

Ordinance No. 3091

An Interim Ordinance to Facilitate the Development of Day Care Facilities in the R4 Zone

Whereas the availability of affordable childcare is foundational to the economy;

Whereas the City has long recognized a severe need for additional childcare and early learning capacity in Anacortes;

Whereas, prior to the COVID-19 pandemic, there were approximately 1,000 children in Anacortes under school age;

Whereas only 12% of those had access to full-time, licensed childcare, less than half of the Washington State average of 27%, which itself is considered to be a crisis of inadequate capacity;

Whereas the COVID-19 pandemic resulted in the closure of childcare facilities as stay-at-home orders directly caused closures or caused under-enrollment;

Whereas our emergence from the COVID-19 pandemic has created an even greater need for childcare facilities;

Whereas quality childcare is critical for the academic and socioemotional foundations of children;

Whereas the availability of affordable childcare is critical for working families;

Whereas many businesses are currently affected by labor shortages due in part to the lack of availability of childcare for the children of potential employees;

Whereas the City's development code requires application of the Type 4 conditional use permit process to establish new childcare facilities in residential zones;

Whereas the Type 4 review process is the highest level of review in the AMC (AMC 19.20.030.C) and requires public hearing before the Planning Commission and approval by the City Council;

Whereas specifically AMC 19.44.010 defines "day care II" to include child day care serving more than 12 children in any 24-hour period, or any day care as a principal use; and AMC 19.41.040 makes "day care II" a conditional use in all zones where it is allowed, including the R4 zone;

Whereas at least two potential childcare facilities in the R4 zone are contemplating the development permitting process now;

Whereas the Type 4 conditional use permit process is lengthy and expensive for permit applicants;

Whereas other higher intensity uses, including multifamily residences, assisted living facilities and bed and breakfasts, are allowed in the R4 zone without a conditional use permit;

Whereas RCW 36.70A.390 and AMC 19.16.110 authorize the City Council to adopt moratoriums, interim zoning ordinances, and interim official controls;

Whereas, as an interim ordinance, pursuant to WAC 197-11-880, the adoption of this ordinance is not subject to review under the State Environmental Policy Act;

Now, therefore, the City Council of the City of Anacortes does ordain as follows:

Section 1. The City Council finds that:

- a. an immediate and urgent need for childcare facilities exists in the City of Anacortes;
- b. the cost, delay, and uncertainty of the conditional use permit process reduces the likelihood that new childcare facilities will be established;
- c. the design and performance standards in the Unified Development Code for non-residential and multifamily buildings effectively mitigate the impacts of childcare facilities on neighboring uses in the R4 zone;
- d. the R4 zone, as a high-density residential zone that is intended by the Comprehensive Plan to serve as a transition from high intensity uses such as commercial or industrial development, to lower intensity residential areas, is ideal for new childcare facilities;
- e. a day care II facility in the R-4 zone will not create more impact than some of the other high-intensity uses already allowed in the R-4 zone as permitted uses;
- f. the Type 4 Conditional Use Permit process is unnecessary for day care II facilities in the R4 zone.

Section 2. Table 19.41.040 in AMC 19.41.040 is amended to make “day care II facilities” a permitted use in the R4 zone.

Section 3. The Department of Planning, Community, and Economic Development is directed to develop a work plan to identify other needed mitigation measures for day care II facilities in the R4 zone, including parking minimums and circulation standards for drop-off and pickup.

Section 4. Per RCW 36.70A.390, the City Council will hold a public hearing on this interim ordinance within 60 days of adoption.

Section 5. Per RCW 36.70A.390, this interim ordinance is effective for six months, and may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

Section 6. Per RCW 35A.12.130, this ordinance takes effect five days after its passage and publication.

PASSED and APPROVED this 12th day of July, 2021.

APPROVED:

Laurie Gere

Laurie Gere, Mayor

Attest:

Steve Hoglund

Steve Hoglund, City Clerk-Treasurer

Approved as to Form:

Darcy Swetnam

Darcy Swetnam, City Attorney

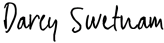
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Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari™ 3.0 or above (Mac only)

PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum
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