

## SEPTEMBER 2025 AMENDMENTS

### Appendix A. Definitions

**Guest House** - An attached or detached accessory dwelling located on the same lot-of-record as an existing primary residential structure and containing a lodging unit with kitchen facilities used to house occasional non-paying/non-commercial guests of the occupants of the primary residential unit located on the same site. **This use must comply with Sec. 6.3.8.**

**Home Occupation** - An accessory use **that is a limited business activity**, conducted entirely within the dwelling, **clearly incidental and secondary to the use of the dwelling for residential purposes, and** does not generate a nuisance to neighbors. **This use must comply with Sec. 6.3.9.**

**Restaurant** - ~~An establishment which operates a place of business purposed primarily to prepare food and food items for consumption and to serve meals and meal items to the general public.~~ **An eating establishment which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities where food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar located within a restaurant. The use must comply with Section 6.3.10.** City approval of restaurants will not automatically include approval of separate bar/lounge areas within those restaurants.

### 6.3 Specific Use Standards

#### 6.3.8 Guest House

1. The minimum lot size required for the addition of a Guest House to the site of a primary residential structure shall be 6500 square feet.
2. A Guest House shall be site built meeting all City of Hammond adopted Building Codes and inspected in accordance with City of Hammond typical inspection schedule.
3. A Guest House shall be required to be constructed within the buildable area of the lot and shall not be located in any required front, rear, or side yard setbacks. A Guest House is not an “accessory building” and shall not be regulated as such.
4. A Guest House may be built in conjunction with a primary residential structure under construction or after, but not before the primary residential structure.
5. A Guest House shall be on the same electrical meter, water meter and/or gas meter as the primary residential structure on the premises. No separate utility connections are allowed.
6. A Guest House structure including all porches or permanent structures of the guest house shall not exceed 900 square feet or 20 percent of the square footage size of the existing

primary residential structure, whichever is greater. Attached garages of the primary structure shall be excluded from this calculation.

7. A Guest House shall be for the temporary use of guests of the primary residential structure and shall not be rented or leased for financial gain.
8. A Guest House shall not be allowed on a lot-of-record or premises/site with more than one existing residential unit or with any commercial or industrial land use.

### **6.3.9 Home Occupations**

1. A home occupation must be conducted within the dwelling unit and not within any accessory structure. Nothing shall be done to make the building appear in any way as anything other than a dwelling.
2. The home occupation shall be incidental to the use of the dwelling unit for residential purposes. No more than twenty-five per cent (25%) of the floor area of the residence or five hundred (500) square feet (whichever is less) may be used in connection with the home occupation.
3. The person conducting the home occupation must live at this location, and consider the property as their primary residence. No one shall be employed from outside of the resident family. Proof of owner occupancy may be established by submission of proof of a homestead exemption.
4. There shall be no retail sale of goods on premises in connection with said home occupation.
5. The use shall not create greater vehicular or pedestrian traffic than normal for the residential district in which it is located, as determined by the city planner or designee. The use shall not require additional off-street parking spaces for clients or customers of the home occupation. No bus or truck, other than a school bus or a pick-up truck or van will be kept on the premises of the dwelling being used for home occupations.
6. There shall be no advertising, display, or other exterior indications of a home occupation on the premises, other than one (1) sign attached to the dwelling unit itself. The sign shall be flat, non-illuminated, and shall not exceed two (2) square feet in area.
7. No more than one (1) home occupation or business shall be conducted within a dwelling unit, and services shall be limited to one (1) client at a time. The hours of operation for a home occupation shall be limited to 8:00 am to 6:00 pm.
8. Barber or beauty shops shall be limited to one (1) operator with no assistants, one (1) styling chair and one (1) shampoo bowl. Scheduling shall allow for one (1) appointment at a time only. All parking for customers and residents shall be located on the site. Sales and services to patrons shall be arranged by appointment and scheduled so that not more than one patron vehicle is on the premises at the same time;

9. Mechanical equipment used shall be only that normally used in, or found in, a single family dwelling.
10. No toxic, explosive, flammable, combustible, corrosive, radioactive, or other restricted materials shall be used or stored on the site. The use shall not produce offensive noise, odors, vibrations, smoke, fumes, heat, or dust detectable to normal sensory perception beyond the premises.
12. Storage of stock, supplies, and products shall be permitted only inside the premises where a home occupation is being operated. There shall be no outdoor storage of equipment or materials used in the home occupation.
13. Certificate of occupancy. An application for a certificate of occupancy for a home occupation shall be made to the planning office on a form provided by the department. Inspection of the applicant's premises shall be made by the building inspector to determine compliance with these regulations before a certificate of occupancy shall be issued.

#### **6.3.10 Restaurant**

1. City approval of restaurants will not automatically include approval of separate bar/lounge areas within those restaurants. Bars and lounges are allowed in accordance with the zoning district in which the business is located.
2. A restaurant must:
  - a. Serve food on all days of operation.
  - b. File a copy of the applicant's menu together with the application, both new and renewal.
  - c. Provide an affidavit from the local health department showing compliance with all applicable health and sanitary requirements with new application.
  - d. Gross a minimum of sixty (60%) percent of their monthly revenue from the sale of food, food items and non-alcoholic beverages. For new businesses without prior business experience on which to base a determination of percentage of food, food item and non-alcoholic beverage sales where a temporary alcoholic beverage permit has been issued by the tax collector for sixty (60) days after which time evidence of all purchases and sales, as may be deemed necessary by the tax collector, can be required to make the alcoholic beverage permit permanent.
  - e. Maintain separate sales figures for alcoholic beverages.
  - f. Operate as a bona fide restaurant by having a fully equipped kitchen facility and dining room manned and operated at all times that alcoholic beverages are sold on Sunday.
  - g. Maintain a written record of the name, address and telephone number of all vendors and suppliers of food, food items and non-alcoholic beverages and alcoholic beverages, and maintains, for a minimum period of twelve (12) consecutive months previous to application for renewals, all records of purchase and delivery of food, food items and non-alcoholic beverages and alcoholic beverages to the permittee's place of business, including, without limitation, all billings, invoices, statements of accounts, delivery tickets and receipts of food, food items and non-alcoholic beverages.