



Accessory
Dwelling
Community
Meeting

6/16/22
DC-22-0003

Agenda:

Introduction – Hannah Hippely, Long Range Planning Division Manager

Accessory Dwellings Draft Regulation Review (1 Hour)

- Presentation

Questions- (½ Hour)

Intent

- For staff to explain the content draft

Goal

- That you understand the draft proposal so you can provide comments based on this understanding.

Website:

www.boco.org/dc-22-0003

Questions

- Please keep questions on the topic of what we have reviewed here today.
- Questions about your particular situation need be addressed by staff outside of this meeting.

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What are Accessory Dwellings?

- a. Definition: A Dwelling Unit which is subordinate in size and use auxiliary to a Principal Single Family Dwelling.



Source: Design Coalition



Source: APA

Applicability

b. A single Accessory Dwelling may be constructed as part of the post Fire redevelopment of the property when the principal Single Family Dwelling was destroyed by the Fire.

Requirements (Parameters)

SIZE

The Accessory Dwelling is limited to 700 sq. ft.

- Ensures the dwelling will be subordinate to the primary use
- Reduces the potential for the development to have unwanted impacts thus reducing the need for intensive site specific planning review.
- Smaller size aligns with the Comprehensive Plan goal of supporting Accessory Dwellings in a way that would have limited impacts on the county's natural resources and transportation infrastructure.

Requirements (Parameters)

The Floor Area shall be considered Residential Floor Area and shall fit within the size allowance provided in F.1.a above.

- This means that the decision to build an Accessory Dwelling does not grant any additional allowance for new development above that which Article 19 already granted to those rebuilding.
 - The Marshall Fire provisions of Article 19 already grant an additional 1000 sq. ft. or up to the size presumed to be compatible with the neighborhood.
 - Accessory Dwellings are intended to fit within the character of the area.
 - Accessory Dwellings less likely to have significant impacts beyond what was contemplated when adopting Article 19.

Requirements (Parameters)

Primary Dwelling Short-Term Rental, Secondary Short-Term Rental, Vacation Rental, shall not be permitted on properties with an Accessory Dwelling.

- Accessory Dwellings are supported in the Comprehensive Plan as a strategy to help address the local housing crisis.
- Help ensure the Accessory Dwellings and the properties they are constructed on remain compatible with the neighborhoods.
- Preserves housing for residents.

Requirements (Parameters)

The Accessory Dwelling shall use the same access point and driveway as the Principal Residence.

- Maintains the character of the neighborhoods
- New driveways create new impacts on the land, on the landscape, on the roadway networks.

Requirements (Parameters)

Parking Requirements: One onsite parking space must be provided.

- In areas with smaller lots parking for additional residents should be provided realizing that this is less of an issue on larger lots.
- Since the Accessory Dwellings are proposed to be small 1 parking space should be sufficient without being onerous

Requirements (Parameters)

The Accessory Dwelling shall remain in common ownership with the property. Accessory Dwellings shall not result in the creation of additional building lots nor result in the change of the property to Condominium Ownership.

- Allowance of an Accessory Dwellings is not intended to drive the creation of new building lots in the county through subdivision.
- It is also not intended to create additional ownership entities on a lot where long term coordination of utility provision and shared maintenance matters become problematic.

Requirements (Parameters)

In instances where the Accessory Dwelling is constructed prior to the Principal Dwelling, a complete building permit application for the Principal Dwelling must be submitted by March 29, 2027. After this date, the Accessory Dwelling will be considered the Principal Dwelling and Use on the property. A one-time extension of up to one year may be granted by the Director if good cause is demonstrated.

- Accessory Dwellings are by definition associated with a Principal Dwelling
- If the Principal Dwelling is not constructed by default the Accessory Dwelling becomes the Principal Dwelling.
- This provision clarifies when that occurs (sunset date of Article 19) after which the regular provisions of the Land Use Code would apply

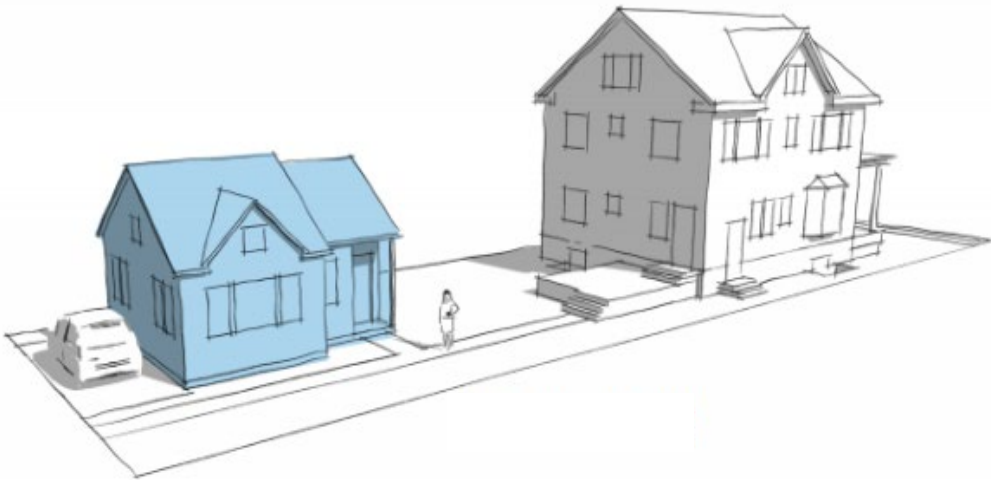
Special Provisions by Accessory Dwelling Type

Article 19 defined 3 types of Accessory Dwellings and establishes different provisions based on each type.

Recognition that these different types have the potential to have different levels of impact.

Detached

Definition: A standalone Accessory Dwelling separate from the Principal Dwelling or other Accessory Structures.



- Since the homes destroyed did not have these on the property previously they are new development on the property
- Have the potential to have the most new and different impacts than contemplated previously

Attached to Accessory Structure

Definition: An Accessory Dwelling sharing either a wall or floor with a detached Accessory Structure (i.e. detached garage).

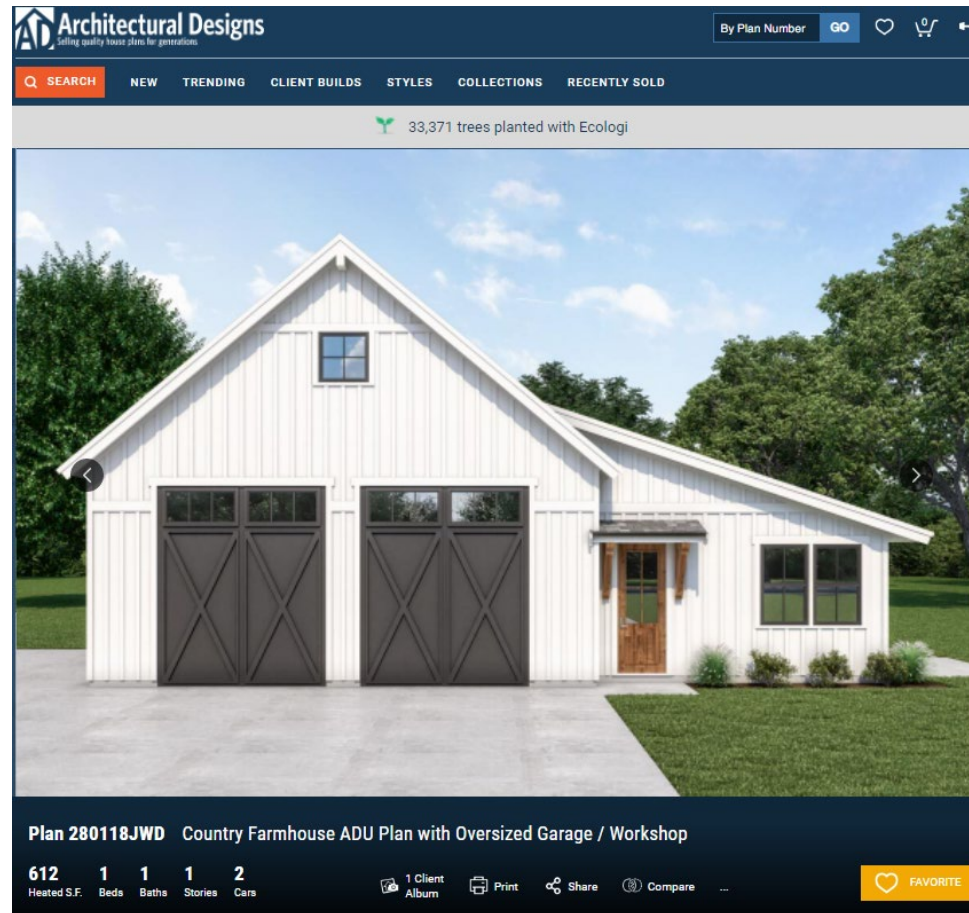
Garage Apartment ADU

Denver, Colorado

Size: 360 square feet



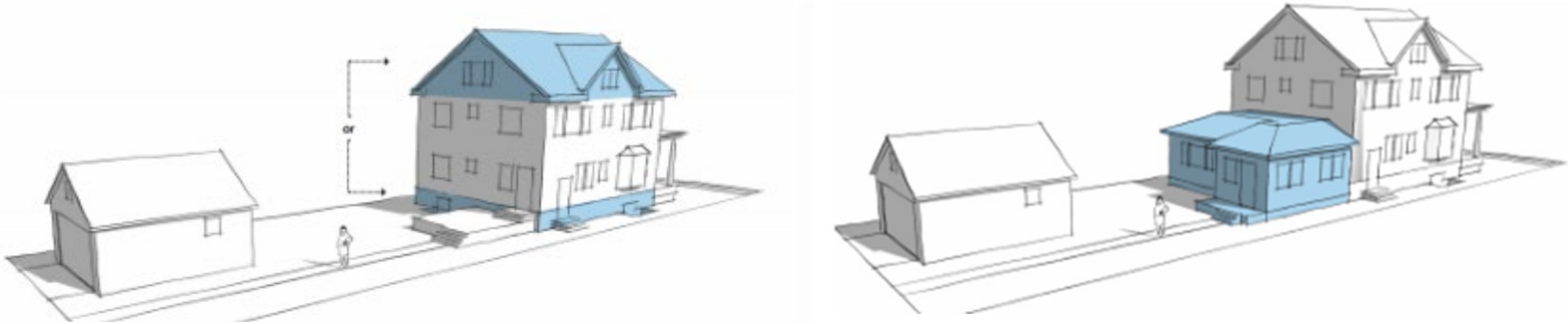
▲ The apartment above the garage can be reached from inside the garage or from an exterior side entrance accessed from the yard it shares with the primary residence.



- These could be either replacement structures or new
- Have the potential to have the most new and different impacts than contemplated previously if they new similar to a detached structure

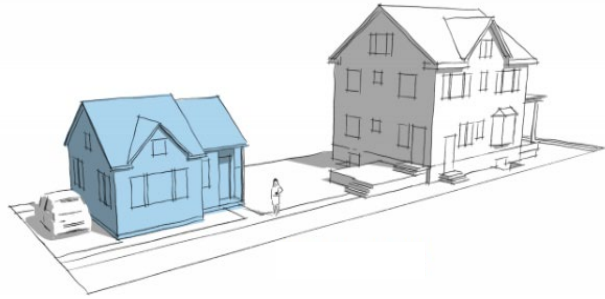
Attached to the Principal Structure

Definition: An Accessory Dwelling designed as part of the principal Single Family Dwelling and sharing either a wall or a floor with the rest of the Structure.



- Have the least potential to result in new and different impacts than contemplated previously

Detached



- Height Limit 20 feet.
- Site Plan Review Waiver shall be required for a Detached Accessory Dwelling for the limited purpose of reviewing the structure's location and its impacts.
 - If the structure is located within 50 feet of the footprint of the Single-Family Dwelling destroyed by the Fire, Site Plan Review Waiver shall not be required.
- The Director's written determination under this limited Site Plan Review Waiver process may be directly appealed to the Board of County Commissioners.

Attached to Accessory Structure



- Rebuilding of detached Accessory Structures that includes an Accessory Dwelling shall comply with the Location requirements of section F above.
- Site Plan Review Waiver shall be required for a new Structure for the limited purpose of reviewing the structure's location and its impacts.
 - If the structure is located within 50 feet of the footprint of the Single-Family Dwelling destroyed by the Fire, Site Plan Review Waiver shall not be required.
- The Director's written determination under this limited Site Plan Review Waiver process may be directly appealed to the Board of County Commissioners.

Attached to the Principal Structure



Rebuilding of a principal Structure that includes an Accessory Dwelling shall comply with the requirements of section F above.

Next Steps

- Referral & Public Comment: 6/15 – 6/28
 - What do you like, not like, how would you change it?
- Planning Commission Public Hearing: 7/20
 - Public Hearing
 - Planning Commission makes a recommendation to the Board of County Commissioners.
- Board of County Commissioners Hearing: 8/4
 - Public Hearing
 - Decision making body - legislators

Questions

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Public Comment

- hhippely@bouldercounty.org

