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# CITY PLANNING & DEVELOPMENT

Daycare Regulations – Zoning and Building Codes  
Information Bulletin No. 111

## Purpose

The following is a summary of the types of daycares uses, where those uses are allowed in residential zoning districts, and the building code requirements for obtaining the appropriate Certificate of Occupancy. It is vital to operating a daycare to verify it meets both the zoning and building code requirements. For complete zoning information, see the [Zoning & Development Code, Chapter 88](#), or contact the Planner of the Day at 816-513-8801 or [pod@kcmo.org](mailto:pod@kcmo.org). For building code questions, contact Code Questions at [codequestions@kcmo.org](mailto:codequestions@kcmo.org) or 816-513-1511.

## Home-Based Day Care

The Zoning & Development Code allows the occupant of a residence in all residential zoning districts to provide day care within a dwelling unit for up to five enrollees (in addition to members of the day care provider's household).

## Family Day Care

The Zoning & Development Code allows the occupant of a residence in all residential zoning districts to provide day care within a dwelling for up to 10 enrollees (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 four feet in height

## Group Day Care

The Zoning & Development Code allows day care services for up to 20 enrollees 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 standards and obtain a special use permit:

- The property must have a minimum lot area of 20,000sqft and must have a minimum lot width of 100ft.
- At least 500sqft 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 100sqft 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 4ft 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 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 Zoning & Development Code allows a day care center, without any restrictions on the number of persons receiving care, in residential zoning districts AG-R and R-80.

## Requirements for Certificates of Occupancy

A proposed day care use shall be evaluated for compliance with the Kansas City Building and Rehabilitation Code (KCBRC) and the adopted 2018 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, [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 info.

### 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 Day Care Use?*	Fire Alarm System required due to use?	Panic Hardware required due to use?
E	< 24 hours	Children older than 2.5 years of age	>5	Yes, for fire areas > 12,000sqft, in areas above the level of exit discharge, in areas below the level of exit discharge where each classroom does not have at least one exterior exit door at ground level, and an occupant load >300	Yes, except where occupant load is 50 or less	Yes, except where occupant load is less than 50
E (Exception to I-4)	< 24 hours	Children 2.5 years of age or less	>5 but <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	< 24 hours	Any age, adult or child	>5	Yes, except where each classroom is located at the level of exit discharge and has at least 1 exterior exit door at ground level.	Yes	No
R-3**	N/A	Any age, adult or child	5 or less	No	Single or multiple station smoke alarms	No
Other***	< 24 hours	Any age, adult or child	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 2018 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.

### Requirements for Occupational and Operators Licensing

An occupational license is required when day care services are provided for five or more children. Contact the Business license office for more information, 816-513-1135.

The State of Missouri Bureau of Childcare Safety and Licensure requires a day care license when day care services are provided for five or more children. Contact the Bureau for more information, 816-350-5450.