

Short Term Rental

4.3.27 Accessory Dwelling Unit (ADU)

Accessory dwelling units may be permitted in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and U-N zoning districts that permit residential use in accordance with the following standards:

- A. One ADU, either attached or detached is permitted per single family dwelling per lot.
- B. Maximum ADU Size: 800 square feet or 30 percent of the gross floor area of the principal structure, whichever is greater.
- C. Location Requirements:
 - 1. For an attached ADU, the yard or setback requirements of the principal structure shall be met. The attached ADU shall be located either to the side or behind the principal structure.
 - 2. For a detached ADU, the yard or setback requirements of an accessory structure shall be met. The detached ADU shall be located either to the side or behind the principal structure.
- D. ADU Access:
 - 1. For an attached ADU, an exterior staircase used to access a second story or higher ADU shall not be located on the front façade of the structure.
 - 2. For a detached ADU, the exterior pedestrian entrance to the ADU shall be located facing the principal structure or side yard.
- E. Maximum Height:

Infrastructure are BMP techniques that use soil and vegetation to infiltrate, evapotranspire, treat and/or recycle stormwater runoff. Examples of GMPs are green roofs, porous pavement, rain gardens, vegetated swales, constructed wetlands. These systems are planned, designed and managed to mimic natural systems.

Green Streets - A street designed to integrate a system of GMPs within its right of way, reduce the amount of water that is piped directly to streams and rivers, be a visible component of a system of green infrastructure that is incorporated into the aesthetics of the community, make the best use of the street tree canopy for stormwater interception as well as temperature mitigation and air quality improvement, ensure the street has the least impact on its surroundings, particularly at locations where it crosses a stream or other sensitive area.

Greenway - A linear open space at least 50 feet wide or other width as established by a legislatively adopted greenways plan, along either a natural corridor such as a riverfront, stream valley or ridge line, or along a railroad right-of-way converted to recreational use, a canal, scenic road or other route managed for public use including wildlife habitat. Greenways typically link parks, nature preserves, cultural features or historic sites with each other or with populated areas.

Grid Street Pattern - A street system that creates similar size blocks and four-way intersections. Grid street pattern is common in older neighborhoods and traditional development forms. A standard grid pattern is characterized by straight streets, 90 degree intersections and rectangular blocks. In a modified grid, a connected system of curvilinear streets may be replace the more formal grid pattern, to insure compatibility with adjacent development and to address physical features of the site.

Gross Acreage - The total land area of a building or development site, including property that may be dedicated for right-of-way or other public improvements during the development process.

Gross Floor Area - see "Floor Area."

Gross Leasable Area -The total floor area for which the tenant pays rent and that is designed for the tenant's occupancy and exclusive use. Gross leasable area does not include public or common areas, such as utility rooms, stairwells and shared corridors.

completely inundated by the overflow of water from sources of public water or by the unusual and rapid accumulation or runoff of public surface waters and subject to a local regulatory flood.

Floodplain Permit - The approval required by Part C of Chapter 157 of the Jefferson County Code of Ordinances.

Floodplain Storage Compensation - An artificially excavated, hydraulically equivalent volume of floodplain storage sufficient to offset a reduction in floodplain storage resulting from filling or construction within the local regulatory floodplain. Such floodplain storage compensation shall be within the same watershed and shall be provided on the same property or at an alternative site if the administering agency so approves.

Floodproof or Floodproofing - Any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floor Area - Total area of all floors of a building, measured from the outside of the exterior walls of the building. The number of square feet in a finished attic shall be counted to the extent that the height of the attic story is equal to or greater than seven feet; and the number of square feet in a finished basement shall be included, but the number of square feet in a basement other than a finished basement shall not be included (See "Basement, Finished".) Accessory portions of a building such as non-enclosed porches, garages, carports and uncovered steps or fire escapes are not included.

Floor Area Ratio - The number of interior square feet contained in a building (See "Floor Area") divided by the number of square feet contained within the fixed boundaries of the building lot.

Footcandle - the unit of illuminance on a surface one square foot in area on which there is a uniformly distributed flux of one lumen, or the illuminance produced on a surface all points of which are at a distance of one foot from a directionally uniform point source of one candela.

Form District - An area with distinct boundaries, delineated on the Zoning District Map to which a set of regulations governing the pattern and form of development and redevelopment applies.

PROJECT DETAILS

→ Answer **ALL** of the questions below:

Principal Structure
Square Footage:

Accessory Dwelling Unit
Square Footage:

Principal Structure
Height (ft):

Accessory Dwelling Unit
Height (ft):

Will the ADU structure be attached / detached?

Attached **Detached**

If **attached**, how will the ADU be accessed?

If **detached**, where is the exterior pedestrian entrance to the ADU?

Will either (primary or accessory) dwelling be **owner-occupied**?

Yes **No**

Will the ADU be used as a **short-term rental**?

Yes **No**

Will the ADU be located to the **side or behind** the principle structure?

Yes **No**

Does the site have any **environmental constraints** such as a floodplain, protected waterway, wetland, karst features, or steep slopes 20% or greater? Or is the site located in the Kenwood Hill area?

Yes **No**

How many **off-street parking spaces** are proposed to serve the ADU?
minimum spaces needed for principal dwelling unit)

(Not including

Has the property been the subject of a **previous development proposal**?
(This information can be found in the Land Development Report (Related Cases)

Yes **No**

If yes, please list the Docket/Case Number(s):

1. For an attached ADU, the maximum height shall not exceed the height of the principal structure.
 2. For a detached ADU, the maximum height shall not exceed the maximum height permitted for an accessory structure in accordance with Chapter 5 of the LDC. The maximum height shall not exceed the height of the principal structure.
- F. ADUs approved under this provision shall not be used as a short term rental.
- G. Any property that has been subject to a zoning, property maintenance, or building code violation(s) in the 12 months prior to application shall be reviewed and approved by the directors of Planning & Design Services and Codes & Regulations, or their designees. Any violations shall be resolved prior to approval.
- H. Off-street parking shall meet the requirements of Chapter 9 of the LDC.
- I. ADUs that include new construction that results in habitable floor area (for example, additions to principal structures or new accessory structures) shall not be allowed on any areas of lots that contain environmental constraints (LDC Section 4.6.2.A)
- J. The owner of the property shall reside within either the principal or the accessory dwelling unit.
- K. To avoid any confusion, since there is no language to the contrary, this section does not override any deed restriction or homeowners' association declarations restricting accessory dwelling units.

4.3.28 Child Care Centers in Residential Zones

A child care center is permitted in any residential zoning district subject to the following standards:

A. Permitted Locations