

ORDINANCE NO. 4101

AN ORDINANCE AMENDING CHAPTER 36 OF THE CODE OF CITY ORDINANCES OF THE CITY OF CLINTON REGARDING HOME-BASED BUSINESSES

WHEREAS, the City of Clinton wishes to encourage entrepreneurship and local business; and

WHEREAS, the state laws regarding home occupations and home-based businesses have changed as of August 28, 2022; and

WHEREAS, the City of Clinton desires to have local regulations consistent with state statute;

WHEREAS, the Clinton Planning Commission conducted a public hearing on December 5, 2022, to consider amendments regarding home-based businesses in Chapter 36 of the Clinton Code of Ordinances; and

WHEREAS, the Clinton Planning Commission recommended approval of amendments regarding home-based businesses by a vote of 7 Ayes; 0 Nays;

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF CLINTON, MISSOURI AS FOLLOWS:

Section 1. The following amendments to Chapter 36 are hereby approved:

Sec. 36-87(b) Home occupation

Repeal the following:

Home occupation means any occupation or profession conducted entirely within a residential dwelling or within a residential accessory building. To be classified as a home occupation, the following conditions must be met:

- (1) Work is conducted and carried on only by those who occupy the dwelling as their settled residence.
- (2) The home occupation is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.
- (3) No clients or customers visit the premises.
- (4) The work being conducted shall not create noise, dust, odor or electrical disturbance beyond the confines of the premises.
- (5) Signage, if desired, shall consist of one non-illuminated nameplate, no more than two square feet in area, attached to the wall of the dwelling or accessory building.

Enact the following:

Home occupation means any activity that meets the requirements of Sec. 36-174.

Sec. 36-119(c)(2) Home occupations.

Repeal the following:

Sec. 36-119(c)(2) Home occupations.

Sec. 36-174 - Home occupations.

Enact the following:

Sec. 36-174 - Home occupations.

(a) *General Purpose.* The purpose of this Section is to provide for home occupations which operate in a manner that:

- (1) Ensures the compatibility of the home occupation with the residential neighborhood in which the business is located;
- (2) Maintains and preserves the residential character of residential neighborhoods; and
- (3) Guarantees all residents freedom from excessive noise, excessive traffic, parking congestion, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential areas.

(b) *No Impact, Home Occupations.*

Home occupations are allowed as no-impact, home-based businesses in residential districts. No conditional use permit or occupational license is required to operate a no-impact home-based business in a residential dwelling in districts A-1 through R-4 so long as the following performance standards are satisfied. It shall be considered an offense to operate a business in a residential dwelling in violation of one or more of the following standards;

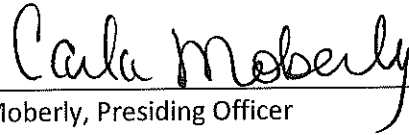
- (1) The total number of employees and clients onsite at one time does not exceed the occupancy limit for the residential dwelling.
- (2) The activities of the business:
 - a. Are limited to the sale of lawful goods or services;
 - b. May involve having more than one (1) client on the property at one (1) time;
 - c. Do not cause a substantial increase in traffic through the residential area;
 - d. Do not violate any parking regulations established by this code;
 - e. Occur inside the residential dwelling or in the yard of the residential dwelling;
 - f. Are not visible from the street
- (3) One (1) sign, if desired, shall consist of one non-illuminated nameplate, no more than two square feet in area, and must be attached to the wall of the dwelling or accessory building.
- (4) All no impact home occupations shall provide a sufficient number of off-street parking spaces to accommodate the primary use of the building as well as the number of vehicles associated with the home occupation. Parking shall comply with the following standards:
 - a. Parking generated by the conduct of a home occupation shall be subject to one (1) off-street parking space for each three-hundred (300) square feet of actual business space or one (1) space for each nonresident employee, whichever is greater.
 - b. For single-family and two-family dwellings, the required parking for the home occupation shall be in addition to the required parking set forth in Sec. 36-226.
 - c. Parking generated by home occupations within multi-family buildings shall not exceed more than 5% of the required off-street parking for the building.

Section 2. All ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall become effective immediately upon its passage and approval as provided by law.

Read for the first time the 6th day of December, 2022.

Read for a second time and passed this 20th day of December, 2022.



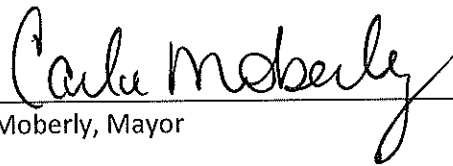
Carla Moberly, Presiding Officer

ATTEST:

7 Ayes: Gene Henry, Roger House, Cameron Jackson, Martha Nichols, Rick
Pereles, Becky Raysik and Daniel Wilson

0 Nays

1 Absent: Debbie Smith


Wendee Seaton, City Clerk

Carla Moberly, Mayor

