



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: September 1, 2020

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Changes to Home Occupation Ordinance

Background: The City Council directed that the City staff review and revise the BIMC that deals with Home Occupations. In the current Zoning Ordinance home occupations are regulated through Section 50-103, Accessory Uses. It is necessary to rewrite this portion of the BIMC and Sections in Chapter 28, Taxation for three major reasons: the current regulations are too open to interpretation which leads to confusion for the issuer, the applicant, and those neighboring the applicant; the current regulations prohibit many activities related to home occupations which would be good for the economic development of the community, but would not negatively impact nearby residents; and the current regulations allow for certain activities related to home occupations that have proven to be irritating to nearby residents, generating numerous complaints to the City.

Home occupations can be very beneficial to the community when governed by zoning regulation that permit as broad of an array of home occupations as possible without negatively impacting the surrounding neighborhood. Home occupations are an important part of any local economy. They are a critical component of the local economy to grow through entrepreneurial activities of its residents. They foster the establishment of new business by eliminating the need for some small businesses to rent commercial space, a factor which could make all the difference to a new business.

Allowing to work from home can save commuting and child care costs, and can give those who might be unable to work outside the home, including single parents, the elderly and the disabled, an opportunity to earn a living. However, any benefits of home occupations must be balanced that neighbors are not disturbed by excessive noise, odors, light, traffic, and other nuisances that are not characteristic of a residential area. Current regulations prohibit a number of activities that are associated with home occupations that are no more disruptive to the surrounding neighborhood than activities already permitted as part of the allowed residential land use by special exception.

While there are many benefits to home occupations, they also do have the potential to disrupt the residential character of the surrounding area. Current regulations have not adequately addressed all activities related to home occupations that can be disruptive to the neighbors, particularly in regards to vehicles, parking, and number of visitors (customers/clients) related to home occupations. Current regulations do not address this issue at all. As a result, there have been a number of instances where parking, vehicles, and number of client/customer visits have generated numerous complaints from neighbors.

The current regulations also do not provide a way for neighbors to know that someone has applied for a home occupation permit and there is no recourse for them if they object to the home occupation.

Staff Recommendation: Move forward with the proposed changes to the BIMC

Suggested Motion: I move that we read (for the 2nd time) and adopt Ordinance 20-12 at the September 15, 2020 Council Meeting.

Alternatives: Do not accept the changes and suggest other changes to the code.

Fiscal Impact: TBD

Attachments: Proposed Ordinance.