



AGENDA
CITY OF SALIDA PLANNING COMMISSION
WORK SESSION

MEETING DATE: Monday, October 28, 2019
MEETING TIME: **IMMEDIATELY FOLLOWING REGULAR PC MEETING**
MEETING LOCATION: City Council Chambers, 448 E. 1st Street, Salida, CO

- I. Accessory Dwelling Unit discussion



PLANNING COMMISSION WORK SESSION

MEETING DATE: October 28, 2019

AGENDA ITEM: I. Continue ADU Discussion

FROM: Bill Almquist, Planner

I. Continue ADU Discussion

Based on previous Planning Commission discussions, staff has put together a draft of potential code changes regarding accessory dwelling units. These changes would specifically impact the following: Definition of ADU, Density Calculations; Maximum Square Footage; Side Yard Setbacks for Detached ADUs; Maximum Occupancy, and related regulations for second-floor windows, exterior stairs, decks, and balconies. The intent of such changes is to further promote the development of ADUs as viable attainable rental housing options while minimizing the impact to adjoining neighbors.

Attachments:

-Proposed ADU code changes

Sec. 16-1-80. Definitions.

This Article defines words, terms and phrases contained within this Land Use Code. The following terms shall have the following meanings when used in this Land Use Code:

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Accessory dwelling unit (ADU) means a room or set of rooms in a principal dwelling that has been designed or configured to be used as a separate dwelling unit and has been established by permit. ADUs generally include living, sleeping, kitchen and bathroom facilities and have a lockable entrance door. ADUs are subordinate to the principal dwelling in size and location. A detached ADU is the same concept, but the living area is in a separate structure on the same parcel, generally in a backyard cottage of some sort.

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Notes:

- 1 If a property does not utilize the zero setback allowance, the minimum landscape area shall be ten percent (10%).
 - 2 If the property adjoins a residential zone district, setbacks on the side and rear lot line shall be the same as those in the residential zone.
 - 3 Existing structures are not required to meet off-street parking requirements. New structures and additions shall meet off-street parking requirements.
 - 4 A covered porch may encroach into the front yard setback by twenty-five percent (25%).
 - 5 If a front-loaded garage is set back at least ten (10) feet behind the primary street-facing building façade, the lot coverage between the garage entrance and the primary, street-facing building façade shall not be included in the calculation of lot coverage for uncovered parking/access.
 - 6 Standards for inclusionary housing development per Section 16-13-50.
 - 7 15% of the single-family lots within an inclusionary housing development may be 25 feet X 150 feet.
- * The minimum setback from a side lot line for a detached accessory building is three (3) feet for the first fifteen (15) feet of building height and five (5) feet for any part of the building over fifteen (15) feet in height. See Section 16-4-220 for a description.

Sec. 16-4-190. Review Standards Applicable to Particular Uses.

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(c) Accessory Dwelling Unit/Structure.

(1) Location. An accessory dwelling unit may be located within or attached to the primary dwelling unit, or may be detached from the primary dwelling unit if located in or above a ~~garage or~~ lawful accessory building. Only one (1) accessory dwelling unit is allowed per ~~lot~~ **parcel**.

(2) Square Footage. ~~An accessory dwelling unit shall not exceed seven hundred (700) square feet of habitable floor area. Habitable floor area means the total floor area contained within the inside walls of a structure with at least 7.0' of headroom. Habitable floor area does not include unfinished attics, areas used for access such as stairs and covered porches, garage space used for the parking of cars or storage, unfinished basements and utility rooms less than 50 sq. ft. All other areas of an accessory dwelling unit shall count towards habitable floor area.~~

(i) Building ≤ 15 feet in height: An accessory dwelling unit within in a building up to fifteen (15) feet in total height may include a maximum of one thousand (1000) square feet of conditioned living space provided that the square footage of the primary dwelling, as calculated by the County Assessor, is greater than that of the ADU. [E.g. if the primary dwelling is nine hundred (900) square feet, the ADU may include no more than 899 square feet of conditioned living area]. Conditioned living space does not include unfinished attics, garage space used for the parking of cars or storage, internal stairways, or unfinished basements. All other areas of an accessory dwelling unit shall count towards conditioned living area.

(ii) Building > 15 feet in height: An accessory dwelling unit within a building greater than fifteen (15) feet in total height shall not exceed eight hundred (800) square feet of conditioned living space provided that the square footage of the primary dwelling, as calculated by the County Assessor, is greater than that of the ADU. [E.g. if the primary dwelling is seven hundred (700) square feet, the ADU may include no more than 699 square feet of conditioned living area]. Conditioned living space does not include unfinished attics, garage space used for the parking of cars or storage, internal stairways, or unfinished basements. All other areas of an accessory dwelling unit shall count towards conditioned living area.

(3) Parking. There shall be one (1) additional off-street parking space provided for the accessory dwelling unit. ~~Where alley access to the property exists, the required parking space for detached ADUs shall be accessed from the alley except as allowed for corner lots at Sec. 16-8-20(e)(1)(i).~~

(4) Occupancy. The accessory dwelling unit shall not be condominiumized or sold and shall not be rented to visitors for periods of less than thirty (30) days. ~~A maximum of two (2) related or unrelated people may inhabit an accessory dwelling unit.~~ **Maximum occupancy is determined per applicable Fire code.**

(5) Windows. Second-story windows that face adjacent lots and that are on wall planes less than 10 feet from the property boundary shall be a minimum of 40 inches above the finished floor, unless the Administrator or his/her designee determines that other physical features are in place to protect the privacy of the adjacent lot.

(6) Exterior Stairways. Exterior stairways may only be allowed where the stairways parallel streets or alleys or where the stairway is set back a minimum of 10 feet from an adjacent lot, unless the Administrator or his/her designee determines that other features are in place to protect the privacy of the adjacent lot. Any portion of exterior stairway landings over 4-feet wide that face an adjacent lot must include solid screening 40 inches above the landing.

(7) Second floor decks and balconies. Exterior second floor decks or balconies may not overlook adjacent lots unless the Administrator or his/her designee determines that other features are in place to protect the privacy of the adjacent lot. Any portion of exterior second floor decks or balconies that face an adjacent lot must include solid screening 40 inches above the floor.

Sec. 16-4-220. Detached ADU Side Yard Setbacks

Figure 1

