



Accessory Dwelling Unit (ADU) Guide

Community Development Department
City of Glenwood Springs
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Glenwood Springs, CO 81601
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*The most current version of any Municipal Code sections cited in this document may be accessed on the City's website at www.cogs.us.

*This document is a summary of requirements and is an aid. **It does not substitute for the municipal code requirements nor for review and knowledge of those requirements.**

ADU OVERVIEW

-Definition. An accessory dwelling unit (ADU) is a separate, complete dwelling unit that is contained in a single-family home or in a detached building on the same property that may be rented. An ADU is much smaller than the associated single-family home, which differentiates it from a duplex where the two units are often of a similar size. Common locations for ADUs are inside a single-family home, in an addition to a home, or above a garage. Since ADUs are much smaller than single-family homes or duplex units and contain fewer residents, the water, sewer, school land, and parkland fees are substantially lower for these units and they usually have one fewer required parking space.

ADUs are allowed in most residential zone districts in the city as long as they meet the requirements of the municipal code. ADU's are subject to specific design standards to keep them compatible with residential zone districts and to protect the welfare of the residents that live in them.

-Legal versus illegal ADUs. All ADUs within city limits are required to obtain an ADU permit and building permit, whether or not they were in existence prior to the adoption of the related ordinance in 1999. The unit will be required to meet building codes, ADU requirements, and pay the associated building permit and impact fees to ensure the safety of the residents, compatibility with the neighborhood, and to help pay for impacts on public utilities and parklands. If the ADU was constructed prior to 1950 or prior to annexation of the property into the city, it may be subject to the nonconforming uses and structures provisions in section 070.010.070 of the municipal code. Contact planning staff for further information if this is your situation.

Legal ADU's will have a certificate of occupancy that states it is for an ADU or accessory dwelling unit. **If you do not have this certificate of occupancy, or if the certificate says "mother-in-law unit," it is illegal to rent out the unit.** If this is your situation, please contact the Building Department to discuss the building permit procedures to legalize your situation.

APPLICATION PROCESS OVERVIEW

As long as an ADU meets the municipal code requirements and is not located in the Hillside Preservation zones, review and approval of the permits for an ADU is an administrative process. All legal ADUs will have been through this process. Here is a summary of the steps you need to take:

- Step 1 Check your zoning, and talk to a Planner in the Community Development Department.
- Step 2 Submit an ADU Permit application with architectural plans.
- Step 3 Submit building permit with structural plans, and floor plans for review.
- Step 4 Construct the unit in accordance with the permits and approved plans.
- Step 5 Final Inspection and Certificate of Occupancy

STEP 1. CHECKING YOUR ZONING

Zone districts. Every property in the City is in a zone district which has specific requirements for the setbacks, height, floor area ratios, allowed uses, etc. You need to check what zone district you are in to make sure that your proposal meets these requirements.

A. Looking up your zone district on a map. You may look up your zone district on the zoning map in the Community Development Department in City Hall (101 W. 8th Street) or contact the Community Development Department at 970 384-6411. Alternatively, you may look it up online:

- To get to the map, from the City's website (www.cogs.us) click on "maps" on the blue bar on the left side of the website then click "zoning map."*
- If you click on the area where your property is located the area will enlarge. You will, however, need to go back to prior screen to check the color against the key to see what the zone district is.*

B. Looking up the zone district requirements. You can obtain the requirements of your particular zone district at the Community Development Department. Or, you may look them up online at: http://www.cogs.us/code/html/070.040.htm#District_regulations. Just scroll down to the section pertaining to your particular zone district. If your property is in a PUD, contact the Planning Department for a copy of the PUD text.

Special Districts. In addition to the zone district shown on the zoning map, there are districts overlying certain areas with special requirements of their own:

-Downtown Design Standards. Development in certain historic areas of the downtown is subject to compliance with the Downtown Design Standards in section 070.030.158 of the municipal code to ensure compatibility with the historic development. If you will be building a structure, doing an addition, or doing other exterior modifications to structures in this district, your proposal must meet these design requirements. You may review the interactive map mentioned in the

section on zoning to check if your property is subject to these standards. In the gray sidebar next to the interactive map check the box next to “downtown design standards,” then scroll down and click on the button at the bottom of the page that says “update map from legend.” The green line on the map depicts the boundary of the properties subject to these standards. You may zoom in to check if your property is inside that boundary.

-Hillside Preservation Zone. Properties with an average slope of 20% or more are subject to the standards of the Hillside Preservation Zone. Many uses in this zone district, including single-family dwellings and ADUs, are subject to special review with a public hearing in front of the Planning and Zoning Commission. Planning staff can often make a rough estimate of the average slope of your property for you. For a more precise measurement, consult a professional engineer or surveyor. To review the hillside preservation standards, visit section 070.020.170 of the municipal code at this link https://library.municode.com/co/glenwood_springs/codes/municipal_code . For an overview of the special review process, contact planning staff.

-General Improvement District (GID). Properties in the GID, which roughly corresponds to the downtown commercial core of the city, are not required to provide off-street parking. However, if parking is provided, it must meet the Municipal Code requirements. To find out if your property is in the GID, look for the GID map under the heading “maps” on the City’s website.

STEP 2. SUBMIT ARCHITECTURAL PLANS & ADU PERMIT APPLICATION

Code compliance. Your ADU plans must meet your zone district requirements, the ADU design requirements which are summarized below, and the requirements of the HPOZ or Downtown Design Standards if you are subject to either of these special districts. If you will be submitting your ADU permit and building permit plans at the same time, make sure that your plans also meet the requirements of the 2009 International Residential Code and Title 060 of the Municipal Code.

Submittal requirements. Submit the following architectural plans with your ADU permit application:

1. **ADU permit application.** A completed and signed ADU permit application
2. **Subdivision plat.** A copy of your subdivision plat, if applicable.
3. **Written description.** A brief written description of the proposed ADU signed by the applicant.
4. **Site plan.** A scaled site plan, minimum size 8 ½ in. by 14 in., scale of 1 inch equals 50 ft. or larger, with the title, date, north arrow, property boundaries, footprints of existing and proposed buildings, setbacks from property lines, parking spaces, utility lines and services, easements, drainage improvements, roads, alleys, curbs, curb cuts and other access improvements, and proposed dedications of rights-of-way, easements or public lands. For an example of a site plan, see attached.
5. **Landscape plan.** A scaled landscaping plan that shows the square footage and types of plantings on the lot. This information may be included on the site plan instead of a separate plan if you

wish.

6. **Floor plans.** Scaled floor plans for the ADU and the main house.
7. **Elevations.**
 - a. Submit photos or elevations of any existing structures on the property AND;
 - b. If an addition or new building will be constructed to accommodate the ADU, or if you will be doing any exterior modifications to a building subject to the Downtown Design Standards, submit scaled elevations of the new construction. Make sure you include the maximum building height measurement from existing grade for any new additions or buildings and that existing and proposed materials are labeled.

Lighting ordinance. Be aware that the City has a lighting ordinance that aims to save energy, minimize light pollution, and preserve views of the night sky. Any exterior lighting fixtures that you install on your property need to comply with these requirements. A handout providing examples of acceptable and unacceptable lighting is attached to the back of this packet. To review the specific wording of the requirements, refer to article 070.040.100 of the municipal code.

ADU DESIGN REQUIREMENTS

Following is a synopsis of the ADU design requirements. For the precise language of these design criteria see GSMC section 070.030.040 (attached).

1. **Location.** The proposed location of the ADU complies with City goals, policies, and plans and will be compatible with existing and permitted uses surrounding or affected by the proposed location. ADUs that are detached from the principal dwelling shall be located in the rear or side yard of the principal dwelling, although the entrance may face the front of the lot and the structure must meet required setbacks.
2. **Building code.** The existing or proposed ADU complies with Title 060 (building code requirements) of the Municipal Code.
3. **Height.** The height of a detached ADU shall not exceed that of the single-family residence on the lot nor the maximum height of buildings in the zone district.
4. **Zone district requirements.** The ADU complies with the same zone district requirements as the single-family residence, including requirements such as lot coverage, floor area ratio, minimum yards (setbacks), parking, and landscaping requirements.
5. **Unit size.** The size of the unit must meet the following two criteria:
 - (a) The ADU is no less than 300 sq. ft. and no more than 1000 sq. ft., AND
 - (b) The ADU does not exceed 55% of the floor area of the principal dwelling. Please review the definition for building area in the regulations attached for method of calculating building area. The percentage used to demonstrate compliance with this requirement is determined by dividing the square footage

of the ADU by the square footage of the principal dwelling (ADU in sq. ft./principal dwelling in sq. ft.). If you will be converting part of the principal dwelling to an ADU, use the square footage of the principal dwelling after subtracting out the square footage of the ADU. Please also refer to the definition of building area in the Accessory Dwelling Unit regulations. The maximum unit size is determined by the criteria above which is more restrictive in your situation. For example, if the main house/principal dwelling is 1000 sq. ft. of floor area, the maximum floor area of the ADU is 490 sq. ft. because that is 49% of the floor area of the principal dwelling.

6. Compatibility. Colors, materials and design of the ADU shall be substantially the same as the principal dwelling unit.
7. Parking. One off-street parking space (9 ft. by 19 ft.) is required per ADU. The location of this space should be on the side or the rear yard of the principal dwelling unit, preferably from an alley entrance if available.

The off-street parking space(s) required for the ADU are in addition to those required for the single-family home. You are required to have one off-street parking space for the single-family house unless you have not had that many off-street parking spaces since prior to 1981. If this is your situation, please call the Planning Department for further explanation as to how many off-street parking spaces are required for your house and ADU.

Note that properties in the General Improvement District (GID) are not required to provide off-street parking. See the GID heading on page 4 for more information. If provided, any parking must meet code requirements.

8. Number of ADUs. Only one ADU is allowed per parcel.
9. Setbacks. The ADU is subject to the same setbacks, floor area, and height requirements as the principal dwelling except as specified in

STEP 3. SUBMIT FOR BUILDING PERMIT

Building code compliance. Your proposed or existing ADU will be required to comply with the current building codes adopted by the City. In July 2013, the applicable code is the 2009 International Residential Code (2009 IRC). For further information on building codes, contact the Building Department at (970) 384-6411 or review Title 060 of the Municipal Code at www.cogs.us. Copies of the code are available for purchase in the Community Development Department or online at www.iccsafe.org.

Building permit packet. You may also pick up or request that a building permit packet is mailed to you. This packet will contain detailed information in terms of what is required with your building permit submittal and will contain a copy of the permit application form. Some general information regarding building permits is included below.

Electrical permits. Note that all permits and inspections for electrical work are through the State of Colorado, although electrical contractors must obtain a license, free of charge, from the City.

Contractor licensing. Any contractors working inside city limits must be licensed with the City of Glenwood Springs. The purpose of this is to ensure that the contractors are familiar with current building codes and have the required insurance. Your general contractor must be licensed with the City before you can pick up the approved permit.

Geotechnical reports and soils reports. Many areas of the city are subject to geotechnical and/or soils hazards. Contact the Building Official to determine if a soils or geotechnical report will be required for your property for this project.

Permit fees. Fees may vary based on subdivision improvements agreements, annexation agreements, charges for particular services, and other unique situations, but the fees outlined below apply to most situations. All of these fees are paid along with the building permit, although some are not due until issuance of a certificate of occupancy. For specific questions about these fees, contact the Building Department at (970) 384-6411. The plan review fee will be due when you submit your plans for review. The remainder of the fees are due when you pick up the permit or prior to certificate of occupancy, depending on the fee.

1. Permit fees and use tax. Plan review fees, building permit fees, and use tax will be due on your building permit application. For an estimate of these fees, calculate the total cost of labor and materials and call the Building Department at (970) 384-6411. The building permit and plan review fees will be recalculated based on your total floor area when you submit your building permit. The final use tax cost will be 3.7% of your estimated cost of materials.
2. Utility extensions. Any costs associated with utility service or line extension upgrades will be borne by the developer. You may have the ADU metered independently from the primary dwelling if you wish.
3. Water improvement fee. The fee for an ADU is 25% of that charged for a single family house. In 2021 the water improvement fee for an ADU is \$1310.
4. Sewer improvement fee. The fee for an ADU is 25% of that charged for a single-family house. In 2021 the sewer improvement fee is \$1408.
5. School land dedication. This fee is not charged for ADUs since they typically do not contain school-aged children.

6. Park land dedication. The fee charged for an ADU is slightly less than 40% of what would be charged for a single-family dwelling. This fee is \$2,062 in 2021.
7. Emergency impact fee. A flat fee is charged for every residential unit whether it is a single-family home, condominium, townhome, or ADU. In 2021 the fee is \$322. For questions regarding this fee, contact the Fire Department at (970) 384-6480.
8. Temporary certificate of occupancy (TCO). A TCO may be issued for occupancy of an ADU in certain situations where non-life/safety issues exist that must be taken care of prior to a certificate of occupancy. The fee for a TCO is \$250, \$150 of which may be refunded if the applicant finishes the outstanding issues and obtains a final certificate of occupancy before the TCO expires.

STEPS 4 & 5. CONSTRUCTION AND COMPLETION

Once you have picked up your building permit you may begin construction of your ADU. Read the conditions of your permit carefully for specific requirements regarding your project and instructions regarding inspections. Once you successfully complete your final inspection and obtain a certificate of occupancy you may begin renting the unit.

The following text from the municipal code regarding ADU's was current as of April 2020, updated by Ordinance 8 of 2020.

- (d) *Additional Standards for Specific Accessory Uses and Structures.*
 - (1) *Accessory Dwelling Units.*
 - a. *Purpose and Intent.* The intent of this Subsection is to promote small rental housing units in the form of accessory dwelling units on lots with detached single-family dwellings, to increase the stock of attainable rental housing in the community, use available land more efficiently, and minimize the additional infrastructure that must be provided to support such rental units. These standards are established to minimize impacts to the surrounding residential neighborhoods and the community.
 - b. *Applicability.* These standards apply to all accessory dwelling units. Private covenants, conditions, or restrictions on any development, subdivision, or use of land do not preclude compliance with this Section.
 - c. *Ownership.* An accessory dwelling unit shall not be sold independently of the principal dwelling on the parcel.
 - d. *Where Permitted.*
 1. Accessory dwelling units are allowed in zoning districts according to Table 030.1, Table of Allowed Uses.
 2. Accessory dwelling units are allowed within a planned unit development unless specifically identified as a prohibited use by the planned unit development.

3. Accessory dwelling units are allowed by right within a historic district only when they are internal to an existing residential dwelling or existing accessory structure.
 4. Accessory dwelling units shall only be permitted on a lot where a detached single-family dwelling exists or will be constructed concurrently with the accessory dwelling unit.
- e. *Compatibility.* Colors, materials, and design of the accessory dwelling unit shall be substantially the same as the principal dwelling.
- f. *Four-Sided Design.* For new construction, a minimum of two (2) architectural features listed below shall be incorporated into the overall design on each side of the accessory dwelling unit. Architectural features appropriate for achieving this standard may include:
1. Covered porches;
 2. Balconies;
 3. Prominent entry features;
 4. Windows;
 5. Door openings;
 6. Distinct variations in color (not a slight variation of a similar hue, such as beige or pastel);
 7. Variations in materials;
 8. Variations in building height;
 9. Variation in roof form;
 10. Dormers;
 11. Projected or recessed building walls; or
 12. Another architectural feature as approved by the Director.
- g. *Number and Size of Accessory Dwelling Units.* Accessory dwelling units shall comply with all of the following:
1. Only one (1) accessory dwelling unit shall be permitted per parcel.
 2. The gross floor area of an accessory dwelling unit shall be no less than three hundred (300) square feet of living area and no more than one thousand (1,000) square feet living area. For purposes of this standard, "living area" shall be calculated by excluding the following areas from the overall gross building area:
 - i. The thickness of the exterior walls;
 - ii. Garage areas;
 - iii. Basement areas where the ceiling height measured from the floor is less than six (6) feet; and
 - iv. Any other building areas where the floor to ceiling height is either less than five (5) feet or area is not accessible by a stairway.

3. The area of an accessory dwelling unit shall not exceed fifty-five (55) percent of the area of the principal dwelling. The percentage used to demonstrate compliance with this requirement shall be determined by dividing the proposed building area of the accessory dwelling unit measured in square feet by the proposed building area of the principal dwelling measured in square feet. Where a portion of the principal dwelling is to be converted to an accessory dwelling unit, the size of the principal dwelling used in the calculation shall be its square footage after subtracting the building area of the accessory dwelling unit.
4. Unit Size Exception. The limitations of f.3 above shall not apply to accessory dwelling units located within the footprint of an existing home as long as the accessory dwelling unit is not larger than fifty (50) percent of the existing structure, including the basement, up to the maximum allowed gross floor area in f.2. For example, if a home has a one thousand (1,000) square foot basement, an accessory dwelling unit could be established in this space if the principal dwelling also contains at least one thousand (1,000) square feet.

h. *Dimensional Standards.*

1. The accessory dwelling unit shall comply with the applicable zoning district requirements unless otherwise noted in Section 070.030.040(c)(5)c.
2. A detached accessory dwelling unit shall be located in the rear yard or side yard of the principal building.
3. Front Yard Exception. A detached accessory dwelling unit may be located in the front yard under the following conditions:
 - i. All other code requirements are met; and
 - ii. The existing primary structure is located within fifteen (15) feet of the rear lot line; or
 - iii. An accessory dwelling unit is proposed within or on top of a legally conforming garage that exists in the front yard where the ADU will not increase the building footprint.
4. Accessory dwelling units may be located in the required rear yard provided that not more than sixty (60) percent of the required rear yard is covered.
5. Accessory dwelling units may observe a minimum five-foot setback from the rear lot line with the following conditions:
 - i. Five-foot rear yard setbacks shall receive approval from the Electrical Superintendent and Public Works Director for overhead and underground utility clearance; and
 - ii. Roof eaves or other incidental architectural features may not encroach into the five-foot setback.
 - iii. Administrative adjustments to reduce the setback further are not allowed.
6. The height of a detached accessory dwelling unit shall not exceed twenty-seven (27) feet.

- i. *Preservation of Existing Structures.* Conversion of an existing legal non-conforming structure to an accessory dwelling unit is allowed, provided that the conversion does not increase the non-conformity.
- j. *Utilities and Dedications.* Any costs associated with any utility service or line extension upgrade shall be borne by the developer. An accessory dwelling unit may be metered independently from the primary dwelling. If an unmetered property requests a meter for an accessory dwelling unit, the entire property shall become metered. System improvement fees shall be charged as required by Subsection 070.040.030(g), Dedications and Impact Fees, or as established by City Council. Also see Article 080.060, System Improvement Fees.