

**City of South St. Paul
Dakota County, Minnesota**

Ordinance No. 1326

**AN ORDINANCE AMENDING SECTIONS 118-8 AND 118-121
REGARDING HOME OCCUPATIONS AND RESIDENTIAL BUSINESS OFFICES**

The City Council of the City of South St. Paul does ordain:

SECTION 1. AMENDMENT. South St. Paul City Code Section 118-8(c) is hereby amended as follows:

Sec. 118-8 – Lots, distances, and definitions

(c) *Definitions.* For the purposes of this chapter, certain words and phrases are defined as follows:

Home occupation means any ~~gainful~~ occupation or profession engaged in by the occupant ~~only~~ of a dwelling when carried on within a dwelling unit, ~~and not in any accessory building, provided that no signs other than those normally utilized in a residential district are present, no stock in trade is involved, and entrance to the home occupation is gained from within the structure.~~ Such uses may include professional office uses which require or include customers coming to the residence to obtain a business service or product, or teaching ~~limited to three students at any one time~~, and similar uses; however, a home occupation shall not be interpreted to include beauty salons or barbershops with two or more salon chairs, tourist homes, restaurants, or similar uses. The term also includes the performance of massage services pursuant to a personal service license issued under article XIII of chapter 18 of this Code; ~~provided, however, there shall be no more than one client waiting for service and no more than one client receiving service at any one time. No home occupation shall be permitted that creates the need for more than three parking spaces at any given time in addition to the parking spaces required by the resident occupants. No home occupation shall be permitted in any accessory building.~~

~~*Residential business office* means an office which is accessory to a residential use when the business does not require or include customers coming to the residence to obtain the primary business service or product which is typically provided off the residential premises; provided, however, that the business does not generate any customer traffic, that no signs other than those normally utilized in a residential district are present, that no stock is stored on the premises, that no over-the-counter retail sales are involved, and that entrance to the office is gained from within the structure.~~

SECTION 2. AMENDMENT. South St. Paul City Code Section 118-121(a)(2) is hereby amended as follows:

Sec. 118-121. - R-1, single-family district.

(2) *Accessory uses.*

- a. One garage (attached or unattached) used as an accessory to the dwelling and located upon the same lot, intended or capable of providing for the storage of motor vehicles and in which no business, occupation or service for profit is in any way conducted, as regulated herein by the performance standards section 118-208.
- b. One accessory building or structure, in addition to the garage, the use of which is incidental to and located on the same lot as the dwelling, as regulated herein by the performance standards section 118-208.
- c. Swimming pools and tennis courts, as regulated herein by the performance standards section.
- d. Keeping of domestic pets.
- e. Fences, signs, and recreation equipment, as regulated herein.
- f. Home occupations, as defined in section 118-8, provided that:
 - i. Entrance to the home occupation is gained from within the structure;
 - ii. The occupation shall be conducted entirely within the principal structure;
 - iii. No accessory building or attached garage shall be used for the home occupation;
 - iv. Evidence of the occupation shall not be visible from the street;
 - v. No stock or warehousing for the occupation shall be stored on the premises;
 - vi. No more than three parking spaces are needed at any given time in addition to the parking spaces required by the resident occupants;
 - vii. Home occupations such as massage are limited to no more than one client waiting for services and no more than one client receiving services at any given time;
and
 - viii. Home occupations such as teaching are limited to three students at any given time.
- ~~f. Residential business office.~~
- g. A PWS antenna located entirely inside a building or structure.
- h. Keeping of chickens as per the backyard chicken regulations found in section 15-9.

SECTION 3. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance

is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

This ordinance amendment eliminates the definition of a residential business office, and instead, includes it in the definition of home occupation. It also moves the performance standards for home occupations from the definition section to the permitted use section in the R-1 zoning district.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective upon publication.

Approved: October 16, 2017

Published: October 22, 2017

Christy Wilcox, City Clerk