

than seventy-five percent (75%) of its replacement cost at the time of destruction shall prohibit the re-establishment of the nonconforming use in any case.

(B) Home Occupations

(1) Intent. The intent of the home occupation provisions contained herein is to permit the use of residences as a place of livelihood or supplementing of personal and family incomes, while protecting residential areas from adverse impacts of activities associated with home occupations.

(2) Performance Standards. Home occupations shall be permitted as accessory uses within principal residential dwellings in any R-1A, R-1, R-1M, R-2, R-3, or AG District provided they meet the following performance standards and all requirements of the district in which located:

- (a) The home occupation must be clearly incidental and secondary to the primary residential use of the dwelling.
- (b) The home occupation must not change the outside appearance of the dwelling or be visible from the street. Exterior signage shall not be permitted unless mandated by Missouri State Law.
- (c) The home occupation must not generate traffic, parking, sewerage or water use in excess of what is normal in the residential neighborhood. Parking generated by the conduct of a home occupation shall increase by no more than one additional vehicle at a time. Trailers are prohibited in relation to a home occupation.
- (d) The home occupation shall not create a hazard to person or property, result in electrical interference, or become a nuisance in the neighborhood.
- (e) No outside storage of any kind related to the home occupation shall be permitted.
- (f) No persons other than self or family members residing on the premises shall be employed or involved in any business activity related to the home occupation on the premises.
- (g) No more than twenty-five percent (25%) of the gross floor area of the dwelling unit shall be used for the operation of the home occupation. This shall not include accessory buildings.
- (h) Deliveries of materials to and from the premises in conjunction with the home occupation shall not require the use of vehicles other than parcel post or similar parcel service vehicles.

- (i) Noise, vibration, smoke, odors, heat or glare as a result of a home occupation which would exceed that normally produced by a single residence shall not be permitted.
- (j) The home occupation shall not advertise using other than name, phone number and post office box.
- (k) The home occupation shall not utilize more than one private commercial vehicle limited to three-quarter (3/4) ton capacity.
- (l) No retail sales are allowed on the premises in conjunction with the home occupation unless clearly incidental to the home occupation.
- (m) The primary use of the building in which the home occupation is situated shall clearly be the dwelling used by the person as his/her private residence.
- (n) All home occupations shall have an approved occupational license and any other license(s) as mandated by other applicable local, state, and/or federal laws.
- (o) Where babysitting is operated as a home occupation, it shall operate in conformance with all Laws of the State of Missouri and Department of Health. (See definitions of babysitting and day care center under Section 31-3 of this Ordinance.)
- (p) Customer and client contact shall be primarily by telephone or mail and not on the premises of the home occupation, except those home occupations such as tutoring, teaching, babysitting or personal services which cannot be conducted without personal contact and as permitted in the following Section.

(3) Existing Home Occupations

Existing home occupations that have been approved by the Community Development Department which, under the provisions of this Section would not be allowed, shall be grandfathered (to that person at that address only) as of the date of this Ordinance, except that existing nonconforming signage used in conjunction with an approved home occupation shall be removed in compliance with Section 31-25(B) (2) (b) within thirty (30) days following adoption of this Ordinance.

(4) Noncompliance - Revocation of Permit

All home occupations, including existing home occupations that have been approved by the Community Development Department as of the date of this Ordinance and grandfathered home occupations (refer to above), shall comply with the provisions of Section 31-25 (B) (2) (b). In the case that any of these provisions are violated, a general ordinance complaint may be issued by the City and court action taken to insure compliance with the performance standards. The City of Grandview retains the

authority to revoke an occupational license and any approval associated therewith at any time when the above stated performance standards are violated.

(5) Prohibited Home Occupations

The following uses, by the nature of the investment or operation, have a tendency to rapidly increase beyond the limits permitted for home occupations and thereby, impair the use and value of a residentially zoned area for residential purposes. Therefore, the following uses shall be specifically prohibited as home occupations:

- (a) Animal grooming, boarding, and/or related services;
- (b) Automobile and other motor vehicle repair services and/or sales;
- (c) Beauty and barber services;
- (d) Commercial home cooking, canning, or preserving;
- (e) Equipment rental;
- (f) Lawn care services;
- (g) Photographic studio, where photographs are taken on the premises;
- (h) Physicians, dentists, chiropractors;
- (i) Printing and/or typesetting services;
- (j) Radio, television, phonograph, recorder, small appliance and small engine repair services; and
- (k) Sales to the public on the premises;

Any proposed home occupation not specifically prohibited in Section 31-25 (B) (5) above shall be permitted provided that all performance standards listed above are observed. However, if any one of these performance standards may potentially be violated, due to the nature of the home occupation, the Director of Community Development shall retain the authority to deny the home occupation. Further if, after establishment of a home occupation, any one of the performance standards listed above is violated, a general ordinance complaint may be issued by the City and court action taken to insure compliance with the performance standards. The City of Grandview reserves the authority to revoke an occupational license and any approval associated therewith at any time when the above stated performance standards are violated.

(C) Group Homes, Residential Care Agency Facility for Children, and Residential or Outpatient Treatment Facilities.

- (1) Group Homes and Residential Care Agency Facility for Children. Group homes as defined in Chapter 89.020, RSMo and residential care agency facilities for children, as defined in Chapter 210.481, RSMo, where no more than eight unrelated mentally or physically handicapped persons, as defined by the Americans with Disabilities Act of 1990, reside and where no more than two additional persons reside acting as houseparents or guardians, who need not be related to each other or to any of the residents, shall be determined to be a permitted use in any single family dwelling.

Such group homes and residential care agency facilities for children as defined in Chapters 89.020 and 210.481 RSMo., must be located at least 1,320 feet from any such other homes. Group homes and residential care agency facilities for children where more than eight persons reside or where more than two houseparents or guardians reside shall be permitted in the following districts only:

R-3 Low Density Multi-Family Residential District
OS Office/Service District

The exterior of all group homes and residential care agency facilities for children shall be in reasonable conformance with the general surrounding neighborhood standards.

- (2) Residential or Outpatient Facilities for the Treatment of Alcohol and Other Drug or Substance Abuse. Residential or outpatient facilities for the treatment of alcohol and other drug or substance abuse shall be allowed as a conditional use in OS, C-2, C-3, I-1, and I-2 districts and shall be in conformance with Section 31-26(F) and the following standards:

- (a) A site plan has been submitted, reviewed, and approved by the City Site Plan Review Team as to the following:
- (i) Minimum lot area shall be 20,000 square feet.
 - (ii) Minimum building size shall be three hundred (300) square feet for each resident patient and resident staff.
 - (iii) No more than twelve (12) residents or patients plus staff shall be occupants.
 - (iv) Screening provided to buffer adjacent uses shall be in accordance with Section 31-23.