuance unless revoked, suspended, or made probationary.



Impact Of The Proposed Changes

OFFICE OF EARLY CHILDHOOD



IMPACT OF THE PROPOSED CHANGES ON FAMILIES

A more family friendly city

Increased accessibility and quality

Having more childcare providers in the city increases the number of seats available for children 0 to 5, but also the number of high quality licensed providers.

Decreased commute time

More childcare options in all the neighborhoods gives caregivers the opportunity to select childcare close to home or work, which decreases time spent commuting.

Increased labor force participation

Having more licensed, safe, high-quality childcare options gives working parents, specifically mothers, the opportunity to continue working.

Decreased childcare costs

Increased zoning barriers add to the cost of care, by making it harder to find spaces (residential & non-residential) that allow licensed child care. Less options can lead to higher costs for neighborhood residents.

IMPACT OF THE PROPOSED CHANGES ON DEVELOPERS AND PROVIDERS



Increased affordable space for childcare

Developers have more incentives to provide space for child care in all types of projects, residential, office, mixed use, and commercial, including new construction and reuse.

Decreased unregulated childcare

Existing providers that are not licensed can become licensed and compliant with the code by removing the barriers created by the current zoning code.

Increased economic opportunity

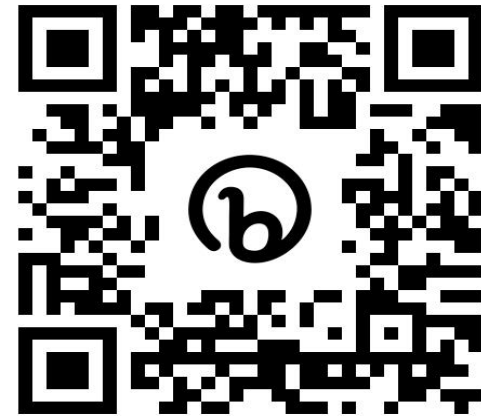
Opening a licensed childcare in neighborhoods that have access gaps could attract investments from both developers and childcare providers.

Decreased burden on providers and developers

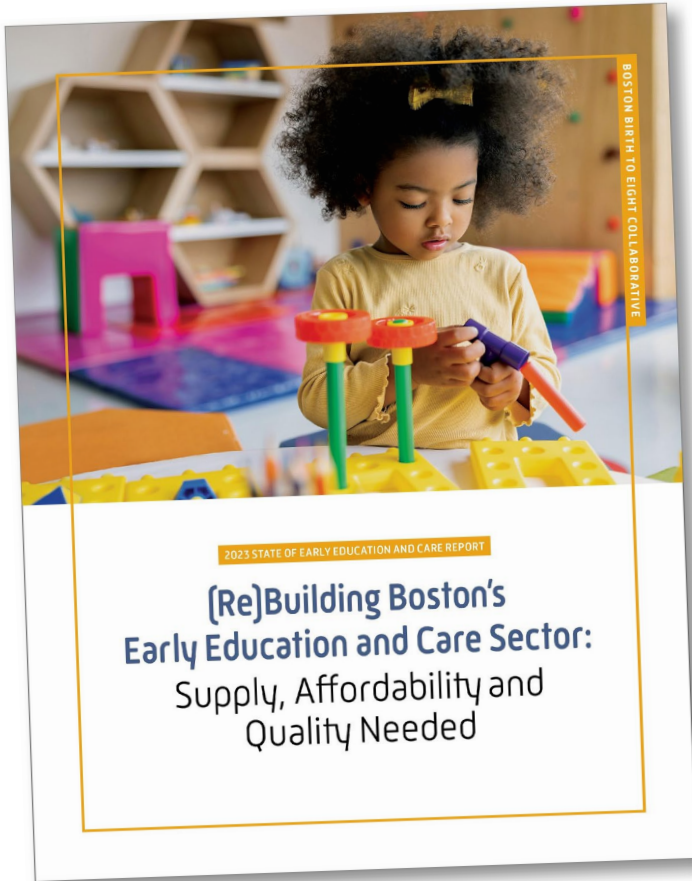
Procedures to locate child care facilities in locations that are appropriate and safe for children, should not be overly burdensome and should be related to size and land use impacts of the facility.



SCAN TO READ THE REPORT



Thank you!



*"Children playing in West Canton Park" (1970) taken by Boston Redevelopment Authority
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Citywide Child Care Zoning Text Amendment

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**boston planning &
development agency**

What is a zoning text amendment?

And how does it help in solving these issues?



Zoning Text Amendment

A change or set of changes to parts of the Zoning Code that become a new set of rules for land use and development in the City once they are approved.

Cultural Uses. Art gallery; art use; auditorium; cinema; concert hall; museum; public art display space; studio, arts; studio, production; theatre; or ticket sales.

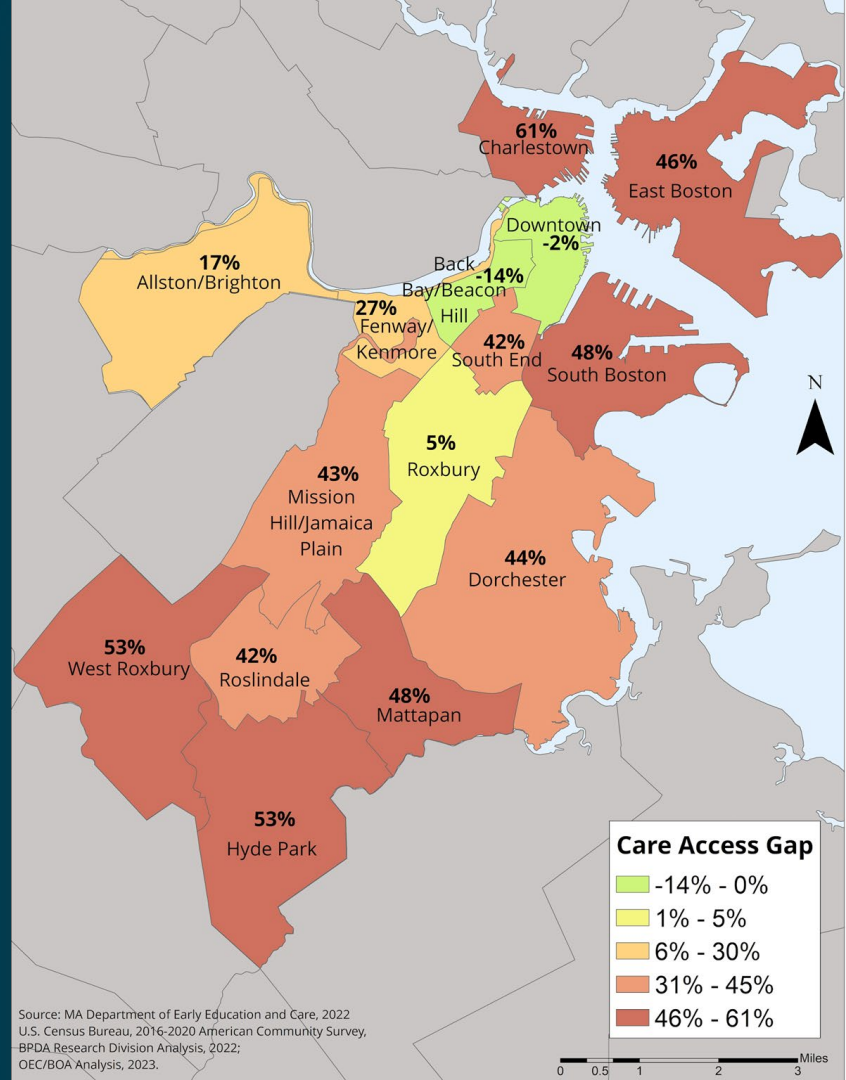
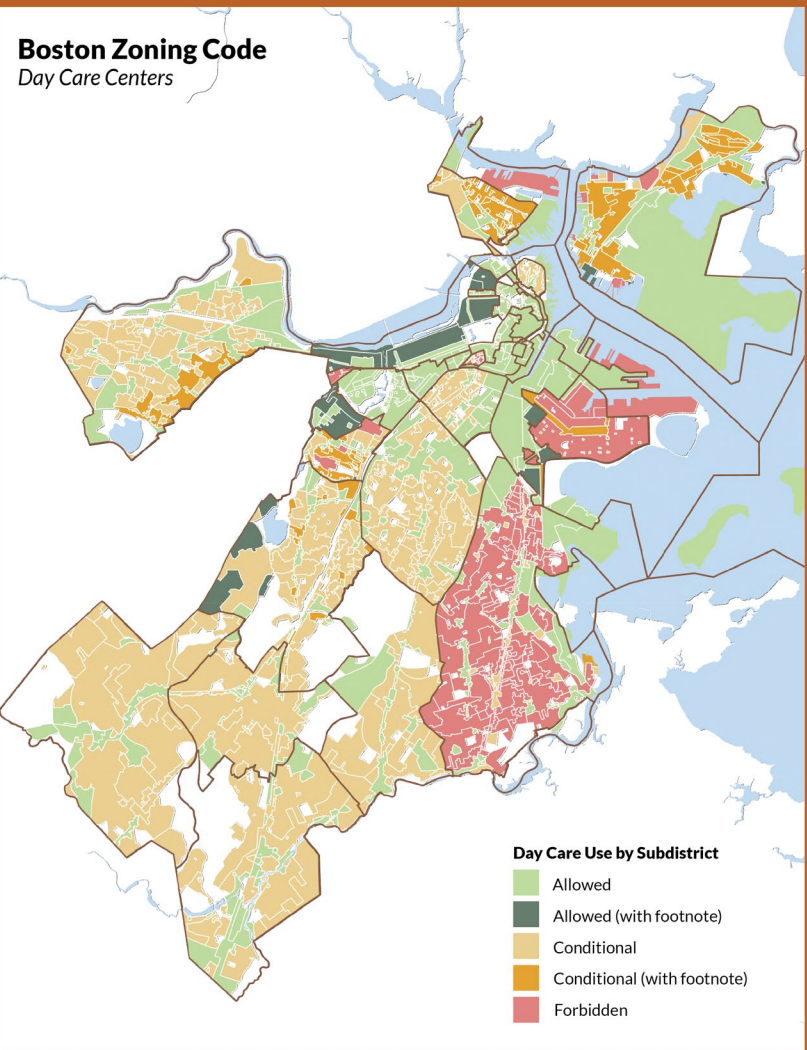
Custodial Care Facility. A facility which provides custodial care, supervision and/or guardianship for people experiencing substance use disorder, or with cognitive disabilities, or with mental health disabilities.

Day Care Center. Any facility operated on a regular basis whether known as a day nursery, nursery school, child play school, progressive school, child development center, or preschool, or known under any other name, which receives children not of common parentage under seven years of age, or children under sixteen years of age if such children are children with special needs as defined in Massachusetts General Laws, Chapter 28A, Section 9, for nonresidential custody and care during part or all of the day separate from their parents. Day care center shall not include: any part of a public school system; any part of a private, organized educational system, unless the services of such system are primarily limited to nursery or related preschool services; a Sunday school conducted by a religious institution; a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services; a Family Day Care Home; an informal cooperative arrangement among neighbors or relatives; or the occasional care of children with or without compensation therefor.

	One-Family (1F)	Two-Family (2F)	Three-Family (3F)	Multifamily Residential (MFR)
Adult education center	F	F	F	F
Community center	C	C	C	C
Day care center	C	C	C	C
Day care center, elderly	C	C	C	C
Library	A	A	A	A
Place of worship; monastery; convent; parish house	A	A	A	A

Boston Zoning Code

Day Care Centers



Source: MA Department of Early Education and Care, 2022
 U.S. Census Bureau, 2016-2020 American Community Survey,
 BPDA Research Division Analysis, 2022;
 OEC/BOA Analysis, 2023.



Child Care Zoning Text Amendment

What are the changes being made?



FOUR Key Changes to Support Citywide Child Care

Changing "Day Care" to "CHILD Care"

Child Care in EVERY Neighborhood

Child Care Beyond the Ground Floor

Removing Parking Minimums





Department of Early
Education and Care (EEC)



Changing "Day Care"
to "*CHILD* Care"

- “Day care centers” become **“child care centers”**
- “Accessory day care homes” become **“accessory child care homes”**
- Massachusetts Department of Early Education and Care (EEC) is named as the state agency that regulates child care programs
- Confusing language about what a child care center is “not” is removed

In the definition of the use item “Community Uses,” **delete** “day care center” and **replace** it with “child care center.”

Delete the use item and definition for “Day Care Center.”

Day Care Center. Any facility operated on a regular basis whether known as a day nursery, nursery school, child play school, progressive school, child development center, or preschool, or known under any other name, which receives children not of common parentage under seven years of age, or children under sixteen years of age if such children are children with special needs as defined in Massachusetts General Laws, Chapter 28A, Section 9, for nonresidential custody and care during part or all of the day separate from their parents. Day care center shall not include: any part of a public school system; any part of a private, organized educational system, unless the services of such system are primarily limited to nursery or related preschool services; a Sunday school conducted by a religious institution; a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services; a Family Day Care Home; an informal cooperative arrangement among neighbors or relatives; or the occasional care of children with or without compensation therefor.

Insert the following new use item and definition for “Child Care Center” in the appropriate position alphabetically:

Child Care Center. Any facility operated on a regular basis, whether known as a child nursery, nursery school, kindergarten, child play school, progressive school, child development center, or preschool, or known under any other name, which receives children not of common parentage under seven (7) years of age, or under sixteen (16) years of age if those children have special needs as defined in Massachusetts General Laws, for nonresidential custody and care during part or all of the day separate from their parents. Any facility of this type shall comply with the standards, inspectional requirements, and dimensional regulations as established by the Massachusetts Department of Early Education and Care (or a successor agency responsible for the state licensing of home-based child care facilities).

Delete the use item and definition for “Family Day Care Home.”

Family Day Care Home. Any dwelling unit which on a regular basis receives, for temporary custody and care during part or all of the day, children under seven years of age, or children under sixteen years of age if such children are children with special needs as defined in Massachusetts General Laws, Chapter 28A, Section 9; provided, however, in either case, that:

- (1) The unit is licensed by the Massachusetts Office of Child Care Services (or a successor agency responsible for the state licensing of home-based child care facilities) for the number of participating children; and
- (2) The total number of children under sixteen in a family day care home shall not exceed ten, including participating children living in the dwelling unit. Family day care home shall not mean a dwelling unit used for an informal cooperative arrangement among neighbors or relatives, or the occasional care of children with or without compensation therefor.

Insert the following new use item and definition for “Family Child Care Home” in the appropriate position alphabetically.

Family Child Care Home. Any dwelling unit which, on a regular basis, receives for temporary custody and care during part or all of the day, children under seven (7) years of age, or children under sixteen (16) years of age if those children have special needs, and receives for temporary custody and care for a limited number of hours children of school age under regulations adopted by the Board of Early Education and Care as defined in Massachusetts General Laws; provided, however, in either case that:

- (1) The unit is licensed by the Massachusetts Department of Early Education and Care (or a successor agency responsible for the state licensing of home-based child care facilities) for the number of participating children per the agency’s standards, inspectional requirements, and dimensional regulations, and
- (2) The total number of children under sixteen (16) in a family child care home shall not exceed ten (10), including participating children living in the dwelling unit.



Auntie Madge & Papa Childcare Services, Mattapan



Ms. Luz's NeighborSchool, East Boston



Our Future Learning Center, Allston-Brighton

Child Care in EVERY Neighborhood



Genelys Family Child Care, Jamaica Plain

Child Care Beyond the Ground Floor

- Child care facilities **are allowed above the ground floor in all neighborhood subdistricts** – aligning with state permissions
- Excessive restrictions on the square footage of child care facilities in some neighborhoods **are removed**
- Example from Allston-Brighton Neighborhood District →

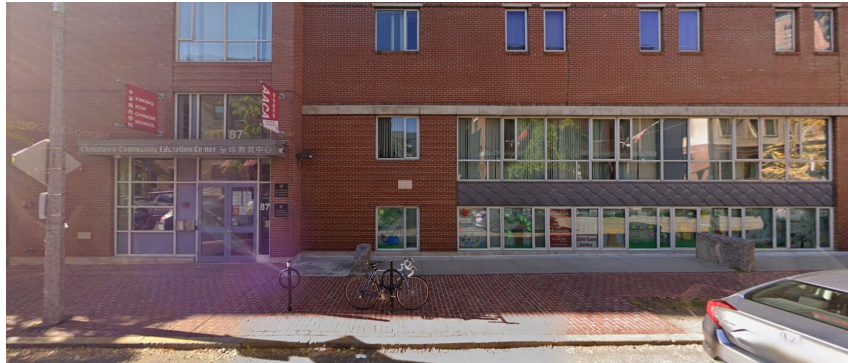
In each use table of Articles 50 through 73, under the subcategory heading “Community Uses,” in the row for the use item “Child care center,” **delete** all instances of the designations “C” and “F” and the numerical citations next to those letters, and **replace** them with the designation of “A.”

In each use table of Articles 50 through 73, under the subcategory heading “Accessory and Ancillary Uses,” in the row for the use item “Accessory family child care home,”

- Delete** all instances of the designations “C” and “F” and the numerical citations next to those letters, and **replace** them with the designation of “A.”

	One Family (1F)	Two Family (2F)	Three Family (3F)	Conservation Multifamily Residential (MFR)	Community Protection Subdistricts (CPS)	Facilities Subdistricts (CF)
Child care center	€A	€A	€A	€A ⁽²⁾	A	€A

(2) Where designated “A” or “C,” provided that such use is located on the ground floor, or in a basement with a separate entrance; otherwise forbidden.



*Buds & Blossoms Child Care & Early Education Center,
Chinatown*

**Child Care Centers
can build the
parking they need –
but the zoning code
won't require more
than that**

- The code currently has a **minimum amount of parking spaces** that child care centers are required to build
- This change will **remove that minimum parking requirement**
- Child care centers can still build parking spaces if needed, but they **are no longer required to build parking if they don't need them**

In each table related to off-street parking regulations, **delete** “day care center” as a use item from the table.

Off-Street Parking Requirements

	Spaces Per 1,000 Square Feet of Gross Floor Area ⁽²⁾
Day Care Center	0.7

Impact of the Proposed Changes on Uses & Development

Changing "Day Care" to "CHILD Care" = *Alignment with state terms and definitions*

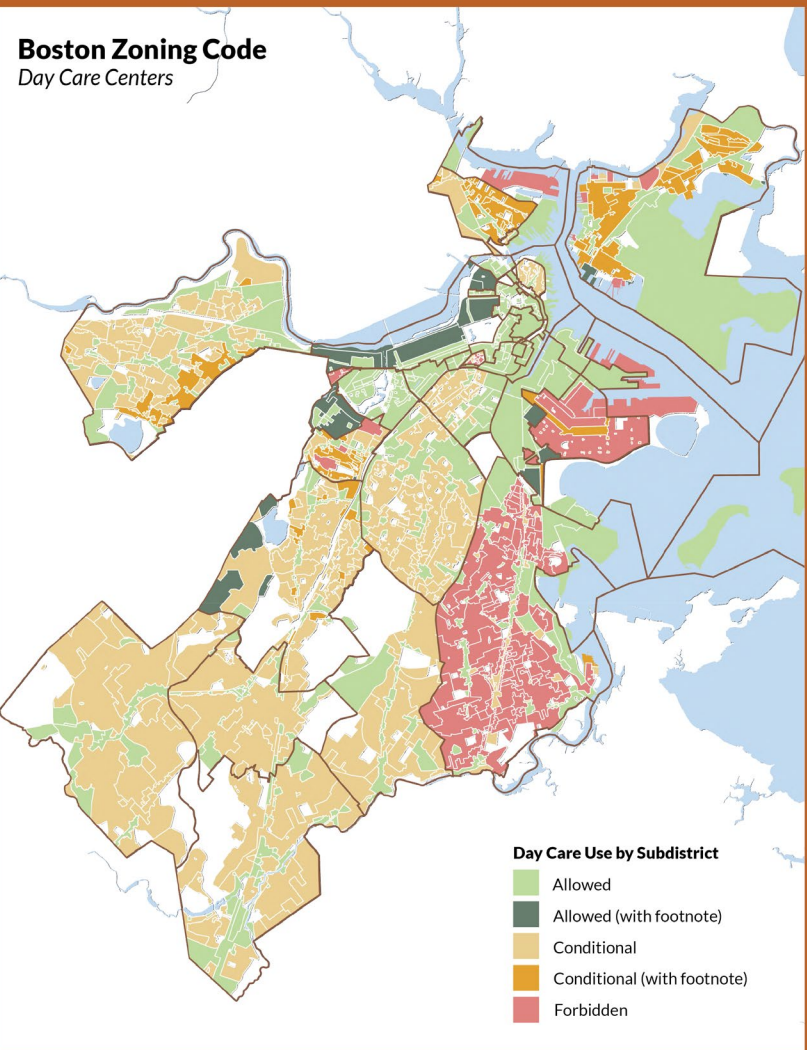
Child Care in EVERY Neighborhood = *Child care facilities allowed as a land use citywide*

Child Care Beyond the Ground Floor = *Removing barriers to where child can be in a building*

Removing Parking Minimums = *Helping child care centers only build parking if they need it*

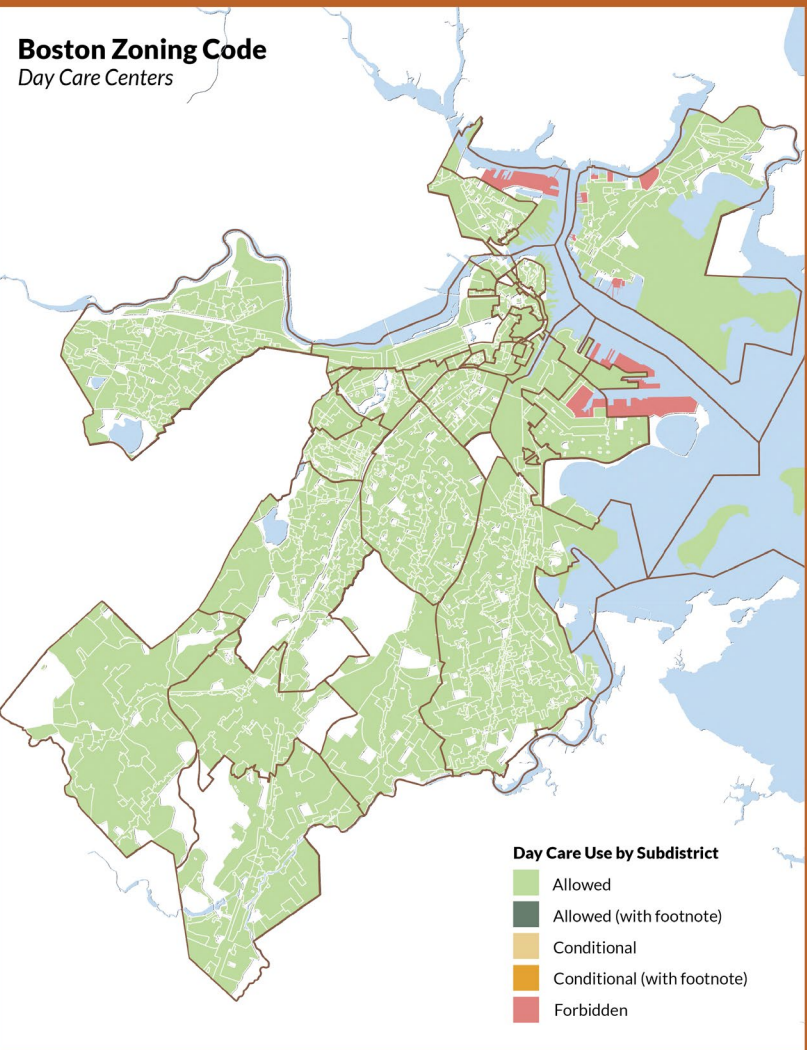


Boston Zoning Code
Day Care Centers



What we have today...

Boston Zoning Code
Day Care Centers



What we make possible for our youngest residents tomorrow...

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Expanding the Flexibility of Child Care Facilities Citywide

These are the child care spaces in your neighborhood — and some of what will be possible if this amendment is approved!



**boston planning &
development agency**



Thank you! Questions?

*for more information about this zoning initiative
visit: bit.ly/BPDACHildCareZoning*

*To share public comments from now thru **September 6, 2023**,
visit: bit.ly/ChildCareFeedbackSurvey*

**Public Comment
Period**

08.28.2023 to
09.06.2023

**BPDA Board
Meeting**

09.14.2023

**Zoning
Commission
Meeting**

10.11.2023

Next Steps

