



CITY PLAN COMMISSION STAFF REPORT

SUBJECT: Text Amendment

FROM: Mara M. Perry, AICP Director of Planning & Development

MEETING DATE: January 7, 2019

PETITION: **18-PC-19 Zoning Code Text Amendment – Group Residential Facilities:**
Proposed amendments include changes and additions to Sections 53.020, 53.046, 53.056, 53.066, 53.076, 53.100, 53.116, 53.145, 53.156 and 53.159 of the Zoning Ordinance in order to create regulations for group residential facilities in all districts.

Proposal Summary

Staff is proposing an update to the City Code regarding “group homes”. The City has operated, as many other cities in the State do, under the regulations of 89.020 of the revised Missouri State Statutes. There are no additional regulations within the City regarding this type of housing. The concern is that no changes have been made on the State level to the statutes in a number of years. Staff does not feel that this addresses the current options that are being offered for differing types of residential facilities around the country.

Based on feedback provided at the November and December City Plan Commission meeting Staff has drafted a series of proposed changes to the draft code. The proposed changes were also developed in conformance with other City code sections regarding occupancy and short term rentals.

Staff has worked on cleaning up some of the language in the draft code. New language has been identified in blue with the original proposed language in red. Additional comments to be clarified or addressed are identified below:

- After the proposed code changes move towards a recommendation to the City Council, additional changes will need to be addressed in the business license section of the code. Code changes will be completed simultaneously at the City Council level for the business license Chapter 41 code sections. This could include Article V. Hospitals and Homes and Article X Day Care Facilities.
- Current City of Webster Groves Adult Day Care regulations do not have a limitation on the number of adults being cared for in a home. Staff researched the State of Missouri Adult Day Care Licensing requirements. Any number of adults being served requires a license. The Staffing regulations for caring for between two and eight adults is two staff members and a program director who doesn't count towards the staffing requirement. This overall minimum number appears to be rather intense which could be the reason why we currently have no adult day care homes within the City. Once the number of adults being cared for goes over eight, the number of staff also increases. Staff is going to

recommend that a maximum of eight be placed in the code and that all adult day care requests be required to continue to follow the CUP process. This will address the traffic and intensity of use issues.

- Staff is recommending matching the Fair Housing Act's definition of "handicap" for our definition for "disability". Under the Act, "handicap" means, with respect to a person, or mental impairment which substantially limits one or more major life activities; a record of such an impairment; or being regarded as having such impairment. Illegal use of or addiction to a controlled substance is not included in that definition.
- Question of "permanent" in definition of "group care home" and whether a definition is needed for it. Staff has amended the definition to explain that it is in opposition with our definition of "transient guest".
- Question of using the word "compensation". This is to separate this as a business as opposed to someone caring for a relative or family member who is not immediately related or staying with them.
- Question about the place for foster children in the various definitions. The definition of family allows for a group of related persons to foster an additional two that are not related by birth, adoption or marriage. This would allow a family to foster children while still falling under a standard residential occupancy. This same family could foster a group of related children who need to be fostered from one family and still fall under the standard residential occupancy. Should a couple for example want to foster a number of children who are not related to one another above the standard two, it could fall under a "residential care center".

Staff will make a presentation on the draft proposed changes.

Requested Action

Action on the text amendments will be in the form of a motion to recommend approval, approval with conditions or denial.

Attachments:

- Draft redlined code amendments

PART VI. PLANNING

CHAPTER 53. ZONING

ARTICLE III: Residential Districts

- Section 53.040. "A1" Twenty Thousand Square Foot Residence District Regulations.
- Section 53.041. "A1" Use Regulations.
- Section 53.042. "A1" Parking and Loading Regulations.
- Section 53.043. "A1" Dimensional Regulations.
- Section 53.044. Development Standards for Short Term Rentals.
- Section 53.045. Development Standards for Hospitals, Clinics and Institutions.
- Section 53.046. Development Standards for Day Care and Group Living Uses~~Nursery Schools, Adult or Child Day Care Homes, and Adult or Child Day Care Centers.~~
- Section 53.047. Development Standards for Accessory Parking Lots
- Section 53.048. Development Standards for Accessory Structures
- Section 53.049. Reserved
- Section 53.050. "A2" Fifteen Thousand Square Foot Residence District Regulations.
- Section 53.051. "A2" Use Regulations.
- Section 53.052. "A2" Parking and Loading Regulations.
- Section 53.053. "A2" Dimensional Regulations.
- Section 53.054. Development Standards for Short Term Rentals.
- Section 53.055. Development Standards for Hospitals, Clinics and Institutions.
- Section 53.056. Development Standards for Day Care and Group Living Uses~~Nursery Schools, Adult or Child Day Care Homes, and Adult or Child Day Care Centers.~~
- Section 53.057. Development Standards for Accessory Parking Lots.
- Section 53.058. Development Standards for Accessory Structures.
- Section 53.059. Reserved
- Section 53.060. "A3" Ten Thousand Square Foot Residence District Regulations.
- Section 53.061. "A3" Use Regulations.
- Section 53.062. "A3" Parking and Loading Regulations.
- Section 53.063. "A3" Dimensional Regulations.
- Section 53.064. Development Standards for Short Term Rentals.
- Section 53.065. Development Standards for Hospitals, Clinics and Institutions.
- Section 53.066. Development Standards for Day Care and Group Living Uses~~Nursery Schools, Adult or Child Day Care Homes, and Adult or Child Day Care Centers.~~
- Section 53.067. Development Standards for Accessory Parking Lots.
- Section 53.068. Development Standards for Accessory Structures.
- Section 53.069. Reserved.
- Section 53.070. "A4" Seventy Five Hundred Square Foot Residence District Regulations.
- Section 53.071. "A4" Use Regulations.
- Section 53.072. "A4" Parking and Loading Regulations.
- Section 53.073. "A4" Dimensional Regulations.
- Section 53.074. Development Standards for Short Term Rentals.
- Section 53.075. Development Standards for Hospitals, Clinics and Institutions.

- Section 53.076. Development Standards for ~~Day Care and Group Living Uses~~Nursery Schools, Adult or Child Day Care Homes, and Adult or Child Day Care Centers.
- Section 53.077. Development Standards for Accessory Parking Lots.
- Section 53.078. Development Standards for Accessory Structures.
- Section 53.079. Reserved.
- Section 53.080. Reserved.
- Section 53.090. Reserved.
- Section 53.100. Use Table for Residential Districts.

ARTICLE IV: Commercial & Industrial Districts

- Section 53.110. "C" Commercial District Regulations.
- Section 53.111. "C" Use Regulations.
- Section 53.112. "C" Parking and Loading Regulations.
- Section 53.113. "C" Dimensional Regulations.
- Section 53.114. "C" Performance Standards.
- Section 53.115. Development Standards for Educational Facilities, Colleges and Universities; Hospitals, Clinics and Institutions.
- Section 53.116. Development Standards for ~~Day Care and Group Living Uses~~Nursery Schools, Adult or Child Day Care Homes, and Adult or Child Day Care Centers.
- Section 53.117. Development Standards for Accessory Parking Lots.
- Section 53.118. Development Standards for Accessory Structures.
- Section 53.119. Development Standards for Drinking Establishments.
- Section 53.130. "C1" Commercial District Regulations.
- Section 53.131. "C1" Dimensional Regulations.
- Section 53.140. "D" Commercial District Regulations.
- Section 53.141. "D" Permitted Uses.
- Section 53.142. "D" Parking and Loading Regulations.
- Section 53.143. "D" Dimensional Regulations.
- Section 53.144. "D" Performance Standards
- Section 53.145. Development Standards for ~~Day Care and Group Living Uses~~Nursery Schools, Adult or Child Day Care Homes, and Adult or Child Day Care Centers.
- Section 53.146. Development Standards for Accessory Structures.
- Section 53.147. Development Standards for Drinking Establishments.
- Section 53.150. "E" Industrial District Regulations.
- Section 53.151. "E" Use Regulations.
- Section 53.152. "E" Parking and Loading Regulations.
- Section 53.153. "E" Dimensional Regulations.
- Section 53.154. "E" Performance Standards.
- Section 53.155. Development Standards for Educational Facilities, Colleges and Universities; Hospitals, Clinics and Institutions.
- Section 53.156. Development Standards for ~~Day Care and Group Living Uses~~Nursery Schools, Adult or Child Day Care Homes, and Adult or Child Day Care Centers.
- Section 53.157. Development Standards for Accessory Parking Lots.
- Section 53.158. Development Standards for Accessory Structures.
- Section 53.159. Use Table for Commercial, Industrial and Planned Districts.

CHAPTER 53. ZONING

ARTICLE I: General Provisions

Section 53.010. Short Title.

This Chapter shall be known, referred to and recited as the Zoning Code of the City of Webster Groves.

Section 53.020. Definitions.

For the purpose of this Chapter, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; and the word "shall" is mandatory and not directory. The definitions follow in alphabetical order:

"Adult Day Care Center" shall mean ~~an~~ facility providing an Adult Day Care Program ~~providing care to more than eight (8) functionally impaired adults.~~

"Adult Day Care Home" shall mean ~~in residential and commercial zoning districts, a building or a dwelling maintained (the "premises") by a person householder who provides or attempts to provide an Adult Day Care Program, providing care to eight (8) or fewer functionally impaired adults; additionally, in residential districts, the owner or lessee of a premises to whom an occupancy permit has been issued shall maintain the Adult Day Care Home premises as his or her permanent residence and shall physically occupy the premises at all times that a premises is used to provide an Adult Day Care program. Furthermore, at no time shall any such program in a residential district provide medical care, therapy, or other services which require the presence on site of an additional care provider or specialist, even if the state license allows the provision of such services.~~

"Adult Day Care Program" shall mean a group program, licensed by ~~the~~ a regulatory agency of the State of Missouri Department of Social Services Division of Aging, designed to provide care and supervision to meet the needs of ~~functionally impaired adults with a disability~~ for periods of less than twenty-four (24) hours but more than two (2) hours per day in a place other than the ~~adults'~~ own home.

"Apartment" shall mean a room or suite of rooms in a two-family or multiple dwelling, or where more than one living unit is established above non-residential uses, and that is used, intended to be used or designed for use as a residence by a single family including bath and culinary accommodations. "Apartment" does not include "Student Housing, Apartment."

"Bed and Breakfast Facility" shall mean a type of short term rental where a portion of a single family residence may be used for temporary guest accommodations upon its owner being granted a conditional use permit under the provisions of Section 53.170 et seq. and a business license as provided in the Code.

"Child Day Care" shall mean the care of a child away from his/her own home for any part of the twenty-four (24) hour day, for compensation or otherwise. Child Day Care is

a voluntary supplement to parent responsibility for the child's protection, development, and supervision. Child Day Care may be given in a Child Day Care Home or a Child Day Care Center.

"Child Day Care Center" is a facility other than the provider's permanent residence, or separate from the provider's living quarters, where care is provided for children for any part of the twenty-four (24) hour day.

~~"Child Day Care Facility" is a Child Day Care Home or a Child Day Care Center, whether known or incorporated under another title or name.~~

~~"Child Day Care Home" or "Child Day Nursery" shall mean in residential and commercial zoning districts, a building or a dwelling maintained (the "premises") by a person householder who provides or attempts to provide Child Day Care for more than four (4) but not more than ten (10) children, who are not members of the householder's immediate family related to the Day Care provider, at any one time during the daytime for compensation or otherwise.; additionally, in residential districts, the owner or lessee of a premises to whom an occupancy permit has been issued shall maintain the Day Care Home premises as his or her permanent residence and shall physically occupy the premises at all times that a premises is used to provide any day care service for unrelated children.~~

~~"Disability" shall mean a physical or mental impairment, which substantially limits one or more of a person's major life activities but does not include illegal use or addiction to a controlled substance. have the same meaning as the definition of "handicap" in the Fair Housing Act.~~

"Dwelling" shall mean any building or portion thereof which is designed for or used exclusively for residential purposes.

"Dwelling, Single-Family" shall mean a detached building designed for or occupied exclusively by one family.

"Dwelling, Single-Family Attached" shall mean two (2) or more single-family dwellings sharing common wall areas, each on its own individual lot.

"Dwelling, Two-Family" shall mean a detached or semi-detached building designed for or occupied exclusively by two families living independently of each other.

"Dwelling, Multiple" shall mean a building or portion thereof used or designed as a residence for three (3) or more families living independently of each other, and doing their own cooking in said building, including apartments and apartment hotels.

"Educational Facility" shall mean a school or institutional use in varying densities in a building or buildings which can include such accessory uses as administrative or faculty offices, classrooms, laboratories, chapels, auditoriums, cafeterias, gymnasias, theater, lecture halls, libraries, and ancillary facilities for students, faculty and employees associated with each of the following types of uses:

“Educational Facility, Elementary” shall mean a public, private or parochial school use offering instruction at the elementary and/or junior high school levels with a full range of curricular programs.

“Educational Facility, Small College” shall mean an institutional use that is primarily focused on undergraduate education and grants more than half of their baccalaureate degrees in arts and science fields.¹

“Educational Facility, University” shall mean an institutional use that typically offers a full range of baccalaureate programs and graduate education through the doctorate degree and may also have research facilities.²

“Educational Facility, School for the Arts” shall mean an institutional use offering instruction and classes in the various arts (e.g. dance, painting, sculpting, singing) that are taught to four or more persons at a time.

“Educational Facility, Secondary” shall mean a public, private or parochial school use offering instruction at the senior high school level with a full range of curricular programs.

“Educational Facility, Seminary” shall mean an institutional use that is primarily focused on religious instruction or training members of the clergy and offering degrees in religion.³

“Educational Facility, Special Needs” shall mean an institutional use offering instruction at the primary or secondary school levels for students with special needs, behavioral or learning disabilities, or for similar reasons and can have limited dormitory uses.

“Family” shall mean one or more persons occupying a dwelling and living as a single housekeeping unit, all of whom, or all but two of whom, are related to each other by birth, adoption, or marriage, as distinguished from a group occupying a boarding house, lodging house, or hotel, as herein defined.

~~“Functionally Impaired Adult” shall mean an individual aged eighteen (18) or older who, by reason of age or infirmity, requires care and supervision.~~

“Group Care Home” shall mean a home dwelling that is occupied on a permanent basis, as opposed to a transient guest, by a group household of unrelated persons with disabilities and can include paid staff or caregivers.

1 See Carnegie Foundation – “A Classification of Institutions of Higher Education” Liberal Arts Colleges I

2 See Carnegie Foundation – “A Classification of Institutions of Higher Education” Comprehensive Universities and Colleges I and Research Universities II

3 See Carnegie Foundation – “A Classification of Institutions of Higher Education” Professional Schools and Other Specialized Institutions

“Hotel” shall mean a building in which lodging or board and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such it is open to the public in contradistinction to a Short Term Rental, Bed and Breakfast Facility, or an apartment which are herein separately defined.

“Household” or **“Householder”** shall mean a person or persons who lives or live in a single-family residence, one-half of a two-family residence or in an apartment, condominium or townhouse with tenancy arranged on a basis of thirty (30) consecutive days or more.

“Institution” shall mean a building occupied by a non profit corporation or a non profit establishment for public use.

“Nursery School” shall mean a school operated by a person or organization which is conducted primarily for education of preschool-age children for no more than four (4) hours per child per day and which provides no custodial care.

“Long Term Care Facility” shall mean a building intended for use as a medical care facility for persons who need nursing care and medical service, but do not require intensive hospital care. A long term care facility may also include assisted and independent living uses.

“Residential Care Center” shall mean an accommodation providing lodging, care, treatment or custody , including transient guests, in exchange for compensation. The Center may provide medical, social, educational, rehabilitative or protective services for persons with a disability. “Residential Care Center” does not include “apartment”, “Bed and breakfast”, “hotel”, or “student housing” which are herein separately defined.

“Short Term Rental” shall mean an accommodation for transient guests where, in exchange for compensation, a portion of a single family residence is provided for lodging for a period of time not to exceed fourteen (14) consecutive days.

“Transient Guest” shall a person who stays in an accommodation for a period of time less than thirty (30) consecutive days with no intention of establishing permanent residency.

ARTICLE III: Residential Districts

Section 53.040 “A1” Twenty Thousand Square Foot Residence District Regulations.

The regulations set forth in this section, or set forth elsewhere in this Zoning Code, when referred to in this section, are the district regulations in the “A1” Twenty Thousand Square Foot Residence District.

Section 53.046. Development Standards for ~~nursery schools, adult or child day care homes, and adult or child day care centers and group living uses~~

a. General Standards

The following standards shall be applicable to all day care or group living uses:

1. The lot meets the minimum area requirements, minimum width requirements at the front yard setback line, and minimum average width requirements for the zone in which it is located.
- ~~2. No new adult or child day care home or center shall be established within a residential district if it is within one thousand two hundred (1,200) feet of an existing child or adult day care home or center that is also located within a residential district. This regulation does not apply to properties within the boundaries of a business district or those properties partially zoned "C" or "D" commercial districts. (Ord. No. 8910, § 1, 11-3-2015)~~
- ~~3.2. No signage is permitted for property within a residential district.~~
- 4.3. Off-street parking shall be provided for the owner/operator plus any employee and anyone parking for more than two (2) hours.
- ~~Hours of operation shall not exceed 6:00 a.m. to 8:00 p.m. for property within a residential district.~~

b. Adult or Child Day Care Homes

1. The care of four (4) or less children who are not members of the householder's family in a home dwelling requires a business license for a home occupation. All other child day care home uses which provide care for more than four (4) but no more than ten (10) children who are not members of the householder's family and adult day care home uses which provide care for no more than eight (8) adults are permitted under requirements specified in Section 53.170 et. seq.
2. The owner or lessee of a premises dwelling to whom an occupancy permit has been issued shall maintain the day care home premises as his or her permanent residence and shall physically occupy the premises at all times that a the premises is used to provide a Day Care Program for unrelated children or adults who are not members of the householder's family.
3. At no time shall medical care, therapy, or other services which require the presence on site of an additional care provider or specialist who is not the householder, be provided even if the state license allows the provision of such services.
4. Hours of operation shall not exceed 6:00 a.m. to 8:00 p.m.

c. Adult or Child Day Care Centers

1. All child day care center or adult day care center uses are permitted under requirements specified in Section 53.170 et. seq.
2. Hours of operation shall not exceed 6:00 a.m. to 8:00 p.m.

d. Group Care Home

1. Group Homes shall follow the Maximum Occupancy levels of all residential structures as determined by Section 404 Occupancy Limitations of the Code of Webster Groves
2. Group Care Homes for occupancy of eight (8) or fewer disabled persons with a disability with up to two (2) additional persons residents acting as houseparents or guardians caregivers, are considered a household. The number of additional houseparents or guardians caregivers can be increased with an equal decrease in the number of disabled persons with a disability.
3. Group Care Homes requesting for occupancy of more than eight (8) disabled persons with a disability are permitted under requirements specified in Section 53.170 et. seq.

e. Residential Care Center

1. All residential care center uses are permitted under requirements specified in Section 53.170 et. seq.
2. Residential Care Centers shall follow Maximum Occupancy levels of all residential structures as determined by Section 404 Occupancy Limitations of the Code of Webster Groves

Section 53.050. “A2” Fifteen Thousand Square Foot Residence District Regulations.

The regulations set forth in this section, or set forth elsewhere in this Zoning Code, when referred to in this section, are the district regulations in the “A2” Fifteen Thousand Square Foot Residence District.

Section 53.056. Development Standards for ~~nursery schools, adult or child day care homes, and adult or child day care centers and group living uses~~**a. General Standards**

The following standards shall be applicable to all day care or group living uses:

1. The lot meets the minimum area requirements, minimum width requirements at the front yard setback line, and minimum average width requirements for the zone in which it is located.

- ~~2. No new adult or child day care home or center shall be established within a residential district if it is within one thousand two hundred (1,200) feet of an existing child or adult day care home or center that is also located within a residential district. This regulation does not apply to properties within the boundaries of a business district or those properties partially zoned "C" or "D" commercial districts. (Ord. No. 8910, § 1, 11-3-2015)~~
- ~~3.2. No signage is permitted for property within a residential district.~~
- ~~4.3. Off-street parking shall be provided for the owner/operator plus any employee and anyone parking for more than two (2) hours.~~
- ~~5. Hours of operation shall not exceed 6:00 a.m. to 8:00 p.m. for property within a residential district.~~

b. Adult or Child Day Care Homes

1. The care of four (4) or less children who are not members of the householder's family in a home dwelling requires a business license for a home occupation. All other child day care home uses which provide care for more than four (4) but no more than ten (10) children who are not members of the householder's family and adult day care home uses which provide care for no more than eight (8) adults are permitted under requirements specified in Section 53.170 et. seq.
2. The owner or lessee of a premises dwelling to whom an occupancy permit has been issued shall maintain the day care home premises as his or her permanent residence and shall physically occupy the premises at all times that a the premises is used to provide a Day Care Program for unrelated children or adults who are not members of the householder's family.
3. At no time shall medical care, therapy, or other services which require the presence on site of an additional care provider or specialist who is not the householder, be provided even if the state license allows the provision of such services.
4. Hours of operation shall not exceed 6:00 a.m. to 8:00 p.m.

c. Adult or Child Day Care Centers

1. All child day care center or adult day care center uses are permitted under requirements specified in Section 53.170 et. seq.
2. Hours of operation shall not exceed 6:00 a.m. to 8:00 p.m.

d. Group Care Home

1. Group Homes shall follow the Maximum Occupancy levels of all residential structures as determined by Section 404 Occupancy Limitations of the Code of Webster Groves
2. Group Care Homes for occupancy of eight (8) or fewer disabled persons with a disability with up to two (2) additional persons residents acting as houseparents or guardians caregivers, are considered a household. The number of additional houseparents or guardians caregivers can be increased with an equal decrease in the number of disabled persons with a disability.
3. Group Care Homes requesting for occupancy of more than eight (8) disabled persons with a disability are permitted under requirements specified in Section 53.170 et. seq.

e. Residential Care Center

1. All residential care center uses are permitted under requirements specified in Section 53.170 et. seq.
2. Residential Care Centers shall follow Maximum Occupancy levels of all residential structures as determined by Section 404 Occupancy Limitations of the Code of Webster Groves

Section 53.060. “A3” Ten Thousand Square Foot Residence District Regulations.

The regulations set forth in this section, or set forth elsewhere in this Zoning Code, when referred to in this section, are the district regulations in the “A3” Ten Thousand Square Foot Residence District.

Section 53.066. Development Standards for ~~nursery schools, adult or child day care homes, and adult or child day care centers and group living uses~~**a. General Standards**

The following standards shall be applicable to all day care or group living uses:

1. The lot meets the minimum area requirements, minimum width requirements at the front yard setback line, and minimum average width requirements for the zone in which it is located.
2. ~~No new adult or child day care home or center shall be established within a residential district if it is within one thousand two hundred (1,200) feet of an existing child or adult day care home or center that is also located within a residential district. This regulation does not apply to properties~~

~~within the boundaries of a business district or those properties partially zoned "C" or "D" commercial districts. (Ord. No. 8910, § 1, 11-3-2015)~~

- ~~3.2. No signage is permitted for property within a residential district.~~
- 4.3. Off-street parking shall be provided for the owner/operator plus any employee and anyone parking for more than two (2) hours.
- ~~5. Hours of operation shall not exceed 6:00 a.m. to 8:00 p.m. for property within a residential district.~~

b. Adult or Child Day Care Homes

1. The care of four (4) or less children who are not members of the householder's family in a home dwelling requires a business license for a home occupation. All other child day care home uses which provide care for more than four (4) but no more than ten (10) children who are not members of the householder's family and adult day care home uses which provide care for no more than eight (8) adults are permitted under requirements specified in Section 53.170 et. seq.
2. The owner or lessee of a premises dwelling to whom an occupancy permit has been issued shall maintain the day care home premises as his or her permanent residence and shall physically occupy the premises at all times that a the premises is used to provide a Day Care Program for unrelated children or adults who are not members of the householder's family.
3. At no time shall medical care, therapy, or other services which require the presence on site of an additional care provider or specialist who is not the householder, be provided even if the state license allows the provision of such services.
4. Hours of operation shall not exceed 6:00 a.m. to 8:00 p.m.

c. Adult or Child Day Care Centers

1. All child day care center or adult day care center uses are permitted under requirements specified in Section 53.170 et. seq.
2. Hours of operation shall not exceed 6:00 a.m. to 8:00 p.m.

d. Group Care Home

1. Group Homes shall follow the Maximum Occupancy levels of all residential structures as determined by Section 404 Occupancy Limitations of the Code of Webster Groves

2. Group Care Homes for occupancy of eight (8) or fewer disabled persons with a disability with up to two (2) additional persons residents acting as houseparents or guardians caregivers, are considered a household. The number of additional houseparents or guardians caregivers can be increased with an equal decrease in the number of disabled persons with a disability.
3. Group Care Homes requesting for occupancy of more than eight (8) disabled persons with a disability are permitted under requirements specified in Section 53.170 et. seq.

e. Residential Care Center

1. All residential care center uses are permitted under requirements specified in Section 53.170 et. seq.
2. Residential Care Centers shall follow Maximum Occupancy levels of all residential structures as determined by Section 404 Occupancy Limitations of the Code of Webster Groves

Section 53.070. “A4” Seventy Five Hundred Square Foot Residence District Regulations.

The regulations set forth in this section, or set forth elsewhere in this Zoning Code, when referred to in this section, are the district regulations in the “A4” Seventy Five Hundred Square Foot Residence District.

Section 53.076. Development Standards for ~~nursery schools, adult or child day care homes, and adult or child day care centers and group living uses~~

a. General Standards

The following standards shall be applicable to all day care or group living uses:

1. The lot meets the minimum area requirements, minimum width requirements at the front yard setback line, and minimum average width requirements for the zone in which it is located.
2. ~~No new adult or child day care home or center shall be established within a residential district if it is within one thousand two hundred (1,200) feet of an existing child or adult day care home or center that is also located within a residential district. This regulation does not apply to properties within the boundaries of a business district or those properties partially zoned “C” or “D” commercial districts. (Ord. No. 8910, § 1, 11-3-2015)~~
- 3.2. ~~No signage is permitted for property within a residential district.~~
- 4.3. Off-street parking shall be provided for the owner/operator plus any employee and anyone parking for more than two (2) hours.

- ~~5. Hours of operation shall not exceed 6:00 a.m. to 8:00 p.m. for property within a residential district.~~

b. Adult or Child Day Care Homes

- ~~1. The care of four (4) or less children who are not members of the householder's family in a home dwelling requires a business license for a home occupation. All other child day care home uses which provide care for more than four (4) but no more than ten (10) children who are not members of the householder's family and adult day care home uses which provide care for no more than eight (8) adults are permitted under requirements specified in Section 53.170 et. seq.~~
- ~~2. The owner or lessee of a premises dwelling to whom an occupancy permit has been issued shall maintain the day care home premises as his or her permanent residence and shall physically occupy the premises at all times that a the premises is used to provide a Day Care Program for unrelated children or adults who are not members of the householder's family.~~
- ~~3. At no time shall medical care, therapy, or other services which require the presence on site of an additional care provider or specialist who is not the householder, be provided even if the state license allows the provision of such services.~~
- ~~4. Hours of operation shall not exceed 6:00 a.m. to 8:00 p.m.~~

c. Adult or Child Day Care Centers

- ~~1. All child day care center or adult day care center uses are permitted under requirements specified in Section 53.170 et. seq.~~
- ~~2. Hours of operation shall not exceed 6:00 a.m. to 8:00 p.m.~~

d. Group Care Home

- ~~1. Group Homes shall follow the Maximum Occupancy levels of all residential structures as determined by Section 404 Occupancy Limitations of the Code of Webster Groves~~
- ~~2. Group Care Homes for occupancy of eight (8) or fewer disabled persons with a disability with up to two (2) additional persons residents acting as houseparents or guardians caregivers, are considered a household. The number of additional houseparents or guardians caregivers can be increased with an equal decrease in the number of disabled persons with a disability.~~

3. Group Care Homes requesting for occupancy of more than eight (8) disabled persons with a disability are permitted under requirements specified in Section 53.170 et. seq.

e. Residential Care Center

1. All residential care center uses are permitted under requirements specified in Section 53.170 et. seq.

2. Residential Care Centers shall follow Maximum Occupancy levels of all residential structures as determined by Section 404 Occupancy Limitations of the Code of Webster Groves.

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ARTICLE IV: Commercial & Industrial Districts

Section 53.110. “C” Commercial District Regulations.

The regulations set forth in this section, or set forth elsewhere in this Zoning Code when referred to in this section, are the regulations in the “C” Commercial District.

Section 53.116. Development Standards for ~~nursery schools, adult or child day care homes, and adult or child day care centers~~ and group living uses

a. General Standards

The following standards shall be applicable to all day care or group living uses:

1. The lot meets the minimum area requirements, minimum width requirements at the front yard setback line, and minimum average width requirements for the zone in which it is located.
2. Off-street parking shall be provided for the owner/operator plus any employee and anyone parking for more than two (2) hours.

b. Adult or Child Day Care Homes

1. The care of four (4) or less children who are not members of the householder’s family in a home dwelling requires a business license for a home occupation. All other child day care home uses which provide care for more than four (4) but no more than ten (10) children who are not members of the householder’s family and adult day care home uses which provide care for no more than eight (8) adults are permitted under requirements specified in Section 53.170 et. seq.
2. The owner or lessee of a premises dwelling to whom an occupancy permit has been issued shall maintain the day care home premises as his or her permanent residence and shall physically occupy the premises at all times that a the premises is used to provide a Day Care Program for unrelated children who are not members of the householder’s family.
3. At no time shall medical care, therapy, or other services which require the presence on site of an additional care provider or specialist who is not the householder, be provided even if the state license allows the provision of such services.

c. Adult or Child Day Care Centers

1. All child day care center or adult day care center uses are permitted under requirements specified in Section 53.170 et. seq.

d. Group Care Home

1. Group Homes shall follow the Maximum Occupancy levels of all residential structures as determined by Section 404 Occupancy Limitations of the Code of Webster Groves
2. Group Care Homes for occupancy of eight (8) or fewer disabled persons with a disability with up to two (2) additional persons residents acting as houseparents or guardians caregivers, are considered a household. The number of additional houseparents or guardians caregivers can be increased with an equal decrease in the number of disabled persons with a disability.
3. Group Care Homes requesting for occupancy of more than eight (8) disabled persons with a disability are permitted under requirements specified in Section 53.170 et. seq.
4. _____

e. Residential Care Center

1. Residential Care Centers shall follow Maximum Occupancy levels of all residential structures as determined by Section 404 Occupancy Limitations of the Code of Webster Groves

Section 53.140. “D” Commercial District Regulations.

The regulations set forth in this section, or set forth elsewhere in this Zoning Code when referred to in this section, are the regulations in the “D” Commercial District.

Section 53.145. Development Standards for ~~nursery schools, adult or child day care homes, and adult or child day care centers~~ and group living uses.**a. General Standards**

The following standards shall be applicable to all day care or group living uses:

1. The lot meets the minimum area requirements, minimum width requirements at the front yard setback line, and minimum average width requirements for the zone in which it is located; and
2. Off-street parking shall be provided for the owner/operator plus any employee and anyone parking for more than two (2) hours.

b. Adult or Child Day Care Centers

1. All child day care center or adult day care center uses are permitted under requirements specified in Section 53.170 et. seq.

c. Group Care Home

1. Group Homes shall follow the Maximum Occupancy levels of all residential structures as determined by Section 404 Occupancy Limitations of the Code of Webster Groves
2. Group Care Homes for occupancy of eight (8) or fewer disabled persons with a disability with up to two (2) additional persons residents acting as houseparents or guardians caregivers, are considered a household. The number of additional houseparents or guardians caregivers can be increased with an equal decrease in the number of disabled persons with a disability.
3. Group Care Homes requesting for occupancy of more than eight (8) disabled persons with a disability are permitted under requirements specified in Section 53.170 et. seq.
4. _____

d. Residential Care Center

1. Residential Care Centers shall follow Maximum Occupancy levels of all residential structures as determined by Section 404 Occupancy Limitations of the Code of Webster Groves

Section 53.150. “E” Industrial District Regulations.

The regulations set forth in this section, or set forth elsewhere in this Zoning Code when referred to in this section, are the regulations in the “E” Industrial District.

Section 53.156. Development Standards for ~~nursery schools, adult or child day care~~ uses ~~homes, and adult or child day care centers~~**a. General Standards**

The following standards shall be applicable to all day care uses:

1. The lot meets the minimum area requirements, minimum width requirements at the front yard setback line, and minimum average width requirements for the zone in which it is located; and
2. Off-street parking be provided for the owner/operator plus any employee and anyone parking for more than two (2) hours.

b. Adult or Child Day Care Centers

1. All child day care center or adult day care center uses are permitted under requirements specified in Section 53.170 et. seq.