



## STATEMENT FOR THE RECORD

### BEFORE THE HOUSE PUBLIC & BEHAVIORAL HEALTH AND HUMAN SERVICES COMMITTEE ON THE REGULATION OF FAMILY CHILD CARE HOMES

**March 30, 2021**

**Stacey Carpenter**

**Owner of Barnyard Buddies Family Childcare**

Madam Chair, Vice Chair, and members of the Committee:

My name is Stacey Carpenter, and I have been a licensed home based child care provider in Weld County since 2004. I am here today to ask you to pass HB 21-1222, which would require all family child care homes (FCCH) to be classified as residences for purposes of licensure and local regulations, including zoning, land use development, fire and life safety, and building codes. Currently, conflicting regulations between state licensing allowances and local regulations have caused countless barriers for entrepreneurs like me to start and maintain our child care businesses. Local regulations, which treat FCCHs as commercial properties can be costly, and for child care businesses whose margins are already so thin, this makes FCCHs unsustainable. By removing this barrier and requiring local entities to treat FCCHs as residences, entrepreneurs can focus on supporting our communities with much needed child care.

In 2014, my husband and I were excited to buy our dream home in unincorporated Weld. This is when I learned about the complexities and costs of running an FCCH in the state of Colorado. The first discrepancy I found in state and local regulation was in the zoning caps. While the state allows me to have nine children in the house at a time, the county zoning capped our capacity at eight children. I was devastated to have to sacrifice that extra spot for our move. It may not seem like much, but the loss of this ninth spot has cost me almost \$100,000 in lost income over the last 10 years.

After years of fighting with the county Board of Commissioners, their lawyer informed them this year that they could not treat my business as a commercial center because the county's definition of an FCCH does not align with the state's. This means I can finally add that ninth spot for child care back into my home. But, not without re-zoning my business.

The zoning process is stressful, exhausting and takes months. My re-zoning application was 48 pages long. I had to apply for an access permit, a building permit, and of course the zoning permit. During this nightmare of a process, I learned that I may be required to replace or upgrade our working septic system, which could cost up to \$20,000 for the system alone. I love my small business, but I cannot keep up with the ever-changing costly regulations.

Almost half of Coloradans live in child care deserts<sup>1</sup> and over 52% of children are cared for in unlicensed and unregulated homes. I often wonder if zoning plays a role in this. Quality child care has been on the decline over the last decade. Between 2002 and 2018, Colorado has lost more than 11,600 licensed slots in FCCH, which has only been exacerbated by the pandemic. This is a two-fold problem because small business owners need child care to allow their business to thrive and child care providers themselves are small business owners.

<sup>1</sup> American Progress, October 2016, "An Analysis of Child Care Centers by ZIP Code in 8 States." <https://www.americanprogress.org/issues/early-childhood/reports/2016/10/27/225703/child-care-deserts/>

Senate Bill 19-063 highlighted that one of the biggest barriers providers face is zoning, IBC and fire regulations. State licensing regulations already require FCCHs to meet rigorous health and safety standards, while local requirements create more confusion. HB 21-1222 would streamline the licensing process and make FCCHs more accessible to aspiring entrepreneurs. This bill is business saving.

Thank you Madam Chair, Vice Chair, and members of the Committee for the opportunity to speak with you today about this issue.

Sincerely,

Stacey Carpenter