

UDO – 96
**An Ordinance Amending the Unified Development Ordinances Regarding
Rooming or Boarding Houses and the Definition of Family**

On July 6th, 2004, the W-S City Council changed the zoning regulations related to **Boarding and Rooming Houses, the definition of Family, Single-family Residential Building, and Lodging an/or Boarding as a Home Occupation**. A summary of the new zoning regulations applicable to housing people in a traditional single-family home is below. For the wording as adopted by the City Council you should request a copy of UDO Text Amendment # 96 from the City-County Planning Board.

SUMMARY

A Boarding or Rooming House is an owner-occupied dwelling in which lodging is provided to 2 to 8 resident guests on a weekly or longer basis. Boarding or Rooming Houses are not allowed in single-family zoning districts. They are allowed in the RM-12, RM-18, RM-U, PB, HB, GB, CB, and MU-S zoning districts only. In the RM districts, the minimum lot size allowed is the minimum area required for a two-unit dwelling in that district: RM-12 = 10,000 sq. ft., RM-18 = 9,000 sq. ft., RM-U = 7,000 sq. ft.

A Family is one or more related people (see the UDO for a more detailed description of what “related” means) or up to 4 persons 18 years or older, though not all related by blood, and their children who are living as a **Single Housekeeping Unit in a single dwelling unit**.

A Single Housekeeping Unit implies some common and unified activity among members of the household and reasonable access to all areas of the dwelling. The terms “family” and “single housekeeping unit” are not to be construed as simply people with little or no contact or relationship. Therefore, if certain features are present in a dwelling unit, the unit is not longer a single-family residence, a single house keeping unit is not established, and the definition of family is not met. These features include any if the following: (1) separate double key or other locks on bedroom doors which have the purpose of preventing access while the bedroom is not occupied. (2) multiple mailboxes (3) locked or partitioned inside stairwells or doors separating parts of the house, (4) separate electrical meters, (5) separate kitchens, or (6) multiple exterior entrances to living areas. A double key or other lock is allowed only when it is installed on a single bedroom door, if the bedroom is used as lodging for a resident guest under the Home Occupation provisions of the zoning ordinance (see below).

Lodging or Boarding and Lodging is allowed as a Home Occupation in an owner-occupied home for not more than 3 resident guests is allowed with Home Occupation Permit from the Zoning Officer. Also, all resident guests must be registered with the Zoning Officer.

These regulations are effective now and there is no “grandfathering” of previous uses or structures.