



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

From: Ted Shekell, Planning Director
Walter Denton, City Administrator

Date: October 5, 2009

Subject: Ordinance No. _____: An Ordinance Approving Zoning Code Text Amendments for:

- Section 3.02 "Home Occupations"
- Section 3.12 "Travel Trailers"
- Section 9.020, "Planned Use – when required" – **First Reading**

List of committees that have reviewed: The Community Development Committee reviewed the proposed text amendments at their meeting on September 28, 2009 and unanimously recommended approval.

Background: Below is a brief explanation of each of the text amendments.

Section 3.02 "Home Occupations"

At the request of several aldermen, staff has revised Section 3.02 "Home Occupations" of the Zoning Code of Ordinances to make the regulations consistent with administrative policy and up to date with current professional practices. The following list highlights the major changes to the ordinance:

- 1) If the business is required to be licensed by the State of Illinois, it must also be registered with the City of O'Fallon.
- 2) Employees cannot meet at the home and dispatch to job sites.
- 3) Client visitations to the home must be infrequent.
- 4) The home may display a wall-mounted, non-illuminated flat nameplate to identify the business, and it cannot be more than 1 sq. ft. in size.
- 5) Customers are allowed to pick up orders at the home if the order was previously placed, but merchandise may not be displayed and sold at the home (it can't be like a storefront).
- 6) Limitations have been placed on the number and type of vehicles associated with the business that can be kept on site (see subsection g).
- 7) The operation of heavy equipment out of the home is prohibited.
- 8) Off-street parking must be provided on the same lot as the home occupation.
- 9) List of specific uses that are prohibited (see subsection j).

- 10) List of specific uses that are exempt from the ordinance (see subsection k).
- 11) Require a one-time Home Occupation Permit.

Section 3.12 “Travel Trailers”

This section is being amended to clarify what setback requirements are applied to travel trailers in residential districts. All setback requirements must be followed, unless the travel trailer is parked on an improved driveway, in which case the 60 ft front yard setback requirement is waived. Staff has historically interpreted Section 3.12 in this way, but the language was unclear.

Section 9.020 “Planned Use – when required”

This section is being amended to require Planned Use approval for all Funeral or Mortuary services, including accessory crematoriums. These uses were previously permitted by right in the B-1 Zoning District.

Planning Commission Update: The Planning Commission held a public hearing on the above referenced text amendments at their September 8, 2009 meeting. The Commission voted unanimously to accept the text amendments with minor changes and clarifications, all of which have been incorporated into the attached report.

Legal Considerations, if any: None

Budget Impact: None

Staff Recommendation: Staff recommends approval of the text amendments as presented in the attachments.