

ADDITIONAL DWELLING UNITS (ADU'S)

DRAFT (this is an “outline” of an ordinance, the town attorney would draft the ordinance)

WHEREAS the Town of Boulder has a need for addition rental housing to accommodate both short term and long term renters;

WHEREAS property owners have expressed a desire to have an ADU to serve as a rental, a guest house, help with assisted living, or have the ADU serve any or all of these purposes at different times of year or in different years;

WHEREAS an additional dwelling unit would be (1) limited to one per legal lot of record, and (2) use as a rental must be pursuant to a conditional use permit;

WHEREAS the Town of Boulder consists primarily of large lots in the single family and GMU zones, the smallest lots in HDR being 1 acre, therefore all zones are capable of handling additional dwelling units;

WHEREAS the additional dwelling unit must be connected to an approved septic system and be IBC compliant pursuant to a town issued building permit;

WHEREAS the property owner must occupy the property as a primary (or secondary?) residence, but the property cannot be held strictly for investment purposes and qualify for an additional dwelling unit building permit;

Amenities -- Bathroom, Kitchen, Sleeping, Separate entrance

Size limitation – 1,500 sq ft (rational, if goal is to provide rentals, you probably need extra bedrooms to be able to make the cost of building pencil with the annual income)

Number of ADUs -- 1 per legal lot of record

Occupancy -- 1 “family”, one or more persons functioning as a single housekeeping unit (per the ordinance)

Parking spaces for ADU – One, or per conditional use permit per # of bedrooms

Zones -- all zones, based upon the minimum lot size of 1 acre, (a few smaller old lots exist, but not many)

Conditional Use permit required for rental only (as opposed to guest house) -- most jurisdictions require

Owner occupied

- a. Must be a primary (or secondary?) residence to qualify for a conditional use permit as a rental
- b. Owner can occupy either the primary dwelling or the accessory dwelling (see Anderson vs Provo)