



Permit & Development Center

809 N. Broadway, Milwaukee, WI 53202 | (414) 286-8211 | milwaukee.gov/permits | DevelopmentCenterInfo@milwaukee.gov

Milwaukee’s zoning ordinance classifies day care centers as “family day care homes” and “day care centers.” To be a permitted use as a family day care home **the following conditions must be met:**

1. The family day care home must operate within a dwelling unit. The dwelling unit must be the primary residence of the family day care home license holder as the operator.
2. At any given time, the family day care home is limited to:
 - Eight (8) children if located in a single-family dwelling
 - Eight (8) children if located in a living unit of a two-family dwelling
 - Five (5) children if located in a living unit of a multi-family dwelling
3. The family day care home may operate between the hours of 6:00 a.m. and 12:00 midnight. Operating between the hours of 12:00 midnight and 6:00 a.m. requires a Special Use approval from the Board of Zoning Appeals.
4. Only one family day care home may operate in a building.
5. The main function of the dwelling unit must be as a home. The family day care operation must be only a secondary use of the dwelling unit.
6. No signs are permitted for family day care homes located in a residential zoning district. Signs may be permitted for family day care homes located in a commercial zoning district.
7. A basement of a single-family dwelling only may be used as an area of a family day care home for the care of children. Such basements are required to be finished spaces and comply with all applicable requirements for habitable spaces in accordance with the provisions of the Uniform Dwelling Code. If a basement is being used, additional information may be requested along with the application to ensure compliance.

A family day care home does not require a certificate of occupancy. *However, the [Family Day Care Analysis](#) sheet must be completed and submitted to the Development Center.* If a proposed family day care home does not meet these requirements, or if an existing licensed family day care wishes to amend its license in a way that does not meet these requirements, it must alter its operations to comply, or it must receive approval from the Board of Zoning Appeals of the City of Milwaukee.