

FCNC's ADU Info Highlights

An [Info-Sheet](#) prepared by the Planning Staff illustrates the specifics of the new regulations. The [ZOTA](#) gives the actual text of the new zoning regulations, with proposed changes in red and blue print (to this text you should add the [accessory-structure regulations 15-6](#), which aren't changing any, but give the rules that would apply to backyard ADUs if the ZOTA is adopted just as they apply to garages and sheds now (see number 8 below).

FCNC's highlights of the ADU regulations include:

1. The "ADU" is a complete and independent dwelling unit, with a separate entrance, full kitchen facilities, and everything else Kentucky's building code requires of a dwelling unit.
2. Dwelling floorspace is limited to 800 square feet (625 for backyard buildings, if the main house is small).
3. Occupancy is limited to two persons plus their children.
4. If there is an ADU, an owner must have permanent residence on the lot (in either dwelling).
5. Either the main house or the second dwelling may be rented (the owner need not be rental manager). The owner may share his dwelling with rent-paying housemates (generally-- including the owner-- up to four unrelated occupants in the main house, or two-plus-their-children in the ADU).
6. An additional parking space paved on the lot is allowed (even in the Infill area, see below) but not required.
7. Any separate house-lot in residential zoning-- including duplex and townhouse lots subdivided for a single (attached) dwelling on each lot-- may get an ADU. Land in multi-family (apartment) zones that is *used* for single-family house-lots may get an ADU per lot.
You can check your zone [on this map](#). Zones to allow ADUs include [R-1](#) (all types) through R-4. Zones [EAR-1](#) through [EAR-3](#), [CC](#), and [PUD-2](#) already allow them. *These links to the zoning regs are just starting points—it's complicated, especially in the designated [Infill and Redevelopment Area \(see map\)](#)!*
8. ADU size and siting must follow the rules for houses and garages in its zone—height, required yard or building setback, maximum floorspace relative to the lot size, minimum-required and maximum-permitted parking spaces, etc.
Detached ADUs (backyard houses or garage apartments) must also follow the same rules as those for any [accessory building](#) like a garage or shed.
If there is a historic overlay ([H-1](#)), or a neighborhood design overlay ([ND-1](#)) on top of your regular zoning, it must follow those rules or guidelines too.
9. An ADU may be used for a [short-term rental](#) (Airbnb) to a single group, provided it is granted a conditional use permit from the Board of Adjustment (the request is reviewed in a public hearing with mailed notice to properties within 500 feet). "Short-term" means rented for stays of less than a month, not oftener than once a week. [Lexington's STR web-page](#) posts full information on the additional regulations that apply. Caution: Renting for still shorter, more frequent stays, or to separate parties by the room, is different; various types of lodging may require a conditional use permit from the Board of Adjustment as a boarding or rooming house, or hotel zoning. State licensing and oversight is involved too for lodging houses, hotels, etc. Not all zones allow these uses; residential zones are not generally for transients.

Finally, you can see here the [whole ADU ZOTA file](#) that Planning Commission sent to Council for final vote, including reports and minutes of hearings. You can see here the city [Planning Division ADU ZOTA webpage](#) with even more information, video links to Planning Commission hearings, and promotional materials.