

AMENDMENT NO. ____

TO

SECOND SUBSTITUTE ORDINANCE NO. BL2019-48

Mr. President –

I hereby move to amend Second Substitute Ordinance No. BL2019-48 as follows:

- I. By amending Section 1 by deleting subsection D.1.b. in its entirety and replacing it with the following:
 - ~~b. The home occupation shall not occupy more than twenty percent of the total floor area of the principal structure to a maximum of 500 square feet of floor area plus the area of any legally permitted accessory buildings.~~
b. The home occupation shall not occupy more than twenty percent of the total floor area of the principal structure and shall not occupy more than 1,000 square feet of total floor area within the principal structure and any legally permitted accessory buildings.

- II. By amending Section 1 by adding the following as a new subsection D.2.b. and renumbering any subsequent subsections accordingly:
 - b. No more than five employees may reside within the dwelling at a home occupation location.

- III. By amending Section 1 by deleting subsection D.3.c. in its entirety and replacing it with the following:
 - c. The permit holder shall maintain and make available to the Codes Department a log or register of customer appointments for each calendar year.

- IV. By amending Section 1 by deleting subsection D.6.b. in its entirety and replacing it with the following:
 - ~~b. Prior to issuance of a permit, the applicant shall provide the Codes Department with a statement~~ an affidavit verifying that the applicant has confirmed that operating the proposed home occupation would not violate any home owners association agreement or bylaws, condominium agreement, covenants, codes and restrictions, lease or any other agreement governing and limiting the use of the property proposed for the home occupation. If the applicant is not the property owner, ~~the applicant shall also certify~~ affidavit shall also verify that the property owner is aware of the application and does not object to pursuit of the home occupation permit. Further, the applicant shall provide proof of written notification to the owner of each adjacent property prior to filing the application. For each such adjacent property, proof of written notification shall be: (a) a signature of an owner; (b) a signed receipt of U.S. registered or certified mail addressed to an owner; or (c) notice from the U.S. Postal Service that registered or certified mail to an owner was refused or not timely accepted.

- V. By amending Section 1 by deleting subsection D.7.b. in its entirety and replacing it with the following:

b. Revocation of Permit. Upon the filing of ~~three~~ two or more verified complaints within a calendar year regarding a permit issued for activities under this section, the Zoning Administrator, or his or her designee, shall notify the permit holder in writing of such complaints and the Zoning Administrator, or his or her designee, will determine whether such complaints are valid. If it is determined that violations have occurred, the Zoning Administrator may revoke a permit as provided in Section 17.40.590. Once a permit has been revoked pursuant to this subsection, no home occupation permit shall be issued to the applicant for the same property for a period of one year from the date of the revocation. The permit holder may appeal the Zoning Administrator's decision to the Board of Zoning Appeals for a public hearing as provided in this Title. Other violations of this Subsection D are punishable by a fine of fifty dollars per day, per violation.

SPONSORED BY:

Dave Rosenberg
Member of Council