

**SCIO TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
ZOA #2025-02
CHILDCARE ORDINANCE TEXT AMENDMENT**

The Planning Commission has initiated a text amendment to Sections 36-5, Definitions and Section 36-128 Daycare Facilities of the Scio Township Zoning Ordinance based on modifications made to the Michigan Zoning Enabling Act (PA 110 of 2006, as amended) and Child Care Organizations Act (PA 116 of 1973, as amended). The Planning Commission held the required public hearing on February 24, 2025, and recommended approval of the text amendment to the Township Board.

BY AUTHORITY OF PUBLIC ACT #110 OF 2006, AS AMENDED, SCIO TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, HEREBY ORDAINS

Section 1. Rezoning Text Amendment

Zoning Ordinance is amended as follows:

Definitions (Section 36-5)

Day care facility means any of the following:

- (a) *Day care center.* A facility, other than a private residence, receiving one or more preschool or school age children for care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. The term "day care center" includes a facility which provides care for not less than two consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a childcare center, day care center, day nursery, nursery school, parent cooperative preschool, play group or drop-in center. The term "day care center" does not include the following:
- (1) A Sunday school, a vacation bible school or a religious instructional class that is conducted by a religious organization where children are in attendance for not greater than three hours per day for an indefinite period, or not greater than eight hours per day for a period not to exceed four weeks during a 12-month period.
 - (2) A facility operated by a religious organization where children are cared for not more than three hours while persons responsible for the children are attending religious services.
 - (3) A program that is primarily supervised, school-age-child-focused training in a specific subject, including, but not limited to, dancing, drama, music, or religion. This exclusion applies only to the time a child is involved in supervised, school-age-child-focused training.
 - (4) A program that is primarily an incident of group athletic or social activities for school-age children sponsored by or under the supervision of an organized club or hobby group, including, but not limited to, youth clubs, scouting, and school-age recreational or supplementary education programs. This exclusion applies only to the time and school-age child is engaged in the group athletic or social activities and if the school-age child can come and go at will.

- (b) *Family day care home.* A private home in which one but fewer than seven minor children are received for 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 family by blood, marriage or adoptions. The term "family day care home" includes a home that gives care to an unrelated child for more than four weeks during a calendar year. Child family day care homes shall be specifically exempt from regulations by this chapter but are otherwise subject to applicable state law. The operator of the child family day care home business must be a bona fide resident of the private home. (See Increased Capacity definition)
- (c) *Group day care home.* A private home in which more than six but not more than 12 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 family by blood, marriage or adoptions. The term "group day care home" includes a home that gives care to an unrelated minor child for more than four weeks during a calendar year. The operator of the child group day care home business must be a bona fide resident of the private home. (See Increased Capacity definition)
- (d) *Private home.* A private residence in which the licensee or registrant permanently resides as a member of the household, which residency is not contingent upon caring for children or employment by a licensed or approved child placing agency.
- (e) *Increased capacity.* The addition of one (1) child in a family day care home and two (2) children in a group day care home when granted by the State of Michigan in accordance with Act 116 of 1973, as amended.

Day Care Facilities (Section 36-128)

- (a) *Intent.* It is the intent of this section to establish standards for day care facilities which will ensure compatibility with adjacent land uses and maintain the character of the neighborhood.
- (b) *Application of regulations.*
 - (1) A state-licensed family day care home shall be considered a residential use of property and a permitted use in all residential districts. Family day care homes shall be prohibited in all other districts.
 - (2) The Township may, by issuance of a conditional use permit, authorize the establishment of group day care homes and day care centers as specified in district regulations and subject to the standards herein.
- (c) *Standards for group day care homes.* Group day care homes shall be considered as a conditional land use subject to the requirements and standards of article VII of this chapter and the following additional standards:
 - (1) A group day care home shall not be located within 1,500 feet of any of the following facilities:
 - i. Another licensed group day care home.
 - ii. An adult foster care small or large group home licensed by the state.
 - iii. A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people that is licensed by the state; or
 - iv. A community correction center, resident home, halfway house, or other similar facility that houses an inmate population under the jurisdiction of the department of corrections.

- (2) The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located.
 - (3) The property is maintained in a manner that is consistent with the visible characteristics of the neighborhood.
 - (4) There shall be an outdoor play area that is a minimum of 600 square feet, or 50 square feet per child, whichever is greater. The outdoor play area shall not be located in the required front yard setback. The outdoor play area requirement may be waived by the Planning Commission if a public open space is within 500 feet of the subject parcel.
 - (5) All outdoor play areas shall be enclosed by a fence or natural barrier that is designed to discourage climbing, and is at least four feet in height, but no higher than six feet.
 - (6) The hours of operation do not exceed 16 hours within a 24-hour period. Activity between the hours of 10:00 p.m. and 6:00 a.m. shall be limited through conditional use approval on a case-by-case basis so that the drop-off and pick-up of children is not disruptive to neighboring residents.
 - (7) One off-street parking space per employee who is not a member of the group day care home family shall be provided.
 - (8) Appropriate licenses with the state shall be maintained.
 - (9) The establishment of any of the facilities listed under subsection (c)(1) after issuance of a special use permit, conditional use permit, or other similar permit pertaining to the group child care home does not affect renewal of that permit.
- (d) *Standards for day care centers.* Day care centers shall be considered as a conditional land use subject to the requirements and standards of article VII of this chapter and the following standards:
- (1) Frontage on either a principal or minor arterial street shall be required.
 - (2) A separate drop-off and pickup area shall be provided adjacent to the main building entrance, located off of a public street and the parking access lane, and shall be of sufficient size so as to not create congestion on the site or within a public roadway.
 - (3) Off-street parking shall be provided at a rate of one space per employee plus one space for every five children enrolled at the facility.
 - (4) There shall be an outdoor play area of at least 1,200 square feet or 50 square feet per child, whichever is greater. The outdoor play area shall not be located within the required front yard setback. This outdoor play area requirement may be waived by the planning commission if a public play area is available within 500 feet from the subject parcel.
 - (5) All outdoor play areas shall be enclosed by a fence or natural barrier that is designed to discourage climbing and is at least four (4) feet in height, but no higher than six (6) feet.
 - (6) In single-family residentially zoned districts, a day care center shall only be located on a major or minor thoroughfare as designated in the Master Plan. The Planning Commission may waive this requirement if the proposed child day care center is located within an existing use such as a school, place of worship, or community center.
 - (7) Appropriate licenses with the state shall be maintained.

Section 2. Zoning Ordinance

The Scio Township Zoning Ordinance is hereby amended to reflect this text amendment.

Section 3. Repealer

All ordinances or parts thereof which are in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, except that terms defined herein for the purpose of interpretation, administration and enforcement of this Ordinance shall not act to modify, repeal, or otherwise change the definition of any such term as used in any other ordinances or laws.

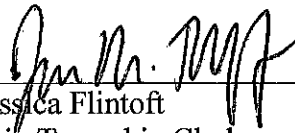
Section 5. Savings Clause

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section, or subsection is declared void or inoperable for any reason by any court, it shall not affect any other part or portion hereof other than the part declared void or inoperable.

Section 6. Publication and Effective Date

This Ordinance shall be published in the manner as required by law. Except as otherwise provided by law, this Ordinance shall be effective upon the eighth day following final publication of the Ordinance or at such later date after publication as may be specified by the township board.

This Ordinance was duly adopted by the Scio Township Board at its regular meeting called and held on the 25th day of March 2025 and was ordered given publication in the manner required by law.



Jessica Flintoft
Scio Township Clerk

Dated: March 25, 2025

Scio Township Board of Trustees
Public Hearing: November 19, 2024
Adoption: March 25, 2025
Final Publication: April 3, 2025
Effective Date: April 11, 2025

CLERK'S CERTIFICATE

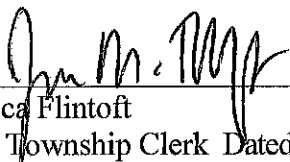
I, Jessica Flintoft, Clerk of the Scio Township, Washtenaw County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of Scio Township Zoning Ordinance Amendment #2025-02, Childcare Ordinance Text Amendment, which was duly adopted by the Township Board of Scio Township at a Regular Meeting of said Board, held on March 25, 2025.

I further certify that Member Reiser moved for adoption of said Ordinance, and that Member Knol supported said motion.

I further certify that the following Members voted for adoption of said Ordinance Kerry, Yaple, Knol, Reiser and Brant, and that the following Members voted against adoption of said Ordinance none, and that the following Members were absent or abstained from voting on the adoption of said Ordinance Flintoft, Read.

I further certify that after its passage the Ordinance was published on April 3, 2025, in accordance with P.A. 359 of 1947, as amended, by Washtenaw Legal News.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and that such recording has been authenticated by the signature of the Clerk.



Jessica Flintoft
Scio Township Clerk Dated: March 25, 2025