

## PROPOSED RULE (MARK-UP)

Capitol Zoning General Standards, Section 3-202 *Additional Zoning Requirements & Definitions* (page 29)

### Z13. Dwelling units

A dwelling unit is any room or group of rooms within an enclosed structure and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, bathing, cooking and eating, whether or not such unit is occupied or vacant.

1. Any dwelling unit occupied by any group of individuals other than a family, unless permitted to operate as short-term residential lodging (see #4, below), shall be construed as a rooming house, shelter, group home, or other communal living facility. (See U.6 in Section 3-203.)

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#### 4. Short-term residential lodging

A residential guest is an individual, not related to the owner by blood, marriage, adoption or other verifiable familial relationship, who occupies or resides in a given dwelling unit for fewer than thirty (30) consecutive days. A guest room is a room with sleeping accommodations wherein one or more residential guests stay overnight.

a. Home-sharing is the practice of letting out, in exchange for payment, not more than five (5) guest rooms at a time of an owner-occupied dwelling unit. Home-sharing shall be construed as a home occupation. (See Standard Z9.)

b. A guest house is a dwelling unit not occupied by the owner(s) with not more than five (5) guest rooms at a time let out in exchange for payment.

c. A bed and breakfast house is a dwelling unit with not more than ten (10) guest rooms let out in exchange for payment, wherein at least one prepared meal is served daily to guests by the owner or innkeeper.

Capitol Zoning General Standards, Section 3-203 *Use Groups* (page 33)

**U.5 RESIDENTIAL 2 (Multifamily and Short-term Residential)** *Uses in this group may have a maximum of one family per dwelling unit.*

- Triplex, four-plex, five-plex, etc
- Apartment building
- Townhouse
- Apartment hotel
- Condominiums
- Home occupations (max. 1 per dwelling unit)
- Guest house (max. of 5 guest rooms; exempt from 1 family/DU maximum)
- Bed and breakfast house (max. of 510 guest rooms; exempt from 1 family/DU maximum)

**U.9 COMMERCIAL 1 (Quiet Retail)** *Enclosure of uses required. Every use in this group, shall be operated in its entirety within a completely enclosed structure.*

- Antique shop (not junk or second hand merchandise)
- Art shop (sales only)
- Artist supply stores
- Barber shop
- Beauty Shop
- ~~Bed and Breakfast house (more than 5 guestrooms)~~
- Bookstore or newsstand
- Camera and photographic supply store

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## PROPOSED RULE (CLEAN)

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### **Z13. Dwelling units**

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1. Any dwelling unit occupied by any group of individuals other than a family, unless permitted to operate as short-term residential lodging (see #4, below), shall be construed as a rooming house, shelter, group home, or other communal living facility. (See U.6 in Section 3-203.)

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#### **4. Short-term residential lodging**

A **residential guest** is an individual, not related to the owner by blood, marriage, adoption or other verifiable familial relationship, who occupies or resides in a given dwelling unit for fewer than thirty (30) consecutive days. A **guest room** is a room with sleeping accommodations wherein one or more residential guests stay overnight.

- a. **Home-sharing** is the practice of letting out, in exchange for payment, not more than five (5) guest rooms at a time of an owner-occupied dwelling unit. Home-sharing shall be construed as a home occupation. (See Standard Z9.)

- b. A **guest house** is a dwelling unit not occupied by the owner(s) with not more than five (5) guest rooms at a time let out in exchange for payment.

- c. A **bed and breakfast house** is a dwelling unit with not more than ten (10) guest rooms let out in exchange for payment, wherein at least one prepared meal is served daily to guests by the owner or innkeeper.

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- Apartment building
- Townhouse
- Apartment hotel
- Condominiums
- Home occupations (max. 1 per dwelling unit)
- Guest house (max. of 5 guest rooms; exempt from 1 family/DU maximum)
- Bed and breakfast house (max. of 10 guest rooms; exempt from 1 family/DU maximum)

**U.9 COMMERCIAL 1 (Quiet Retail)** *Enclosure of uses required. Every use in this group, shall be operated in its entirety within a completely enclosed structure.*

- Antique shop (not junk or second hand merchandise)
- Art shop (sales only)
- Artist supply stores
- Barber shop
- Beauty Shop
- Bookstore or newsstand
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