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AN ORDINANCE REPEALING SECTION 405.215 KNOWN AS PREFORMANCE STANDARDS FOR ACESSORY USES AND ENACTING IN ITS PLACE A NEW SECTION 405.215 IN THE CITY OF WELDON SPRING, MISSOURI, MUNICIPAL CODE REGARDING HOME OCCUPATIONS AND MATTERS RELATING THERETO

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WHEREAS, the Missouri General Assembly has passed, and Governor Parson has signed House Bill 1662, effective August 28, 2022, which made sweeping changes to the ability of Missouri’s Cities to regulate and control home-based occupations; and

WHEREAS, City of Weldon Spring is authorized to enact zoning regulations to promote the public health, safety and general welfare of the citizens of the City as provided under Chapter 89 of the Missouri Revised Statutes, and

WHEREAS, it is necessary to clarify, amend, and add flexibility to the regulations of the zoning Code governing home-based businesses as provided under Chapters 71, 79, and 89 of the Missouri Revised Statutes: and

WHEREAS, notice of public hearings in regard to the changed regulations proposed in this ordinance were published at least fifteen (15) days in advance of the Public Hearing held by the Planning & Zoning Commission on July 1, 2024, and the Public Hearing held by the Board of Aldermen on July 11, 2024; and

WHEREAS, the Planning & Zoning Commission has recommended the following changes to Section 405.215 to the Board of Aldermen for consideration; and

WHEREAS, the Board of Aldermen has taken up this matter based upon the recommendations made by the Planning & Zoning Commission of the City of Weldon Spring, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI AS FOLLOWS:

**SECTION 1:** That Section 405.215 of City Code henceforth shall be as follows:

**A. All Accessory Uses.**

1. Allowed. Accessory uses are allowed in every zoning district.
2. Generally. All accessory uses shall be incidental to the principal use; operated and maintained under the same ownership and on the same lot or on adjoining lots under the same ownership as the principal use or structure; and are subordinate to the principal use.

**B. Home Occupation****1. Appearance**

- a. The home-based business shall not be visible from the public right-of-way and shall be conducted in such a manner as not to give an outward appearance of a business.
- b. The home-based business shall not result in any structural alterations or additions to the dwelling that will change its primary use.
- c. No display of products and/or equipment produced or used by the home-based business may be displayed so as to be visible from outside the dwelling.

**2. Storage**

- a. No outdoor storage, display or sale of materials, commodities, stock in trade or equipment used in the home-based businesses shall be permitted.
- b. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible or flammable) beyond that are normally incidental to residential use is prohibited.

3. **Employees and Customers.** The total number of employees and customers on-site at one time shall not exceed the occupancy limit for the residential dwelling.

4. **Advertising and Signage.** No advertising or business signs are permitted on the premises.

5. **Vehicle, Trailers and Parking.** Vehicles and Trailers, including those of customers, must comply with all parking regulations contained in Section 405.290 of City code.

**6. General Provisions.**

- a. Any home-based business shall be clearly incidental and secondary to the residential use of the premises, should not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential use.
- b. A home-based business shall be owned and operated only by the occupants of the dwelling.

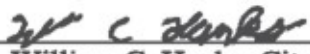
- c. Retail or wholesale transactions shall be operated in such a manner that the transactions do not generate any significant street parking or cause a substantial increase in traffic through the residential area.
- d. Home-based businesses shall comply with all local, county, state, and federal regulations pertaining to the activity pursued, and the requirements of this ordinance shall not be construed as an exemption from such regulations.


**SECTION 2:** That this ordinance shall be in full force and effect upon its enactment and approval

*READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI, THIS 25th DAY OF July 2024.*

  
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Donald D. Licklider, Mayor

Attest:

  
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William C. Hanks, City Clerk



To approve Bill #1225

Motioned: Kolb

Seconded: Clutter

	<u>Aye</u>	<u>Nay</u>	<u>Abstention</u>
Baker	<u>X</u>	<u>---</u>	<u>---</u>
Clutter	<u>X</u>	<u>---</u>	<u>---</u>
Conley	<u>X</u>	<u>---</u>	<u>---</u>
Kolb	<u>X</u>	<u>---</u>	<u>---</u>
Martiszus	<u>---</u>	<u>---</u>	<u>---</u>
Yeager	<u>X</u>	<u>---</u>	<u>---</u>
Lickliger	<u>---</u>	<u>---</u>	<u>---</u>

Absent: Martiszus