

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER HULTIN
COUNCIL BILL NO. 13
ORDINANCE NO. 1798
Series 2024

TITLE: AN ORDINANCE AMENDING SECTION 26-646.F OF THE WHEAT RIDGE CODE OF LAWS, REGARDING APPROVAL OF NONCONFORMING ACCESSORY DWELLING UNITS

WHEREAS, the City of Wheat Ridge is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and C.R.S. § 31-23-101, the City, acting through its City Council (the “Council”), is authorized to adopt ordinances for the protection of the public health, safety or welfare; and

WHEREAS, the City of Wheat Ridge has established a process to legalize existing dwelling units which may qualify as Accessory Dwelling Units (ADUs), referred to as a “grace period”; and

WHEREAS, the process has been successful and several existing ADUs have been legalized, and the current grace period expires on August 15, 2024; and

WHEREAS, the Council finds it necessary to extend the “grace period” by two (2) years to continue to provide a pathway for property owners to legalize existing ADUs on their properties.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Section 26-646.F of the Wheat Ridge Code of Laws, concerning ADUs on nonconforming properties, is hereby amended as follows:

F. Nonconforming properties.

1. Owners of property currently containing structures or portions of structures which may fall within the definition of ADU under section 26-123, are hereby granted the right to apply to the city for approval of the same until August 15, ~~2024~~ **2026**. Following that date, and in the absence of city approval of an ADU under this section, unapproved or unpermitted ADUs shall be subject to enforcement as provided by law. Upon review and approval of such applications by the city, the deed restriction requirement of subsection E. shall apply. Development standards of subsection B. do not apply.

...

3. If a property contains more than one (1) ADU, deemed lawful pursuant to subsections F.1. and F.2. by August 15, ~~2024~~ **2026**, those ADUs shall

be allowed to remain until voluntarily demolished or converted to other uses, consistent with the provisions of Code subsection 26-120.C.

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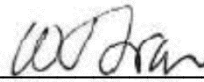
Section 2. Severability, Conflicting Ordinances Repealed. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3. Effective Date. This Ordinance shall take effect immediately, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 8 to 0 on this 22nd day of July 2024, ordered published by title and in full on the City's website as provided by the Home Rule Charter, and Public Hearing and consideration on final passage set for August 12, 2024 at 6:30 p.m., as a virtual meeting and in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

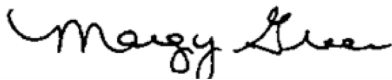
READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 8 to 0, this 12th day of August 2024.

SIGNED by the Mayor on this 14 day of August, 2024.



Bud Starker, Mayor

ATTEST:



Margy Greer, Sr. Deputy City Clerk



Approved as to Form



Gerald E. Dahl, City Attorney

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Jeffco Transcript and www.ci.wheatridge.co.us