

II.A.

Memorandum Planning & Development Services Division



To: Planning and Public Works Committee
From: Justin Wyse, Senior Planner
Date: August 8th, 2013
RE: Commercial Vehicle Parking in Residential Districts

A draft ordinance regulating the parking of commercial vehicles in residential areas was discussed at the July 18th meeting of the Planning and Public Works Committee meeting. At that time, Staff was asked to supplement the proposed ordinance with the graphic representation of vehicles that would be prohibited and permitted under the proposed ordinance. These images have been added to the ordinance as Attachment B and the legislation has been amended to reference this new attachment. No other changes have been made to the regulations since the Committee last saw the information.

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,



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,” CREATING REGULATIONS FOR THE PARKING OF RECREATIONAL VEHICLES IN CERTAIN AREAS, AND PROVIDING ILLUSTRATIONS TO CLARIFY THE REGULATIONS.

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” and Attachment “B” that are 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 scrappers, 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.

Attachment B

Visual Explanation of Definition

The following figures illustrate which types of vehicles would be included in the above definition.

2. *Construction vehicles and equipment including, but not limit to, tractors, backhoes, blades, buckets, bulldozers, compactors, crane scappers, excavators, and front-end loaders.*

Figure 1: Backhoes (prohibited)



Figure 2: Construction Equipment (prohibited)



3. *Vehicles designed or modified to serve a special purpose including, but not limited to, tow trucks, dump trucks, stake bed trucks, flat bed trucks, box trucks, step vans, refuse or garbage trucks, buses, fire engines, ambulances, and ice cream trucks with following exceptions:*
 - a. *Government owned emergency response vehicles..*
 - b. *Vehicles with bicycle racks, roof racks, or similar mounting accessories, which shall not be considered "modified for a special purpose."*

Figure 3: Stake Bed Truck (prohibited)



Figure 4: Step Van (prohibited)



Figure 5: Box Truck (prohibited)



Figure 6: Bicycle Rack (allowed)



Figure 7: Mounting Accessories (allowed)



4. 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.

Figure 8: Modified for Advertising (prohibited)



Figure 9: Modified for Advertising (prohibited)



Figure 10: Stock Motor Vehicle with Business Name (allowed)



5. *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.*

Figure 11: Agricultural vehicle
(allowed if only used on the property)



Figure 12: Mowing Equipment
(allowed if only used on property)

