



ZONING ORDINANCE SELF-AUDIT FOR CHILD CARE READINESS



A zoning ordinance audit is an evaluation of a municipality's zoning regulations to determine their effectiveness, relevance, and alignment with current land use goals and community needs. This audit process identifies strengths, weaknesses, and areas for improvement within the zoning ordinance. This self-audit allows for communities to assess their own zoning ordinances for child care readiness by identifying provisions and standards that may either enable or hinder child care development and operation. Additionally, this audit helps municipalities ensure compliance with the Michigan Zoning and Enabling Act (MZEA).

In a zoning ordinance, there are three main sections where barriers to establishing and/or expanding child care facilities are often found. These include:

- Definitions
- Use Table/ Permitted Uses in Each District
- Specific Use Standards

HOW TO USE THIS SELF-AUDIT

This worksheet guides users through different sections of their zoning ordinance to determine the community's current state of child care readiness.

This self-audit worksheet helps identify existing provisions, or the absence of provisions, that hinder child care readiness and provides recommendations for changes to address these barriers.



SELF-AUDIT WORKSHEET

Directions: Using your municipality’s zoning ordinance, answer the following questions below to determine how child care ready your community is.

DEFINITIONS

Zoning ordinance definitions are crucial as they offer clarity and precision in communication, ensuring that everyone interprets a particular term or concept in the same way.

AUDIT QUESTIONS	YES	NO
1. Does your zoning ordinance define child care facilities?		
2. Do your definitions differentiate child care facilities by type? (e.g., family group home vs. child care center).		
3. Do your definitions align with the Child Care Licensing Bureau (CCLB) definitions?		

If the response to at least one of the above questions is “No,” it is recommended to add or revise the child care definitions to match the following language:

- **Family Child Care Home***: A private home in which up to seven (7) minor children are received for care and supervision for compensation for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the household. A family child care home does not include an individual providing babysitting services for another individual.
- **Group Child Care Home***: A private home in which up to 14 minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the household. Group child care home includes a home in which care is given to an unrelated minor child for more than four (4) weeks during a calendar year.
- **Child Care Center**: A facility, other than a private residence, receiving one (1) or more children under 13 years of age for care for periods of less than 24 hours a day, where the parents or guardians are not immediately available to the child. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, before- or after-school program, or drop-in center.

*State of Michigan licenses child care facilities and can grant exceptions to home child care allowing one or two additional children.

PERMITTED USES

Child care centers are often located within schools, religious institutions, or large businesses. Integrating child care with workplaces or community facilities makes it more convenient for families to access these services. However, many zoning ordinances either prohibit such arrangements or do not address them explicitly, creating uncertainty about what is allowed. This may not be explicitly stated in the permitted use table or the zoning district permitted uses. It may also be in the use standards for child care facilities, but it is important to understand if your

zoning ordinance permits the collocation of child care centers on the same site as other permitted uses.

In a zoning ordinance, permitted land uses are allowed by-right without the need for additional approvals, while special land uses require additional review and approval due to their potential impact on the community. In the table below, “special land use” also includes conditional uses and other additional approvals that may be needed.

AUDIT QUESTIONS	ZONING DISTRICTS															
	Single-Unit Residential		Multiple-Unit Residential		Commercial/Office			Central Business/Mixed-Use			Industrial			Planned Unit/Other		
	P	SLU	P	SLU	P	SLU	C	P	SLU	C	P	SLU	C	P	SLU	C
4. Are family child care homes permitted in...																
5. Are group child care homes permitted in...																
6. Are child care centers permitted in...																

P = Permitted by-right; SLU = Permitted by special land-use; C = Collocation with permitted use allowed

The desired development pattern will vary from community to community. The table above shows where child care facilities are currently permitted. A best practice is to permit child care facilities as a by-right use in multiple zoning districts. Additionally, another best practice is to specifically permit the collocation of child care centers on the same sites as permitted commercial, industrial, office, or institutional uses.

Ensure compliance with the Michigan Zoning Enabling Act (MZEA), which regulates family and group child care homes in residential districts. The chart below details the MZEA

regulations, which offers some protection to certain child care facilities as they are in general, to be permitted in zoning districts, same as a single-unit dwelling.

CHILD CARE FACILITY TYPE	CITY/VILLAGE	COUNTY/TOWNSHIP
Family Child Care Homes	Must be permitted by-right in every residential district.	
Group Child Care Homes	May be permitted by special land use in residential districts.	Must be permitted as special land use if the following MZEA criteria are met: <ol style="list-style-type: none"> 1,500 feet away from: <ol style="list-style-type: none"> Another licensed group child care home An adult foster care small group home or large group home A facility offering substance use disorder services to seven or more people A community correction center, resident home, or halfway house Has appropriate fencing for the safety of the children in the group child care home as determined by the local unit of government. Maintains the property consistent with the visible characteristics of the neighborhood. Does not exceed 16-hours of operation during a 24-hour period. Meets regulations, if any, governing signs. Meets regulations, if any to provide off-street parking accommodations for his or her employees.

Michigan Zoning Enabling Act (2006 PA 110, MCL 325.3206)

USE STANDARDS

Use standards in a zoning ordinance define specific criteria and regulations that must be met for the development, operation, or modification of specific uses, such as child care facilities.

AUDIT QUESTIONS	YES	NO
<p>7. Does your ordinance allow child care facilities to operate at all hours? Ordinance language that may hinder child care facilities includes limitations on operable hours (e.g., only from 6 a.m.–10 p.m.) or duration limits (e.g., no more than 12 hours per day).</p>		
<p>8. Does your ordinance align with the CCLB’s outdoor space minimum requirements? Ordinance language that may hinder child care facilities includes requirements for outdoor play areas that exceed the CCLB’s outdoor space minimums (e.g., over 400 sq. ft. for family child care homes; over 600 sq. ft. for family group homes; over 1,200 for child care centers).</p>		
<p>9. Does your ordinance allow child care facilities anywhere in permitted districts? Ordinance language that may hinder child care facilities includes buffering standards (e.g., 1,500 feet from another child care facility or other use) or location requirements (e.g., only permitted on a major thoroughfare or on corner lots).</p>		
<p>10. Does your ordinance allow any amount of parking for child care facilities? Ordinance language that may hinder child care facilities includes parking minimums (e.g., one space for every four children) and drop-off/pick-up zone requirements (e.g., five stacking spaces for drop-offs and pick-ups).</p>		
<p>11. Are your ordinance’s general lighting standards the same as lighting standards for child care facilities? Ordinance language that may hinder child care facilities includes requiring additional lighting above the general lighting requirements (e.g., requiring lighting when not in operation).</p>		
<p>12. Are your ordinance’s general screening standards the same as screening standards for child care facilities? Ordinance language that may hinder child care facilities includes requiring certain types of screening for child care facilities (e.g., requiring masonry wall screening) or excessive screening (e.g., requiring the entire lot to be screened, rather than just the outdoor play areas).</p>		
<p>13. Are your ordinance’s sign standards the same as sign standards for child care facilities? Ordinance language that may hinder child care facilities includes limitations on signage permitted (e.g., only allowing a ground sign or a wall sign) or limitations on home occupation signage (e.g., limiting or prohibiting home occupation signage).</p>		
<p>14. Are your ordinance’s noise standards the same as noise standards for child care facilities? Ordinance language that may hinder child care facilities includes imposing additional noise standards on child care facilities (e.g., specifying that noise must not exceed certain decibels or requiring noise mitigating measures)</p>		
<p>15. If your ordinance has architectural standards, are they objective rather than subjective? Ordinance language that may hinder child care facilities includes discretionary architectural standards (e.g., requiring consistency with the character of the existing neighborhood).</p>		

If the response to at least one of the questions is “Yes,” it is recommended to remove extraneous standards when able.

Ensure compliance with the Michigan Zoning Enabling Act (MZEA), which regulates family and group child care homes in residential districts. The chart below details the MZEA regulations, which offers some protection to certain child care facilities as they are in general, to be permitted in zoning districts, same as a single-unit dwelling.

USE STANDARDS OF A TYPICAL ZONING ORDINANCE	CCLB STANDARDS		
	Family Child Care Home	Group Child Care Home	Child Care Center
Outdoor space	400 sq.ft. min.	600 sq.ft. min.	1,200 sq.ft. min.* <i>*More than 1,200 sq.ft. of outdoor play area may be required when the minimum amount is not adequate for the number of children for which the center is licensed.</i>
Hours of operation	None		
Separation standards	None		Child care centers in multi-unit buildings may not be in close proximity to a hazardous or intensive use.
Screening/fencing	Barriers must exist to prevent children from gaining access to any swimming pool, drainage ditch, well, natural or constructed pond, or other body of open water located on or adjacent to the property where the child care home is located. Barriers must be a minimum of four feet in height and appropriately secured to prevent children from gaining access to such areas.		Outdoor play areas must be protected from hazards, when necessary, by a fence or natural barrier that is at least 48 inches in height.
Parking	None		
Lighting	None		When nighttime care is provided, all exit signs shall be illuminated, and emergency lighting provided at the interior and exterior of the exits.
Design guidelines	None		
Noise standards	None		

Removing barriers to child care is the first step in making your zoning ordinance child-care-ready. Communities should also strive to incentivize child care within their zoning ordinances. More information about incentives can be found in the [MEDC quick sheet](#).

