

18.36 PARKING REQUIREMENTS

18.36.010 MINIMUM NUMBER OF OFF-STREET PARKING SPACES

The minimum number of off street parking spaces to be provided for a use is listed in the following table. All parking ratios are based upon the gross floor area contained within the building. When the computation of the required off-street parking spaces results in a fraction, the requirement shall be rounded to the nearest whole interval. Fractions less than 0.5 shall be rounded to the next lowest whole number.

18.36.020 USES NOT LISTED

The required off-street parking spaces for a use not specifically listed, shall be determined by the Planning Director based upon the requirements of other similar listed uses. Pre-existing parking configurations and number of spaces shall be grandfathered; all proposed development and/or changes to intensify use shall comply with the standards identified in Tables 3 and 4 of Chapter 18.64.

18.40 HOME OCCUPATIONS

18.40.010 PERMITTED HOME OCCUPATIONS

The following home occupations are permitted providing the requirements in sections 18.40.020 and 18.40.030 are met:

- A. Craft work, such as the making of pottery and jewelry.
- B. Garment work, such as tailoring, dressmaking, millinery work, ironing and garment repair.
- C. Office facilities for sales representatives, professional consultants and professional services.
- D. Repair services for small electronic, electrical and mechanical appliances.
- E. Tutoring, music lessons, dance lessons and similar specialized tutorial or instructional endeavors provided no more than 4 students are present at a time.
- F. Artistic endeavors, such as art studios, portrait studios, photography studios, writing and lithography.
- G. Daycare homes not requiring a state license or certification.

18.40.020 CONDITIONS AND REQUIREMENTS

Home occupations shall be operated subject to the following:

- A. Such home occupation shall be in conformance with other existing laws and regulations of the City.

- B. Such home occupation shall be conducted entirely within a lot, parcel or tract of land and carried on by the inhabitants living there, plus one additional employee.
- C. Such home occupation shall be clearly secondary to the use of the lot, parcel or tract of land for residential purposes and shall not change the character thereof.
- D. The total area used for such home occupations shall not exceed 25 percent or no more than 800 square feet of floor area per lot, parcel or tract of land and shall be limited to the main residential structure, except for day-care homes that may utilize outdoor play areas.
- E. There shall be no more than one wall or hanging sign affixed to the primary structure advertising the home occupation. The sign shall be limited to a maximum of two square feet and shall have no exterior, interior or neon lighting.
- F. All incidental storage of stock, supplies or products shall be contained within the total area used for the home occupation.
- G. There shall be only incidental sale of stocks, supplies, or products conducted on the premises.
- H. There shall be no outside storage of materials on the lot, parcel or tract of land of material or equipment used as a part of the home occupation.
- I. No alterations to or construction of physical structures or storage buildings shall be permitted which makes the existence of the home occupation apparent beyond the boundaries of the site or which detracts from the residential character of the neighborhood.
- J. There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable beyond any boundary line of the lot, parcel or tract of land due to the conduct of the home occupation.
- K. No electronic nuisances as defined in Chapter 6.28.020 of the Manitou Springs Municipal Code, as amended, shall be created.
- L. No adverse health or safety conditions shall be created.
- M. The home occupation may increase vehicular traffic flow and customer parking, to be accommodated on-site, by no more than two additional vehicles at a time, except for day-care homes and classes or group sessions offered by professionals not more than one time per week, for not more than four persons.
- N. Off street parking as required for the residential use shall be maintained as required by these regulations per **Table 4**, Chapter 18.64.
- O. Normal business license requirements shall be met.

18.40.030 SPECIFIC EXCLUSIONS AND LIMITATIONS

- A. Exclusions - In no event shall any of the home occupations listed above be interpreted to include the following commercial activities:

1. Body or mechanical repair, modification, or painting of motor vehicles and repair of internal combustion engines.
 2. Animal hospital or kennel.
 3. Medical/dental facilities other than office consultation services.
 4. Health care facility providing residential services.
- B. Limitations - There shall be no more than two home occupations operated in/on one (1) unit, lot, parcel or tract of land.

18.40 NONCONFORMING USES

18.40.010 EXISTING NONCONFORMING USES

Except as herein provided the lawful uses of land existing at the time of adoption or amendment of this ordinance may be continued even though said use does not conform to the provisions of this ordinance. Exemptions shall not extend to signs or billboards or abandoned structures.

18.40.020 ENLARGEMENT OR ALTERATIONS

No enlargement or exterior alteration of a nonconforming use other than regular periodic maintenance, shall take place without planning permission. Once a use is made to conform to the provisions of this ordinance, it may not revert to nonconformance either in part or in whole.

18.40.030 DISCONTINUANCE

If a nonconforming use should be discontinued or unused for a period of twelve months, it shall be deemed ended and may not be resumed.

18.42 NONCONFORMING STRUCTURES

18.42.010 DAMAGED STRUCTURE

If a nonconforming structure is damaged in excess of 50% of its true market value, as based upon its current assessed value, the following developmental standards shall apply:

- A. The damaged structure may be rebuilt to the previous dimensions, with no expansion;
- B. The damaged portion would be rebuilt according to the current specifications from the Regional Building Department;
- C. The use shall conform to the requirements of the zone within which the property is located, unless a variance is granted;
- D. Existing parking would have to be maintained, no elimination of existing spaces;
- E. Any structure of an historical nature will be rebuilt in a style as close to the original as possible as approved by the City Council.