

**AN ORDINANCE ADOPTING SECTION 405.104 OF THE ORDINANCES OF  
THE CITY OF WEATHERBY LAKE TO REGULATE THE DENSITY OF  
GROUP HOMES IN THE CITY**

**RECITALS AND FINDINGS**

WHEREAS Section 89.020(2), R.S. Mo reads as follows:

*2. For the purpose of any zoning law, ordinance or code, the classification single family dwelling or single-family residence shall include any home in which eight or fewer unrelated mentally or physically handicapped persons reside and may include two additional persons acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the home. In the case of any such residential home for mentally or physically handicapped persons, the local zoning authority may require that the exterior appearance of the home and property be in reasonable conformance with the general neighborhood standards. Further, the local zoning authority may establish reasonable standards regarding the density of such individual homes in any specific single family dwelling neighborhood.*

WHEREAS the City of Weatherby Lake has passed and has in existence various ordinances which relate to business which may be conducted from houses located in the City. However, the City of Weatherby Lake currently has no Ordinance addressing the density of Group Homes in the city which operate pursuant to the authority of Section 89.020 R.S. Mo.

WHEREAS the City of Weatherby Lake Board of Aldermen requested the Planning Commission to hold a public hearing regarding whether §405.104 be adopted in the suggested form to address the density of Group Homes in the city which operate pursuant to the authority of Section 89.020 R.S. Mo.

***Section 405.104 Group Homes Authorized***

*Notwithstanding any section of the Zoning Code to the contrary, the following exception is authorized:*

- A. "Group Home(s)" – a residential facility similar in appearance to a single-family home as described in 89.020 R.S. Mo.*
- B. Conditional Use Permit. All Group Homes are required to get a Conditional Use Permit pursuant to Section 405.080 of this Code of Ordinances.*
- C. Community Density. To preclude the concentration of such uses, for the benefit of the residents of Group Homes and the overall community, no more than one (1) Group Home shall be permitted in each of the currently designated Alderperson Districts.*
- D. Residential appearance. The residential appearance of the group home structure and its lot or site shall always be maintained in reasonable conformance with the surrounding neighborhood.*

WHEREAS on October 17, 2023, the Planning Commission held a public hearing on the issue and after taking public comments and discussing the issue unanimously voted to recommended to the Board of Alderpersons that section 405.104 be adopted in the proposed form.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WEATHERBY LAKE, MISSOURI AS FOLLOWS:**

Effective immediately Ordinance Section 405.104 Regulating the Density of Group Homes is enacted which shall read as follows:

Section 405.104 Regulating the Density of Group Homes

Notwithstanding any section of the Zoning Code to the contrary, the following exception is authorized:

- A. "Group Home(s)" – a residential facility similar in appearance to a single-family home as described in 89.020 R.S. Mo.
- B. Conditional Use Permit. To help All Group Homes are required to get a Conditional Use Permit pursuant to Section 405.080 of this Code of Ordinances.
- C. Community Density. To preclude the concentration of such uses, for the benefit of the residents of Group Homes and the overall community, no more than one (1) Group Home shall be permitted in each of the currently designated Alderperson Districts.
- D. Residential appearance. The residential appearance of the group home structure and its lot or site shall always be maintained in reasonable conformance with the surrounding neighborhood.

PASSED THIS 23<sup>TH</sup> DAY OF OCTOBER 2023.

  
STEVE CLARK, MAYOR

ATTEST:

  
CITY CLERK

APPROVED THIS 23<sup>TH</sup> DAY OF OCTOBER 2023.

  
STEVE CLARK, MAYOR