

I.A.

Memorandum

Planning & Development Services Division



To: Planning and Public Works Committee
From: Justin Wyse, Senior Planner
Date: July 18, 2013
RE: Commercial Vehicle Parking in Residential Districts

Background

Staff presented information on the City's regulations for the parking of commercial vehicles in residential areas at the May 23, 2013 meeting of the Planning and Public Works Committee meeting. At that time, Staff was asked to bring several items back to the Committee for their consideration.

Proposed Ordinance

The Committee asked Staff to prepare a draft ordinance for discussion. This draft ordinance, amending City Code Chapter 18, Section 107 *Parking of Commercial Motor Vehicles in Residential Districts Prohibited*, is attached for discussion.

The ordinance has been amended since the last meeting to include:

- A definition of what a commercial vehicle is,
- Regulations for parking commercial vehicles on private residential properties, and
- Parking of commercial vehicles on streets within commercial areas.

The section regarding the definition of a commercial vehicle has been modified slightly since the last time the Committee reviewed this information. The only change is that item (a)(5) was added to include "tractor or tractor-trailer or tractor-trailer truck unit" in the definition of a commercial vehicle. This change is being recommended by Staff to place the existing and proposed regulations into one cohesive format for clarity in the administration of the requirements.

All existing regulations are maintained within the proposed regulations and the section has been expanded to include the language presented at the last meeting that the Committee directed Staff to include in the proposed language.

Known Violations / Complaints

Additionally, the Committee asked Staff for information regarding the number of complaints the City has received regarding commercial vehicles in residential areas. After speaking with the Code Enforcement Inspector with the City, it was determined that this information would not be reliable as many phone calls do not get entered into the system because they are not violations of the current ordinance. The Code Enforcement Inspector did relay that he is currently aware of three properties where we have received complaints (a box truck on Crownridge Dr., a tow truck on Royalbrook Dr., and a box truck on Blue Oak Dr.).

Planning and Public Works Committee
July 18, 2013

Commercial Vehicle Parking
in Residential Areas

Staff is requesting direction on the proposed ordinance for the regulation of commercial vehicles in residential areas.

Attached please find a copy of a draft ordinance to amend Chapter 18, Section 107 of the City of Chesterfield Code.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin Wyse". The signature is stylized and cursive.

Justin Wyse, AICP
Senior Planner

cc: Aimee Nassif, Planning and Development Services Director

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 18-107 "PARKING OF COMMERCIAL MOTOR VEHICLES IN RESIDENTIAL DISTRICTS PROHIBITED" OF THE CITY OF CHESTERFIELD CITY CODE TO ADDRESS PARKING OF COMMERCIAL VEHICLES ON RESIDENTIALLY ZONED PROPERTY BY DEFINING THE TERM "COMMERCIAL VEHICLE" AND CREATING REGULATIONS FOR THE PARKING OF RECREATIONAL VEHICLES IN CERTAIN AREAS.

WHEREAS, the City of Chesterfield City Code provides regulations regarding the type, number, and location of off-street and on-street parking and loading requirements in the City of Chesterfield; and

WHEREAS, the parking of commercial vehicles on residential lots negatively impacts neighborhood character; and,

WHEREAS, the regulations are consistent with the policies of the City of Chesterfield Comprehensive Plan as they conserve the existing quality of life and preserve the identity of existing neighborhoods; and

WHEREAS, the Planning and Public Works Committee has determined that the restriction of parking of commercial vehicles in residential areas serves to protect the public safety, peace, comfort and general welfare of the citizens of the City of Chesterfield; and

WHEREAS, the Planning & Public Works Committee of the City of Chesterfield having considered said request, recommended approval; and

WHEREAS, the City Council, having considered said request, voted to approve the addition of regulations for the parking of commercial vehicles on residentially zoned properties.

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 hereby amends Section 18-107 as set out in Attachment "A" that is attached hereto and made part thereof.

Section 2. This ordinance shall be codified within the Municipal Code of the City of Chesterfield.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2013.

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: _____

Attachment A

Amending Section 18-107 Parking of Recreational Vehicles in Residential Areas

The following shall be added to the City Code.

Sec. 18-107. Parking Of Commercial Motor Vehicles In Residential Districts Prohibited.

- (a) The term commercial vehicle shall be defined as:
- (1) Construction vehicles and equipment including, but not limited to, tractors, backhoes, blades, buckets, bulldozers, compactors, crane scappers, excavators, and front-end loaders.
 - (2) Vehicles designed or modified to serve a special purpose including, but not limited to, tow trucks, dump trucks, stake bed trucks, flat-bed trucks, step vans, refuse or garbage trucks, buses, fire engines, ambulances, and ice cream trucks with the following exceptions:
 - i. Government owned emergency response vehicles.
 - ii. Vehicles with bicycle racks, roof racks, or similar mounting accessories, which shall not be considered "modified for a special purpose."
 - (3) Vehicles designed or modified for advertising or business identification purposes, not including stock motor vehicles with business name, logo, or advertisements painted or otherwise affixed when operated by an occupant of the dwelling where they are parked.
 - (4) Agricultural, lawn, or landscaping vehicles, equipment, and attachments including, but not limited to, agricultural tractors, farm implements, mowing equipment, bush hogs, trimmers, spreaders, and their attachments, not including such vehicles, equipment, and attachments used exclusively to farm established agricultural property on which they are kept or to maintain property on which they are kept.
 - (5) Tractor or tractor-trailer or tractor-trailer truck unit.
- (b) Parking of Commercial Vehicles on Residential Properties
- (2) No commercial vehicle shall be parked outside of an enclosed structure on any paved or unpaved portion, including driveways, of any parcel of land whose primary use is residential or on any street in a residential area except for:

- i. Commercial vehicles parked temporarily while engaged in providing products or services to the owner of the property.
 - ii. Vehicles parked temporarily during active construction work at a permitted site or building construction activity authorized by these regulations.
 - iii. Emergency vehicles on call including utility vehicles during the course of repairs.
- (c) Parking of Commercial Vehicles on Public or Private Streets in Residential Areas
- (1) No commercial motor vehicle shall be parked on any roadway or highway in a residential district between the hours of 12:00 midnight and 6:00 a.m. of any day, except in an emergency.
 - (2) No tractor or tractor-trailer or tractor-trailer truck unit shall be parked on any roadway in a residential district at any time, except while loading or unloading, with the exception of governmental vehicles during work-in-progress.