

Attachment "D"

DIVISION 7. - BED AND BREAKFAST INNS^[22]

Footnotes:

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Cross reference— Businesses, ch. 18.

Sec. 142-1401. - Conditions for bed and breakfast inns.

Bed and breakfast inns are permitted with the following conditions:

- (1) The use shall be situated in a contributing building and located in a locally designated historic preservation district. The use may also be situated in a noncontributing building if it is restored to its original historic appearance and re-categorized as "contributing."
- (2) The owner of the bed and breakfast inn shall permanently reside in the structure.
- (3)
 - (a) The structure shall have originally been constructed as a single-family residence; and
 - (b) The existing structure is not classified by the city as an apartment building as defined in section 114-1 of the City Code.

The structure may have original auxiliary structures such as a detached garage or servant's residence, but shall not have noncontributing multifamily or commercial auxiliary structures.

- (4) The structure shall maintain public rooms (living room/dining room) for use of the guests.
- (5) The size and number of guestrooms in a bed and breakfast inn shall conform to the following:
 - a. The structure shall be allowed to maintain (or restore) the original number and size of bedrooms which, with the exception of rooms occupied by the owner, may be rented to guests.
 - b. Historic auxiliary structures, such as detached garages and servants' residences, may be converted to guestrooms. New bedrooms constructed shall have a minimum size of 200 square feet and shall have a private bathroom.
 - c. Architecturally compatible additions not exceeding 25 percent of the floor area of the historic building shall be permitted to accommodate emergency stairs, other fire safety requirements, and new bathrooms. Additions shall be consistent with required setbacks and shall not be located on primary or highly visible elevations.
 - d. If there is evidence of interior alterations and original building plans are not available, the guestrooms shall be restored to the probable size and configuration as proposed by a preservation architect and subject to approval by the historic preservation/design review board.
- (6) There shall be no cooking facilities/equipment in guestrooms. One small refrigerator with maximum capacity of five cubic feet shall be permitted in each guestroom. All cooking equipment which may exist shall be removed from the structure with the exception of the single main kitchen of the house.
- (7) The bed and breakfast inn may serve breakfast and/or dinner to registered guests only. No other meals shall be provided. The room rate shall be inclusive of meal(s) if they are to be made available; there shall be no additional charge for any meal. Permitted meals may be served in

common rooms, guestrooms or on outside terraces (see subsection 142-1401(9)). The meal service is not considered an accessory use and is not entitled to an outside sign.

- (8) Permitted meals may be served in areas outside of the building under the following conditions:
 - a. Existing paved patios shall be restored but not enlarged. If no paved surface exists, one consistent with neighboring properties may be installed.
 - b. The area shall be landscaped and reviewed under the design review process. Landscape design shall effectively buffer the outdoor area used for meals from adjacent properties.
 - c. Any meal served outdoors shall be carried out from inside facilities. Outdoor cooking, food preparation, and/or serving/buffet tables are prohibited.
- (9) Notwithstanding subsections (7) and (8) above, bed and breakfast inns that have had historic assembly use prior to December 18, 2010, for which documentation is accepted and confirmed by the planning director or designee, may be permitted to have limited nonentertainment assembly uses (including, but not limited to: art exhibits, corporate seminars, educational lectures and presentations and similar assembly uses without entertainment as defined in section 142-1361), if approved by the planning board as a conditional use, subject to the following limitations:
 - a. The assembly uses shall consist of private events by invitation only, not open to members of the general public;
 - b. The assembly events shall end no later than 11:30 p.m.;
 - c. Invitations to assembly events must indicate that no street parking is available for the events, and direct guests to city parking lots or licensed private parking lots; and
 - d. No deliveries to the bed and breakfast inn shall occur before 9:00 a.m., or after 5:00 p.m. during weekdays, and before 10:00 a.m., or after 3:00 p.m., during weekends.
 - e. No speakers shall be permitted in outdoor areas.
- (10) The entire building shall be substantially rehabilitated and conform to the South Florida Building Code, property maintenance standards, the fire prevention and life safety code and the U.S. Secretary of the Interior's Standards for Rehabilitation of Historic Buildings, as amended. In addition, the entire main structure shall have central air conditioning and any habitable portion of auxiliary structures shall have air conditioning units.
- (11) Building identification sign for a bed and breakfast inn shall be the same as allowed for an apartment building in the zoning district in which it is located.
- (12) The maximum amount of time that any person other than the owner may stay in a bed and breakfast inn during a one-year period shall not exceed three months.
- (13) The required off-street parking for a licensed bed and breakfast inn shall be the same as for a single-family residence. There shall be no designated loading zones on any public right-of-way and required parking spaces shall not be constructed on swales, public easements or rights-of-way.

(Ord. No. 89-2665, § 6-22(H), eff. 10-1-89; Ord. No. 92-2786, eff. 7-19-92; Ord. No. 2010-3712, § 1, 12-8-10; Ord. No. 2014-3877, § 1, 6-11-14)

Secs. 142-1402—142-1410. - Reserved.