



## MEMORANDUM

To: Development Services staff  
From: Zack Santen for Tina Axelrad, Zoning Administrator  
Date: May 29, 2019  
Re: **Denver Zoning Code (DZC) Clarification – Rooming and/or Boarding Home Occupation Floor Area Calculations**  
(DZC §11.9.2.5)

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### Summary

This memo provides a written clarification that addresses the following question:

Question: In DZC §11.9.2.5, there is a provision limiting the amount of gross floor area (GFA) that can be occupied by a Home Occupation. How does this apply to a Rooming and/or Boarding Home Occupation located within the Primary Structure?

Answer: Only the gross floor area of the home that is used exclusively by the roomer(s) and/or boarder(s) shall be subject to this size limitation.

### Definition

Rooming and/or Boarding, DZC §11.12.8.2.13:

“A Home Occupation that provides lodging with or without meals, is available for permanent occupancy only, and which makes no provision for cooking in any of the rooms occupied by paying guests.”

### Discussion

DZC §11.9.2.5 states a general limitation that one or more Home Occupation(s), whether located within a primary Dwelling Unit or a Detached Accessory Structure, shall not in the aggregate utilize more than 20 percent of the gross floor area of the dwelling unit primary use, but in no case shall exceed 300 square feet.

When reviewing a zoning permit application for a home occupation for roomers/boarders, which is subject to this general home occupation limitation, calculate the “home occupation” GFA to include the total GFA of all bedrooms occupied by the roomers/boarders, plus any additional GFA for one or more rooms in the house used exclusively by the roomers/boarders (e.g., a private bathroom). Do not include GFA of rooms that both the primary household residents and the roomers/boarders can fully access, use, or enjoy (e.g., shared kitchens, living rooms, or bathrooms).

In addition to the general limitation on the amount of GFA that can be occupied by the roomer/boarder home occupation, DZC §11.9.4.16 sets specific limitations on the maximum number of roomers/boarders that are permitted and states that the subject dwelling unit shall not contain more than one Kitchen. Note that the above limitations do not apply to the primary Rooming and Boarding House use within the Residential-Group Living use category (defined in DZC §11.12.2.2.A.6).

## Examples

1. A home owner is applying for a zoning permit to rent out a bedroom that is 300 square feet. The bedroom is part of a suite that includes a 50 square-foot bathroom that can only be accessed through the rented bedroom. Under the general limitation stated in DZC §11.9.2.5, the home occupation permit should be denied because the total gross floor area of the rooms/space used exclusively by the intended roomer/boarder is 350 square feet., which exceeds the maximum 20%/300 square-foot limit.
2. A home owner is applying for a zoning permit to rent out a bedroom that is 300 square feet; the room has a 50 square foot bathroom that is directly connected to the room proposed to be rented. However, the same bathroom is also accessed through a door that connects to the main living room area of the home and its use will be shared with the primary resident of the home. Therefore, the 50 square foot bathroom is shared, and is not rented to the roomer/boarder for his/her exclusive use. Under the general limitation stated in DZC §11.9.2.5, the home occupation permit should be approved because the total gross floor area of the rooms/spaces used exclusively by the intended roomer/boarder does not exceed the maximum 20%/300 square foot limit.