

20.20.120 Accessory dwelling units.

A. General.

One accessory dwelling unit is permitted as subordinate to a single-family dwelling provided the following criteria are met:

...

~~3. The total number of occupants in both the primary residence and the accessory dwelling unit combined may not exceed the maximum number established by the definition of family in LUC 20.50.020.~~

34. The accessory dwelling unit shall contain not less than 300 square feet and not more than 800 square feet, excluding any related garage area; provided, if the accessory unit is completely located on a single floor, the Director may allow increased size in order to efficiently use all floor area, so long as all other standards set forth in this section are met;

45. The square footage of the accessory dwelling unit, excluding any garage area, shall not exceed 40 percent of the total square footage of the primary residence and accessory dwelling unit combined, excluding any garage area;

56. There shall be one off-street parking space provided for the accessory dwelling unit, which is in addition to any off-street spaces required for the primary residence;

67. The construction of a second entry door facing a street front for entrance into an accessory unit is prohibited; new entrances not facing a street front are permitted on the sides and rear of a house, or on the front side of a house facing a street where no other entry door exists; provided, that existing single-family structures with two or more entry doors facing a street shall not be prohibited from using one of those doors to access the accessory unit; and

78. The accessory dwelling unit shall meet all technical code standards, BCC Title 23, including building, electrical, fire, and plumbing code requirements.

...

20.20.140 Boarding houses and bed and breakfasts.

A. Boarding houses and bed and breakfasts require a Home Occupation Permit, Part 20.30N LUC, approval.

B. ~~In addition,~~ The following rental and occupancy limits apply to boarding houses and bed and breakfasts:

October 25, 2021

1. For transient lodging, not more than two rooms may be rented to not more than two persons a maximum of two rooms may be rented to a maximum of two adults per room and any number of accompanying minor children other than those occupying a single family dwelling, provided there is compliance with health and building code requirements.

2. For non-transient lodging, a maximum of two rooms may be rented.

C. The owner of the rooms to be rented shall provide off-street parking for such rooms at the rate of at least one parking stall for each room.

...

20.20.700 Rooming houses.

A. Rooming houses, where permitted, shall comply with the following:

...

2. The rooming house shall offer no more than four rooms for rent ~~to not more than a total of five individuals~~ at any one time; and

...

20.30N.140 Decision Criteria

A. The Director of the Development Services Department may approve or modify and approve a Home Occupation Permit if the following decision criteria are met:

...

3. No more than one person who is not a resident of the dwelling is participating in the business at the dwelling, except in Boarding Houses and Bed and Breakfasts pursuant to LUC 20.20.140; and

...

20.50.020 F Definitions

...

Family. ~~Not more than four adult persons~~ One or more persons, either related or unrelated unless all are related by blood, marriage, or legal adoption, living together as a single housekeeping unit. ~~A group of related persons living in a household shall be considered a single housekeeping unit. Provided: a group of more than four unrelated adult persons living together in a dwelling unit may also be included within the definition~~

~~of “family” if they demonstrate to the Director that they operate in a manner that is functionally equivalent to a family. Factors that shall be considered by the Director include whether the group of more than four unrelated persons:~~

~~A. Shares the entire dwelling unit or acts as separate roomers;~~

~~B. Includes minor, dependent children regularly residing in the household;~~

~~C. Can produce proof of sharing expenses for food, rent, or ownership costs, utilities, and other household expenses;~~

~~D. Shares common ownership of furniture and appliances among the members of the household;~~

~~E. Constitutes a permanent living arrangement, and is not a framework for transient living;~~

~~F. Maintains a stable composition that does not change from year to year or within the year;~~

~~G. Is not a society, fraternity, sorority, lodge, organization or other group of students or other individuals where the common living arrangement or basis for the establishment of the housekeeping unit is temporary; or~~

~~H. Can demonstrate any other factors reasonably related to whether or not the group of persons is the functional equivalent of a family.~~

~~The Director shall issue a written determination of whether a group of more than four unrelated adult persons are operating in a manner that is functionally equivalent to a family.~~

~~For purposes of this definition and notwithstanding any other provision of this Code, children with familial status within the meaning of Title 42 United States Code, Section 3602(k) and persons with handicaps within the meaning of Title 42 United States Code, Section 3602(h) will not be counted as unrelated persons.~~

...

20.50.044 R Definitions

...

Rooming House. A non-owner-occupied dwelling ~~that is subject to multiple leases or~~ in which rooms are ~~offered for rent~~ed ~~or lease~~ on an individual room basis. (Refer to LUC 20.20.700 for general development requirements applicable to Rrooming Hhouse uses.)

20.50.046 S Definitions

...

Single Housekeeping Unit. One household where all the members have common access to and common use of all living, kitchen, and eating areas within the dwelling unit, and household activities and responsibilities such as meals, chores, expenses and maintenance of the premises are shared or carried out according to a household plan or other customary method. Persons occupying a dwelling unit as Transient Lodging shall not be considered a Single Housekeeping Unit, except as permitted in Bed and Breakfast and Boarding House uses. If the dwelling unit is rented, the household members must jointly occupy the unit under a single lease in order to be considered a single housekeeping unit.