

# Accessory Dwelling Units

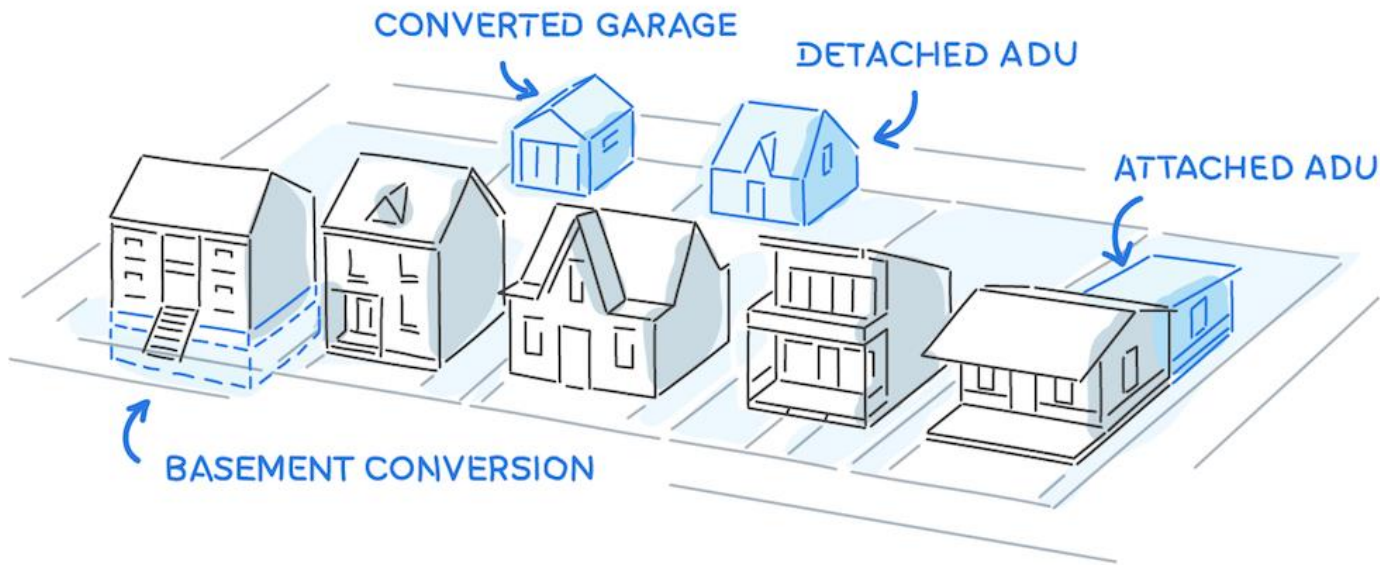
City of Boulder Regulations Beginning February 1, 2019



# What are Accessory Dwelling Units (ADUs)?

Also known as:

- Mother-in-law apartment
- Accessory Apartment
- Secondary Suite



City of Boulder Definition:

*Separate, complete single housekeeping unit either within a detached dwelling unit or in detached accessory structure*

# Tonight's Content



General  
Requirements



Types of ADUs



Affordable ADUs &  
ADUs on Historic  
Properties



Application  
Materials &  
Review Process










Rental  
Licensing &  
Occupancy



Q & A

# General ADU Requirements

-  Owner Occupied
-  Located on a lot with an existing single-family dwelling unit
-  Minimum lot size of 5,000 square feet
-  Must have a valid rental license to rent an ADU
-  Properties with newly established ADUs are not eligible for short-term rental licenses
-  Public Notice Required
-  Declaration of Use

# Where are ADUs allowed?

Residential - Rural (RR)

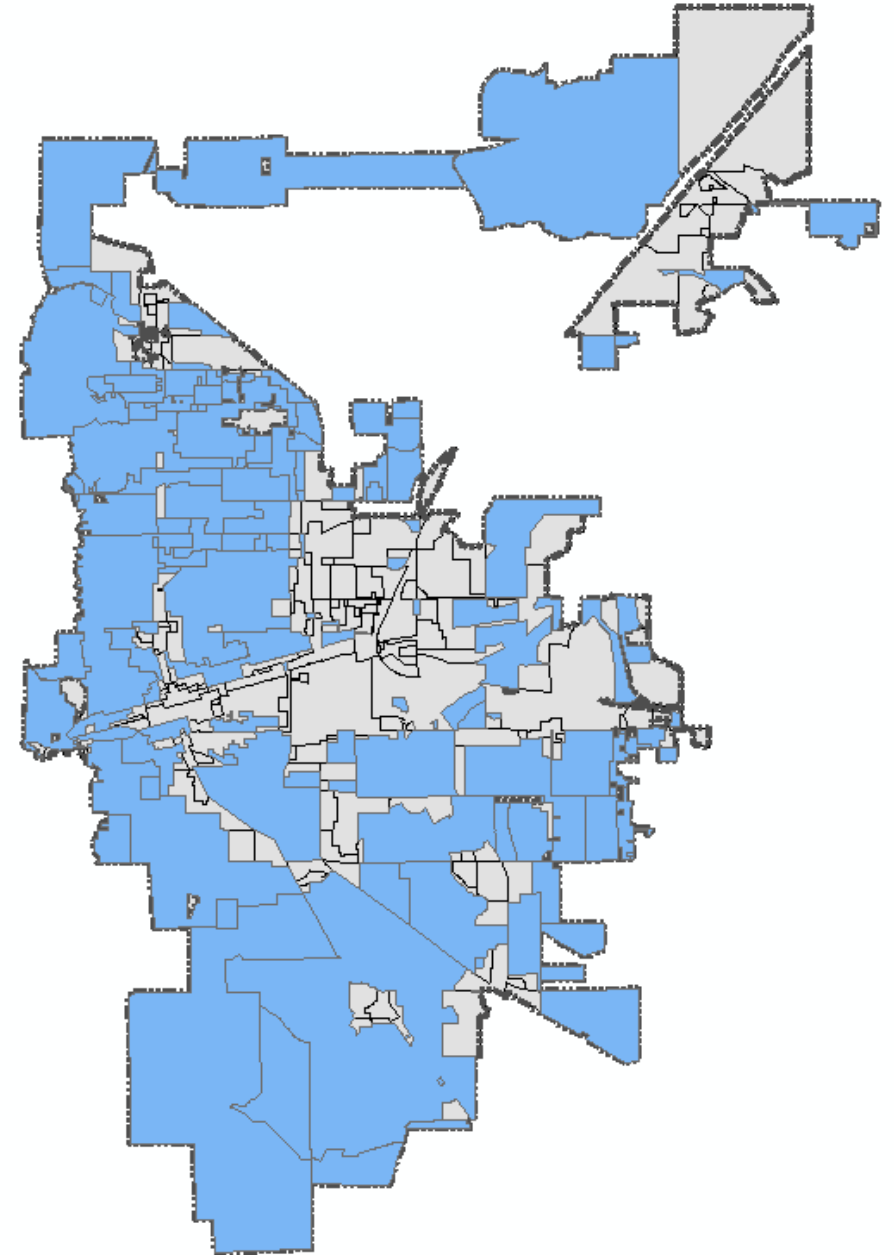
Residential - Estate (RE)

Residential – Low (RL)

Residential – Mixed (RMX)

Agricultural (A)

Public (P)





## Saturation

The maximum number of ADUs is limited in the **RL-1 and RL-2** zoning districts

No more than 20%\* of the parcels within a 300 foot radius can contain ADUs, legally nonconforming structures (i.e. duplexes on a single-family lot), or cooperative housing units\*\*

\*Increased to 30% for Designated Historic properties

\*\*Only ADUs, nonconforming structures and co-ops **in the RL-1 and RL-2 zoning districts** contribute to the saturation

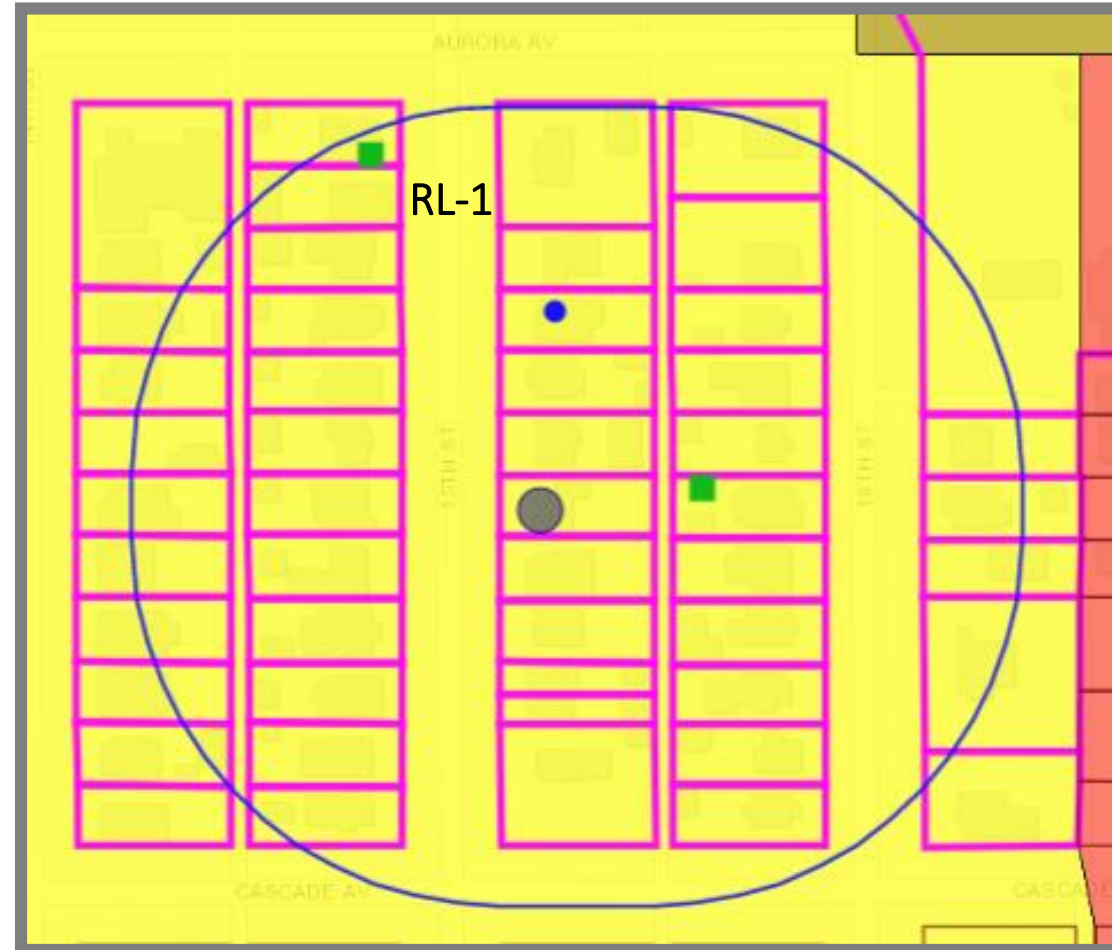
If the neighborhood area is at capacity, applicant placed on a waiting list

# What does the saturation calculation look like?

- Proposed ADU
- 300-foot Radius
- Parcels within 300-foot Radius
- Legal Nonconforming Structures
- Accessory Dwelling Unit

Total: 8%

\*Proposed ADU is included in calculation

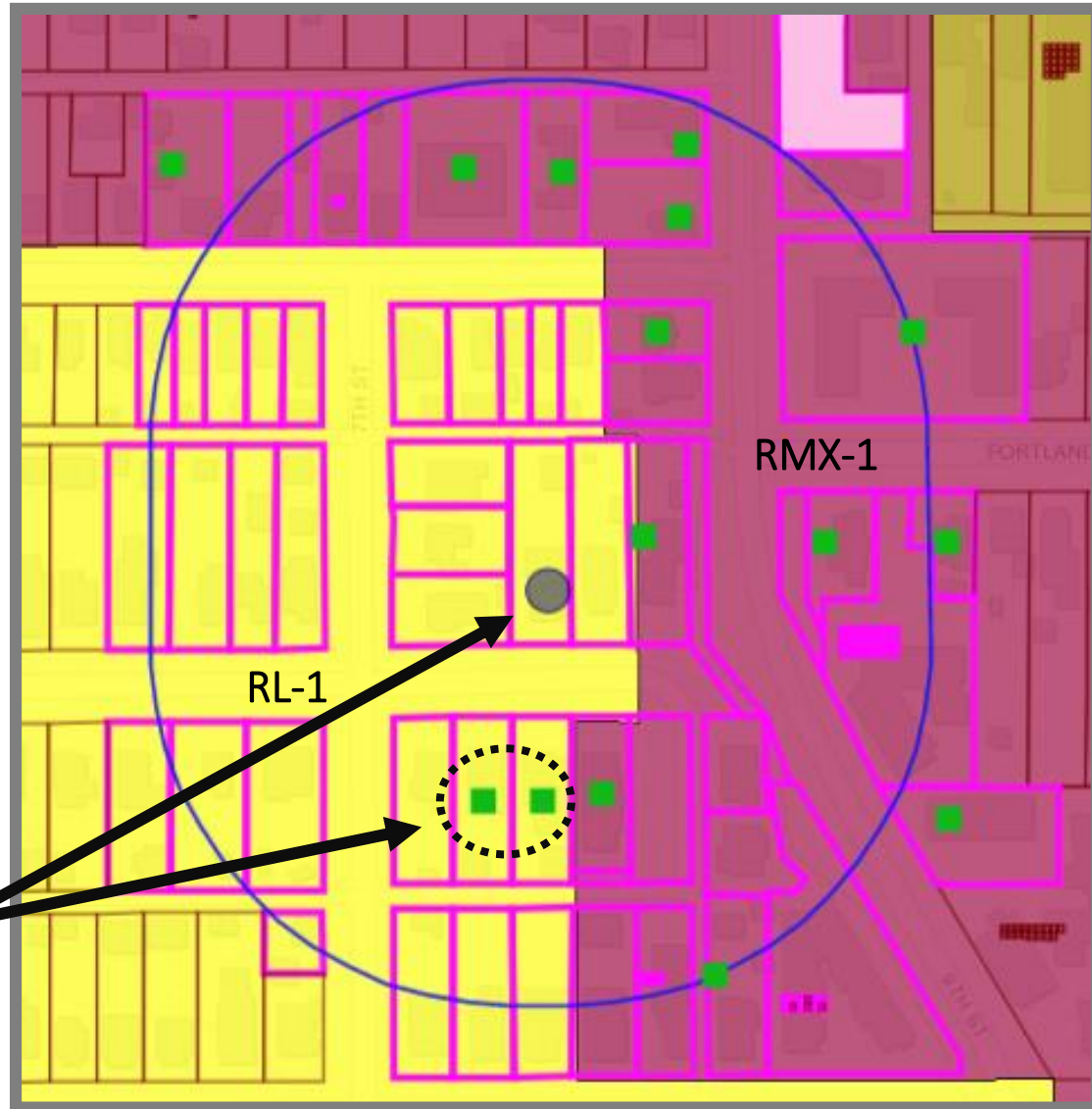


# What does the saturation calculation look like?

- Proposed ADU
- 300-foot Radius
- Parcels within 300-foot Radius
- Legal Nonconforming Structures
- Cooperative Housing Unit

Total: 6%

Only 3 properties contributing to saturation







# Parking Requirements

One off-street parking space for the principal dwelling unit

One off-street parking space for the ADU

Parking spaces cannot be located in the public right-of-way

**\*Affordable ADUs: Second off-street parking space for ADU is not required**

# Attached ADUs (Market Rate)

Located within the existing single-family dwelling structure

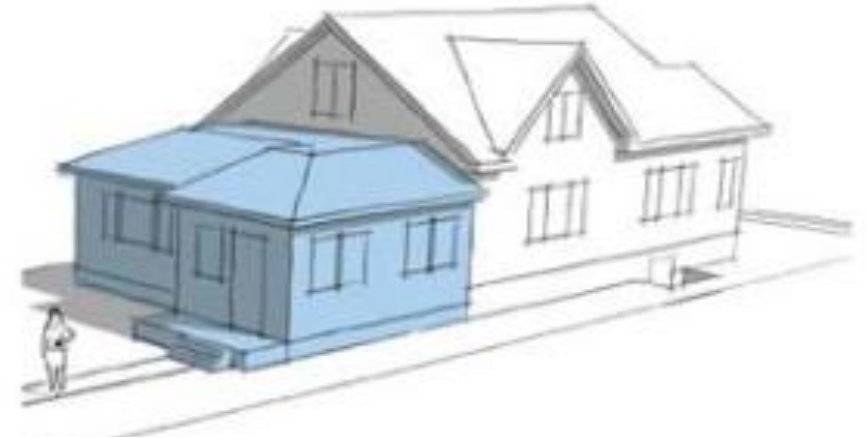
Meets the lot size, parking and saturation requirements

Size: 1/3 of existing floor area or 1,000 sf which ever is less.

Interior connections must be maintained

Additional entrances must be screened if facing the street

- Must still look like a single-family home



# Detached ADUs (Market Rate)

Located in an accessory structure on the same property as the single-family dwelling. (Garage studio, conditioned backyard office)

Meets the lot size, parking and saturation requirements

Size: 550 sf

Height: Max 20' unless roof has a specific pitch, then 25'

60 sf of private open space

Architecturally consistent with existing residence and neighboring properties

Must meet Accessory Building Setbacks



# What is an Affordable ADU?

Applicant elects to create an Affordable ADU

Rent cannot exceed the maximum rent established for households earning 75% of AMI

## 2018 Affordable Accessory Dwelling Unit Maximum Rents

Area Median Income	0 BR	1 BR	2 BR
75%	\$1,427	\$1,528	\$1,834

# Affordable ADUs

## ATTACHED ADUs:

Parking: Do not have to provide second parking space

Size: 1/2 of existing floor area or 1,000 sf which ever is less.

## DETACHED ADUs:

Parking: Do not have to provide second parking space

Size: Up to 800 sf

# ADUs and Historic Properties

\*Additions and exterior changes must be approved through a landmarks process prior to ADU application

## ATTACHED ADUs:

If principal structure is a designated individual landmark or a contributing building in an historic district:

Saturation: In RL zone districts saturation is 30%

Parking: Do not have to provide second parking space

Size: 1/2 of existing floor area or 1,000 sf which ever is less.

## DETACHED ADUs:

If accessory structure OR principal structure are designated individual landmarks, or contributing buildings in an historic district:

Saturation: In RL zone districts saturation is 30%


Parking: Do not have to provide second parking space

Size: Up to 1,000 sf



# Application Materials

# Administrative Review Application



**CITY OF BOULDER**  
 Planning and Development Services Center  
 1739 Broadway, third floor • P.O. Box 791 •  
 Boulder, Colorado 80306 Phone: 303-441-1880 • Fax: 303-441-4241 •  
 Web: boulderplandevop.net

**ADMINISTRATIVE REVIEW APPLICATION FORM**

**APPLICATION DEADLINE IS 10 A.M. ON MONDAYS.**

The types of reviews for which this form is used and a fee schedule are listed on page 2. Application requirements and required separate attachments for each review type begin on page 3. **Inaccurate or incomplete information will result in rejection of the application.**

**GENERAL DATA**  
(To be completed by the applicant.)

**PROPERTY**

- Street Address (or general location if not addressed): \_\_\_\_\_
- Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_ (or attach description)
- Lot Area (in square feet or acres): \_\_\_\_\_ Existing Zoning: \_\_\_\_\_
- Existing Use of Property: \_\_\_\_\_

**TYPE OF REVIEW (From page 2)** \_\_\_\_\_

**PROPOSAL**

- Description of proposal (Include proposed use and summarize number and size of units/buildings/lots, as applicable):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_


- Name of Development: \_\_\_\_\_
- Name of Applicant: \_\_\_\_\_ E-mail: \_\_\_\_\_
- Address: \_\_\_\_\_ Phone: \_\_\_\_\_
- City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ FAX: \_\_\_\_\_
- Contact Person (if not applicant): \_\_\_\_\_ E-mail: \_\_\_\_\_
- Address: \_\_\_\_\_ Phone: \_\_\_\_\_
- City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ FAX: \_\_\_\_\_

**STAFF USE ONLY**

Application received by: \_\_\_\_\_ Date/Time: \_\_\_\_\_ Review # \_\_\_\_\_

Case Manager: \_\_\_\_\_ Track #: \_\_\_\_\_ Project Name \_\_\_\_\_

# ADU Attachment/ Handout



**City of Boulder**  
**Planning & Development Services**  
 1739 Broadway, Third Floor, Boulder CO 80302 | PO Box 791, Boulder CO 80306-0791  
 P: 303-441-1880 F: 303-441-4241 | BoulderPlanDevelop.net | plandevop@bouldercolorado.gov

**Accessory Dwelling Unit (ADU)**  
**Attachment to Administrative Review Application Form**

There are two types of accessory dwelling units (ADUs) permitted in the City of Boulder: attached and detached. An attached accessory dwelling unit means a separate and complete single housekeeping unit within a detached single-family home. A detached accessory dwelling unit means a separate and complete single housekeeping unit within an accessory structure on a property on which a detached single family home is located. In addition, specific standards apply to affordable accessory units (i.e. units that meet the affordability standards) and designated historic properties. ADUs are regulated per Section 9-6-3(a), B.R.C. 1981.

ADUs are allowed on lots 5,000 square feet or larger in the RR, RE, RL, RMX, A or P zoning districts. A single family dwelling unit with an accessory dwelling unit is not considered a duplex nor a multi-family dwelling. The owner must reside in either the principal dwelling unit or ADU. Depending on zoning district, the number of allowable ADUs that may be issued for a given area is limited (see [Subsections 9-6-3\(a\)\(2\)\(A\) and 9-6-3\(a\)\(3\)\(A\), B.R.C. 1981](#) for more information). Additional compatible development restriction standards apply to properties located in the RR, RE, RMX-1, and RL-1 zoning districts.

If the proposed ADU or principal dwelling unit is to be rented, a rental license is required. **Short term rentals (less than 30 days) are not allowed on either the ADU or principal dwelling unit unless the ADU and rental license were established prior to January 3, 2019.**

**Proposals for ADUs are considered through an administrative review application.** This application must include a completed Administrative Review application form. The application requirements are listed below. Applications for accessory dwelling units are submitted to the Planning and Development Services Center.

**Application Requirements**  
**\*If electronic submittal, only 1 hard copy of each document is required\***

The following information must be included as part of an administrative review application for an accessory dwelling unit:

1. [Survey](#) by a registered surveyor, showing existing structures and parking areas (2 copies).





## Required Application Materials:

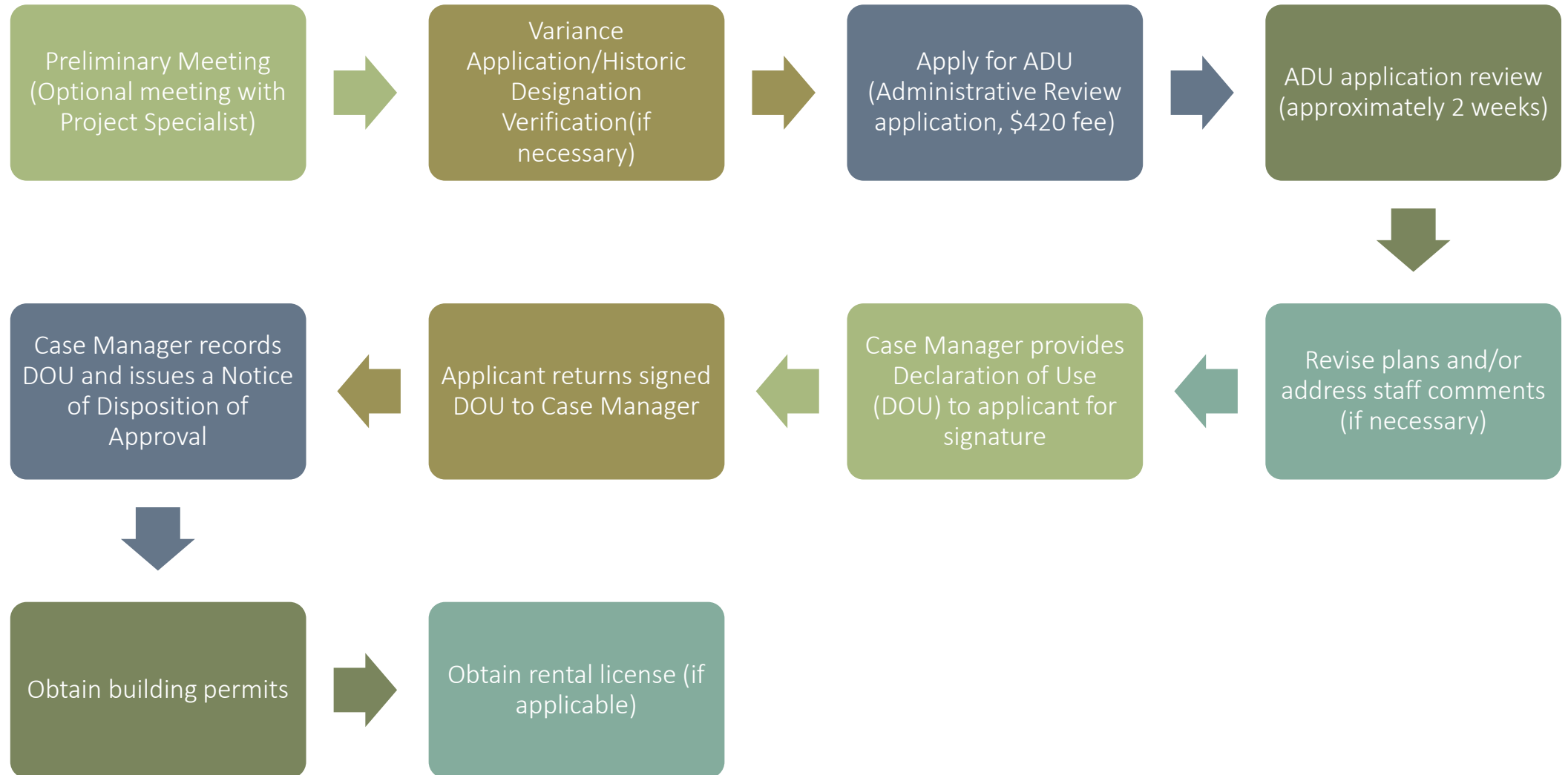
- Survey or Improvement Location Certificate (ILC)
  - Detached ADUs: Survey must show topography and low point within 25'
- Floor Plans of all levels of structure
- Building Elevations (Detached ADUs)
- Project Information Form
- Proof Of Ownership
- Plumbing Fixture Count form
- Sign Posting Acknowledgement Form
- Application Fee



## If Applicable:

- Notice of Disposition of Zoning Variances
- Letter from historic preservation staff verifying eligibility

# Application Review Process





# Rental Licensing

A rental license is required BEFORE offering your ADU for rent

All building permits must be completed prior to applying for your Rental License

Short Term Rentals are no longer an approved use for new ADU properties

A permit Certificate of Occupancy or Letter of Completion is accepted for 90 days to comply with rental license inspections

A detached ADU must meet SmartRegs Energy Efficiency requirements to secure a rental license



# Occupancy Standards

The principal dwelling unit and accessory unit together are considered one dwelling unit for the purposes of determining occupancy requirements

The total occupancy of both units shall not exceed the standards set forth in Section 9-8-5, “Occupancy of Dwelling Units,” B.R.C. 1981 for one dwelling unit

For the purposes of ADUs, any occupant and his or her dependents shall be counted as one person

*For example, a family may live in the principal home and two unrelated persons may reside in the accessory unit (three unrelated persons in the RMX zoning districts). As mentioned above, any occupant and his or her dependents are considered one person. Therefore, in the example above, a parent with dependent children may occupy the accessory unit plus one unrelated person (two in the RMX zoning districts)*

Questions 😊

