

FIRST READING: April 6, 2021

SECOND READING: April 20, 2021

ORDINANCE NO. 6464

AN ORDINANCE AMENDING SECTION 18.04.07.02 OF THE LOVELAND MUNICIPAL CODE ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE REGARDING ACCESSORY DWELLING UNITS

WHEREAS, the City’s Unified Development Code (“UDC”), adopted as Title 18 of the Loveland Municipal Code, provides opportunities for citizens to construct accessory dwelling units (“ADUs”) on their properties, subject to certain regulations; and

WHEREAS, the City desires to encourage ADUs within the City as an attainable and creative housing solution, and as a result, City Planning staff endeavored to amend the ADU regulations set forth in Section 18.04.07.02 of the UDC to provide more flexibility and accessibility for ADUs to citizens; and

WHEREAS, after several study sessions with the Planning Commission and the City Council, City staff developed amendments to the UDC regarding ADUs that include: (1) reduction in the minimum lot size required for an ADU from 10,000 square feet to 7,000 square feet; (2) clarification of design standards; (3) establishment of limitations of building footprint size based on lot size and a maximum floor area of 900 square feet; and (4) allowance for conversion or expansion of an existing structure into an ADU; and

WHEREAS, City Council desires to amend the UDC accordingly, and finds that such amendment is in the best interests of the City and its citizens.

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

Section 1. That Section 18.04.07.02 – Accessory Dwelling Units – of the Loveland Municipal Code is amended in its entirety to read as follows:

18.04.07.02 Accessory Dwelling Units

- A. **Generally.** Accessory dwelling units (“ADUs”) are subject to the standards of this Section. ADUs are allowed as accessory uses to single-family detached dwelling units that are conforming uses under this UDC.
- B. **General Development Standards.** The following development standards apply to ADUs in all zones:
 - 1. ADUs shall:
 - a. Be located on the same lot, either attached to or detached from an existing principal single-family detached dwelling unit, except in the North Cleveland Overlay Zone, as set forth in Section 18.06.08.04 Accessory Dwelling Units;
 - b. Have a separate exterior entrance from the principal dwelling unit;

- c. Have its own cooking and bathing facilities, independent of the principal dwelling unit;
 - d. Have an exterior finish of a similar architectural style, materials, and colors as the principal dwelling unit;
 - e. Meet all of the setback requirements within the applicable zoning district (if the ADU is located in a detached structure, it is subject to the accessory structure setback requirements);
 - f. Have a separate address from the principal dwelling unit; and
 - g. Not exceed the building height of the principal single-family dwelling except that an ADU detached from the principal dwelling unit that is accessed from an alley and setback not more than 5 feet from the rear property line is allowed a maximum building height of 26 feet.
2. The minimum required lot area is:
 - a. 7,000 square feet in the ER, R1, and R1e Zones; or
 - b. 5,000 square feet in all other zones that allow an ADU or in a complete neighborhood in the R1, or R1e Zones.
 3. An ADU may be approved on a lot that is smaller than the minimum requirements of subsection B.3., above, if it is approved as an Adaptable Use.
 4. Only one ADU is allowed per lot.
 5. The subject property shall contain the required number of parking spaces for the principal dwelling unit; and in addition to the parking for the primary dwelling unit, one parking space shall be provided for the ADU, unless the width of the adjacent street is 28 feet or greater and on-street parking is allowed.
 6. An ADU attached to a principal dwelling unit must be designed as a separate, complete, and independent dwelling unit and cannot have an internal connection or opening to the principal dwelling unit.
 7. A residential unit located in the basement of a principal dwelling is not be considered an ADU. Conversion of a basement to a residential unit must comply with all applicable building code and zoning requirements.
 8. An ADU in a PUD approved prior to the adoption of the UDC, must comply with the requirements specified in the PUD.
- C. **Size.** The following size limitations apply to ADUs:
1. The maximum floor area is 900 square feet.
 2. The building footprint for an ADU detached from the principal dwelling unit shall:
 - a. Be a maximum of 10 percent of the total lot area of the property or 900 square feet, whichever is less; and
 - b. Be counted towards the maximum building footprint allowed for an accessory structure unless the ADU is located as a second level above the accessory structure.
 3. The building footprint for an ADU detached from the principal dwelling unit may be increased up to 20 percent if it is approved as an Adaptable Use, however the building footprint cannot exceed 900 square feet.

4. The building footprint for an ADU attached to the principal dwelling unit cannot exceed 900 square feet.
5. ADUs within the R1, R1e, R2 and R3 zones shall comply with Section 18.02.04.02, Scale Thresholds in DT and Residential Zones unless the residential lot is within a complete neighborhood.

D. **Conversion or Expansion of an Existing Structure to an ADU.** An existing accessory structure that was legally permitted prior to the adoption of the UDC may be converted or expanded to an ADU provided the following standards are met:

1. Conversion of an Existing Structure. The floor area of the ADU shall not exceed 900 square feet and all other provisions of the Municipal Code shall be met.
2. Expansion of an Existing Structure. An existing accessory structure may be expanded as a second level ADU and may be equal to the footprint of the existing first level building or 900 square feet, whichever is less.

E. **Utilities.**

1. Water and, wastewater services to the ADU shall be connected to the services of the principal dwelling unit.
2. Utility design shall ensure that water, and electric utilities for the ADU can be shut off independently from the principal dwelling.

Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect ten days after its final publication, as provided in City Charter Section 4-8(b).

Adopted this 20th day of April, 2021.

Jacki Marsh, Mayor

ATTEST:

Hannah Hill, Acting City Clerk

APPROVED AS TO FORM:



Assistant City Attorney

Ordinance 6464

I, Hannah Hill, Acting City Clerk of the City of Loveland, Colorado, hereby certify that the above and foregoing Ordinance was introduced at a regular (or special) meeting of the City Council, held on April 6, 2021 and was initially published in the Loveland Daily Reporter-Herald, a newspaper published within the city limits, in full April 10, 2021 and by title except for parts thereof which were amended after such initial publication which parts were published in full in said newspaper on April 24, 2021.

Acting City Clerk

Effective Date: May 4, 2021