

Chapter 7

BED AND BREAKFAST OPERATIONS

Art. I. In General, §§ 7-1--7-30

Art. II. License, §§ 7-31--7-38

ARTICLE I.

IN GENERAL

Sec. 7-1. Purpose.

This chapter is established to enable single-family dwelling units of historic significance to conduct bed and breakfast operations as defined in section 38-5. This chapter is enacted on the basis of the public policy that supports the city as a tourist destination for persons interested in the architectural and historic significance of the city's single-family structures. This chapter also focuses on the need to provide an incentive for owners to continue occupancy and maintenance of historic structures. This chapter emphasizes protection to neighborhoods with the provision of standards that prohibit nuisance and detrimental change in the single-family character of any site proposed for a bed and breakfast operation.
(Ord. No. 427, § 1(7.401), 9-17-84)

Sec. 7-2. Definition.

For the purposes of this chapter, the phrase "bed and breakfast operation" shall be as defined in section 38-5.
(Ord. No. 427, § 1(7.403), 9-17-84)

Cross References: Definitions and rules of construction generally, § 1-2.

Sec. 7-3. Exclusions.

The provisions of this chapter shall not apply to hotels, motels, motor lodges, boardinghouses, or roominghouses doing business within the city on September 17, 1984.
(Ord. No. 427, § 1(7.403), 9-17-84; Ord. No. 431, § 1, 11-19-84)

Sec. 7-4. Structure must be historically significant.

The structure to be used as a bed and breakfast establishment shall be of historic significance. It shall be the applicant's responsibility to show proof of historic significance to the planning commission.
(Ord. No. 427, § 1(7.402(1)), 9-17-84)

Sec. 7-5. Minimum specifications.

No premises shall be utilized for a bed and breakfast operation unless there are at least two (2) exits to

the outdoors from such premises. Rooms utilized for sleeping shall have a minimum size of one hundred (100) square feet for two (2) occupants with an additional thirty (30) square feet for each additional occupant to a maximum of four (4) occupants per room. Each sleeping room used for the bed and breakfast operation shall have a separate smoke detector alarm as required in the building code. Lavatories and bathing facilities shall be available to all persons using any bed and breakfast operation.
(Ord. No. 427, § 1(7.402(2)), 9-17-84)

Sec. 7-6. Parking requirements.

(a) Two (2) parking spaces plus one (1) additional space per room to be rented must be provided at each bed and breakfast establishment.

(b) Tandem parking is allowed; however, not more than two (2) cars per space shall be allowed.

(c) No residential structure shall be removed in order to allow for a bed and breakfast use nor shall such a structure be removed in order to provide parking for such a use.

(d) All parking spaces shall be paved or graded to city standards with material which maintain the historical character of the neighborhood.

(e) If the applicant is unable to meet subsections (a) through (d) above, the applicant may request special consideration from the planning commission through a site plan review process. The city's intent is not to encourage yards to be destroyed, landscaping removed or the integrity of the neighborhood altered in order to provide parking. In such a case the applicant shall submit an analysis of parking required and parking provided within a three-hundred-foot radius of the subject parcel. After analyzing this study, the planning commission may lower the number of the required parking spaces based on the fact that sufficient parking exists in the neighborhood.

(Ord. No. 427, § 1(7.402(3--7)), 9-17-84)

Cross References: Off-street parking requirements generally, § 38-380.

Sec. 7-7. Signs.

Identifying signs for a bed and breakfast operation are not permitted. If a bed and breakfast league or comparable organization is established, then a uniform symbol or logo adopted by such an organization and not exceeding two (2) square feet may be mounted flat against the wall of the principal building. The symbol or logo shall be non-illuminated and unanimated.

(Ord. No. 427, § 1(7.402(8)), 9-17-84)

Cross References: Signs generally, Ch. 26.

Sec. 7-8. Residence of operator/owner.

The dwelling unit in which the bed and breakfast operation takes place shall be the principal residence of the operator/owner. The operator/owner shall live on the premises while the bed and breakfast operation is active.

(Ord. No. 427, § 1(7.402(9)), 9-17-84)

Sec. 7-9. Residential status of structure.

The structure utilized in a bed and breakfast operation shall remain a residential structure; i.e. the kitchen shall not be remodeled into a commercial kitchen.
(Ord. No. 427, § 1(7.402(10)), 9-17-84)

Sec. 7-10. Meal service restricted.

Meals at a bed and breakfast operation shall be served only to residents and overnight guests.
(Ord. No. 427, § 1(7.402(11)), 9-17-84)

Sec. 7-11. Guest register.

Each operator shall keep a list of the names of all persons staying at the bed and breakfast operation. Such list shall be available for inspection by city officials at any time.
(Ord. No. 427, § 1(7.402(12)), 9-17-84)

Sec. 7-12. Maximum length of stay.

The maximum stay for any occupants of bed and breakfast operations shall be fourteen (14) days.
(Ord. No. 427, § 1(7.402(13)), 9-17-84)

Sec. 7-13. Maximum space to be used in operation.

The bed and breakfast room(s) shall occupy no more than a total of twenty-five (25) percent of the dwelling unit floor space.
(Ord. No. 427, § 1(7.402), 9-17-84; Ord. No. 431, § 1, 11-19-84)

Sec. 7-14. Public nuisance violations.

Bed and breakfast operations shall not be permitted whenever the operation endangers, or offends, or interferes with the safety or rights of others so as to constitute a nuisance.
(Ord. No. 427, § 1(7.406), 9-17-84)

Cross References: Nuisances generally, Ch. 18.

Secs. 7-15--7-30. Reserved.

ARTICLE II.

LICENSE*

* **Cross References:** Licensing generally, Ch. 16.

Secs. 7-31--7-38. Reserved.

Editors Note: Ord. No. 534, § 1, adopted June 19, 1995, repealed §§ 7-31--7-38 in their entirety. Former §§ 7-31--7-38 pertained to bed and breakfast operation licenses and derived from Ord. No. 427, § 1(7.403--7.408), adopted September 17, 1984.