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City Planning and Development

CPD-DS Daycare Regulations From The Kansas City Zoning & Development Code And
Certificate Of Occupancy Requirements From The Kansas City Building And Rehabilitation Code
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ZONING & DEVELOPMENT CODE:

The following is a summary of the types of daycare uses, and where those uses are allowed in residential zoning districts. For complete information, see the Zoning & Development Code, Ordinance Chapter 88. For questions, please contact our Code Question Line at (816) 513-1511.

HOME-BASED DAY CARE. The Kansas City Zoning and Development Code allows the occupant of a residence in all residential zoning districts to provide day care within a dwelling unit for **up to 5 children or adults** (in addition to members of the day care provider's household).

FAMILY DAY CARE. The Kansas City Zoning and Development Code allows the occupant of a residence in all residential zoning districts to provide day care within a dwelling for **up to 10 children or adults** (in addition to members of the day care provider's household). Family day care homes in residential zoning districts AG-R, R-80, R-10, R-7.5, R-6, R-5 and R-2.5 are subject to the following standards.

- The predominant use of the premises must be residential.
- The use must be carried on or conducted by members of a family residing in the dwelling.
- All open play areas must be completely enclosed with a tight fence at least 4 feet in height.

GROUP DAY CARE. The Kansas City Zoning and Development Code allows day care services for **up to twenty (20) children or adults** in residential zoning districts AG-R, R-80, R-10, R-7.5, R-6, R-5 and R 2.5 when they comply with the following use standards and obtain a special use permit.

- The property must have a minimum lot area of 20,000 square feet and must have a minimum lot width of 100 feet.
- At least 500 square feet of lot area must be provided per each enrollee.
- Side setbacks must be at least 100% greater than the minimum side setback required in the district.
- At least 100 square feet of open play space must be provided on the lot for each enrollee.
- All open play areas must be completely enclosed with a tight fence at least 4 feet in height.
- The property must front on a collector or higher classification street.

Group day care facilities are permitted uses in residential zoning districts R-1.5, R-0.5 and R-0.3, and do not have to meet the above mentioned use standards nor obtain a special use permit. In any zone, a Group Day Care may be the primary use or may occur within the day care provider's household.

DAY CARE CENTERS. The Kansas City Zoning and Development Code allows a day care center, **without any restrictions in the number of persons receiving care**, in residential zoning districts AG-R and R-80.

REQUIREMENTS FOR CERTIFICATES OF OCCUPANCY. A proposed daycare use shall be evaluated for compliance to the Kansas City Building and Rehabilitation Code (KCBRC) and the adopted 2012 International Building Code (IBC). The table below is intended to assist in the proper classification of the occupancy per the IBC, and to highlight significant requirements. It is not intended to provide a complete list of possible requirements – please consult the KCBRC for complete information. Compliance with the KCBRC requirements for a daycare center may require modifications to the construction of the building. A new Certificate of Occupancy is required for any change in the occupancy classification of a building. Please refer to Chapter 18, KCBRC, Section 18-23, and [Information Bulletin No. 139](#) for information on obtaining a certificate of occupancy.

Facilities providing medical care are not addressed in this Information Bulletin. See the KCBRC and IBC for information.

2012 IBC Summary of Significant Day Care Occupancy Requirements

Occupancy Group Classification	Duration of Stay	Age of Occupants Receiving Care	Number of Occupants Receiving Care	Automatic Fire Sprinklers Required due to the Day Care Use?*	Fire Alarm System Required due to the Day Care Use?	Panic Hardware Required due to the Day Care Use?
E	Less than 24 Hours	Children older than 2 1/2 years of age	More than 5	Yes, for fire areas greater than 12,000 Sq Ft; and, in areas below the level of exit discharge where each classroom does not have at least one exterior exit door at ground level.	Yes, except where occupant load is 30 or less.	Yes, except where occupant load is less than 50.
E (Exception to I-4)	Less than 24 Hours	Children 2 1/2 years of age or less	More than 5 but not more than 100 children of this age. Rooms for children of this age must be located on the level of exit discharge and each room must have an exit door directly to the exterior.	See Group E above	See Group E above	See Group E above
I-4	Less than 24 Hours	Any age, adult or children	More than 5	Yes, except where each classroom is located at the level of exit discharge and has at least one exterior exit door at ground level.	Yes	No
R-3**	n/a	Any age, adult or children	5 or less	No	Single or multiple station smoke alarms	No
OTHER***	Less than 24 Hours	Any age, adult or children	5 or less	No	No	No

*An automatic fire sprinkler system may be required for other reasons such as an increase in the allowable height or area of the building. An automatic fire sprinkler system is required throughout any mixed use building containing a dwelling unit.

**An R-3 care facility with 5 or less persons receiving care in a dwelling is permitted to comply with the 2012 International Residential Code as a single-family dwelling.

*** A care facility with 5 or less persons receiving care in an occupancy other than a dwelling unit may be classified as a part of the primary occupancy.

For questions, please contact our Code Question Line at (816) 513-1511.

REQUIREMENTS FOR OCCUPATIONAL AND OPERATORS LICENSING:

CITY OCCUPATIONAL LICENSES. An occupational license is required when day care services are provided for five (5) or more children. Please contact the Business License Section of the Finance Department, (816) 513-1135, for more information.

STATE OF MISSOURI, BUREAU OF CHILD CARE SAFETY AND LICENSURE. The State of Missouri requires a day care license when day care services are provided for five (5) or more children. Please contact the Bureau, (816) 350-5450, for more information.