An Ordinance recommended by the Planning Commission of the City of St. Louis pertaining to the regulation of home occupations in the Zoning Code; repealing Ordinance Number 59979, Section Twenty-One, in part, as codified in Section 26.80.060 of the Revised Code of the City of St. Louis, and enacting new provisions pertaining to permitted home occupations; repealing Section Three of Ordinance Number 69084, as amended by Ordinance Number 69199, as codified in Chapter 26.98 of the Revised Code of the City of St. Louis, and enacting a new chapter pertaining to Zoning fee schedules; repealing Sections One and Two of Ordinance Number 62617, as codified in Sections 8.07.042(A) and 8.07.042(B) of the Revised Code of the City of St. Louis, and enacting new provisions pertaining to registration in lieu of taxes for home occupations; containing a severability clause and an effective date.

WHEREAS, the City of Saint Louis is home to creative people, entrepreneurs, and businesses of every size who seek to comply with the law while growing their business and serving their customers; and

WHEREAS, the creativity, diversity, and ingenuity of the people of the City of Saint Louis should be allowed to flourish without unnecessary red tape, over-regulation, or arcane, out-dated laws; and

WHEREAS, the City of Saint Louis's current laws regulating home occupations restrict the available home occupations to a list of specified occupations, but a more dynamic law would be better able to adapt to a changing city and emerging businesses; and

WHEREAS, it is a priority of the City of Saint Louis to make it as easy as possible for people to start a new business and to grow an existing business, while ensuring that necessary and reasonable public health, safety, and quality of life protections remain in place; and

WHEREAS, it is in the best interests of the City of Saint Louis that the regulation of home occupations be reformed;

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Section Twenty-One of Ordinance 59979, in part, as amended by Section Two of Ordinance Number 69084, as codified in Section 26.80.060 of the Revised Code of the City of St. Louis, is hereby repealed and replaced with the following:

26.80.060 - Home occupations.

A. Home occupations shall be permitted if the following requirements are met:

1. The home occupation does not change the outside appearance of the residential dwelling;

2. The home occupation does not change the primary use of the home from residential;

3. The home occupation does not generate traffic, parking, sewerage, refuse, water use, noise, dust, odors, or vibrations in excess of what is normal in a residential neighborhood;

4. The home occupation does not create a hazard to person or property, result in electrical interference, involve the storage of flammable or hazardous materials, become a public or private nuisance, or is not classified by the City as a nuisance property pursuant to Ordinance Number 69730 or its successor ordinances;

5. The home occupation does not have storage or display any occupation-related equipment, including vehicles that openly display occupation-related equipment, outside the home;

6. The home occupation does not regularly and routinely employ anyone who is not

also a resident of the home to perform work inside the home;

7. The applicant of the home occupation resides at the home;

8. The home occupation does not display a sign;

9. The home occupation does not regularly and routinely accept customers, clients, or the general public into the home;

10. The home occupation does not advertise, solicit or invite customers, clients, or the general public to the home;

11. The home occupation is within a property with a valid Certificate of Inspection pursuant to Chapter 25.56 of the Revised Code of the City of St. Louis;

12. The home occupation and the property remain in compliance with all city laws, rules, and regulations.

B. The following are prohibited as home occupations:

1. Animal clinics and boarding facilities, including kenneling and day care;

2. Dancing Schools;

3. Doctor and dentist offices;

4. Mortuaries;

5. Stables or kennels;

6. Private clubs;

7. Repair shops;

8. Restaurants;

9. Tourist homes;

10. Automobile repair or paint shops, sales and leasing of new or used autos and auto

detailing and washing.

C. The following home occupations shall be considered a conditional use that may be allowed subject to the provisions of Section 26.80.010 of the Revised Code of the City of St. Louis:

1. Home cooking, preserving or processing of food for resale;

2. Home daycares;

3. Recording and film studios;

4. Home office use for general construction, electrical, painting, plumbing, or landscaping contractors;

5. Any proposed home occupancy that is not specifically prohibited by Subsection B of this Section, but cannot comply entirely with the standards contained in Subsection A of this Section.

D. A fee, set forth in Chapter 26.98, shall be due at the time an application is made for a home occupancy waiver.

SECTION TWO. Section Three of Ordinance Number 69084, as amended by Ordinance Number 69199, as codified in Chapter 26.98 of the Revised Code of the City of St. Louis, is hereby repealed and replaced with the following:

26.98 - Fee Schedule.

26.98.010 Schedule enumerated.

The following non-refundable fees shall be paid by the requesting party prior to any action being taken by the city in connection with zoning services:

SERVICE	FEE 1
Front Yard Survey	$25.00
Rezoning Petition	$250.00
Appeal to the Board of Adjustment	$200.00
Conditional Use	$50.00
PUD (Planned Unit Development)	$500.00*
CUP (Community Unit Plan)	$500.00*
Amendment of a CUP	$300.00
SPD (Signage Plan District)	$300.00
Home Occupancy Waiver	$50.00
Zoning Letters	$25.00
Signature Verification of Plat & Petitions	$475.00
Incidental Business Waivers	$20.00
Form-based district application fee	$500.00

*$500.00 for the first acre, $250.00 for each additional acre or fraction thereof

SECTION THREE. Registration in lieu of tax. Sections One and Two of Ordinance Number 62617, as codified in Sections 8.07.042(A) and 8.07.042(B) of the Revised Code of the City of St. Louis, are hereby repealed and replaced with the following:

8.07.042 Home occupation—Registration in lieu of tax.

A. Any person or taxpayer operating a home occupation that is permitted by and meets the requirements of the Zoning Code of the City of St. Louis may apply to the License Collector for designation and registration as a home occupation operator. Such designation and registration shall be granted for a one year period and be renewable each year on an annual basis if and only if the person or payer meets the following conditions: (1) The application is

accompanied by: (a) a copy of a home occupation waiver issued by the Zoning Administrator, (b) a copy of the E-234 Business Earnings Tax Form filed by the taxpayer with the Collector of Revenue for the preceding calendar year, (c) a written statement of clearance certifying that no current or past earnings and/or personal property taxes are due and payable to the City; and (2) said Form E-234 demonstrates that the taxpayer's gross earnings attributable to such home occupation for said preceding calendar year are less than one hundred thousand dollars ($100,000); provided, however, that taxpayers who were not required to file Form E-234 for the preceding calendar year due to the fact that their business did not then exist shall be eligible for designation as home occupation operators without filing the E-234 form for that calendar year only.

B. Upon designation as a home occupation operator, the operator shall pay, in lieu of the graduated business license tax, a home occupation registration fee in the amount of twenty-five dollars ($25.00). Upon payment of the registration fee, the operator shall be issued a certificate of registration by the License Collector that shall be maintained at the home occupation premises.

SECTION FOUR. Severability Clause. The provisions of this ordinance are severable. In the event any provision of this ordinance is determined to be invalid, the remaining provisions shall not be affected thereby.

SECTION FIVE. Effective Date. The provisions of this ordinance shall become effective on February 1, 2016, after its passage and approval by the mayor.