

BILL NO. 2290

ORDINANCE NO. 2117

AN ORDINANCE AMENDING CITY OF CHESTERFIELD ZONING ORDINANCE SECTION 1003.020(86) TO ALLOW FOR A NEW DEFINITION FOR HOME OCCUPATION AND AMENDING SECTION 1003.167(20) TO ALLOW FOR NEW CRITERIA. (P.Z. 3-2004 CITY OF CHESTERFIELD/HOME OCCUPATION.)

WHEREAS, there has been increased interest in establishing a new definition and new use limitations for home occupations; and,

WHEREAS, the Planning Commission Ordinance Review Committee has recommended new criteria for home occupation and;

WHEREAS, the Planning Commission concurred with the recommendation of the Ordinance Review Committee and voted to recommend said amendment by a vote of 6-1.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City of Chesterfield Zoning Ordinance is hereby amended and agrees to make necessary changes thereto, as set out in Attachment "A" which is attached hereto and made a part hereof.

Section 2. The City Council, pursuant to the petition filed by the City of Chesterfield in P.Z. 3-2004, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on April 26, 2004, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 3. This ordinance shall be codified within the Municipal Code of the City of Chesterfield.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 16th day of AUGUST, 2004


MAYOR

ATTEST:


CITY CLERK

Attachment A

Section 1003.020 (86) Definitions.

(86) Home Occupation. Any activity conducted by a resident within a dwelling for financial gain which is incidental to, and clearly subordinate to, the residential use of the property. A home occupation has no employee that is not a resident on the premises, has no retail sales (except for goods and services produced on the premises) and occupies no more than 25% of the residence including the basement and attached garage.

Section 1003.167 Miscellaneous Regulations.

(20) *Home Occupation*. The purpose of this Section is to ensure that a home occupation is so located and conducted that the average neighbor would not be aware of its existence or be disrupted by it. It is the intent of this ordinance to protect and maintain the residential character of the neighborhoods in the City of Chesterfield. Both a business license and a home occupation permit shall be required for a home occupation.

- A) The development criteria for home occupation shall adhere to the standards set forth by Table 1 below.

Table 1: Development Criteria

<i>Performance standards</i>	Criteria
Purpose	Home occupation activity shall be clearly subordinate to the residential use of the property.
Use limitation	The home occupation has no retail sales (except for goods and services produced on the premises).

Prohibited uses	Animal hospital; kennel or dog sitting service of more than five (5) dogs at a time, not including dogs owned by the homeowner; clinic and hospital; vehicle repair; outside storage of equipment, material or supplies; restaurant; medical or dental practice, excluding counseling services, which require patients to receive services in the home.
Structure	
Performance standard of structure	Any noise, vibration, smoke, odors, heat or glare produced as a result of the home occupation which would exceed that normally produced by a single residence shall be prohibited.
Use of structure	The home occupation shall occupy no more than 25% of the residence including the basement and attached garage. Use of existing outbuildings for the home occupation is permitted and not considered in the allowable square footage.
Alteration of structure	The residential structure which accommodates the home occupation shall maintain its character as a dwelling. Alteration of the structure for handicap access shall be permitted.
Exterior of structure	The home occupation shall maintain its residential character of the premises by not having any exterior storage of materials, or any other indication of a home occupation.
Signage	In order to maintain its residential character, signage of any kind located on the exterior of the property or visible from the property shall be prohibited.
Parking	
Standard	Parking shall not cause a burden on the immediate property or to the neighborhood.
Alteration of parking on the property	Exterior expansion of the parking for the residential use of the property only shall be permitted.

Location	All parking for the home occupation must occur on site.
Commercial vehicles	One (1) commercial vehicle, which is also used by the resident, may be parked at the residence within any 24 hour period.
<i>Patrons</i>	
Patrons, students, or business callers on site.	A maximum of two (2) patrons, students, or business callers of any kind may be on the premises at any given time. For child care centers, a maximum of five (5) children, not related to the provider, shall be permitted.
<i>Hours</i>	
Maximum hours of operation	Patrons, students, or business callers shall only be received within the hours of 7:00 a.m. and 9:00 p.m.
Hours for deliveries	All deliveries related to the home occupation shall be made between the hours of 7:00 a.m. and 9:00 p.m.
<i>Employees</i>	
Employee requirement	All employees shall be residents of the home.