



## PLANNING DEPARTMENT

ADU Ordinance Amendment Project | Summary of Changes

### SUMMARY OF PROPOSED CHANGES:

Under the City of Colorado Springs' current Unified Development Code (UDC), there has been a limited number of Accessory Dwelling Units (ADUs) constructed since its inception. In alignment with recent state legislation, the City desires to ensure smart, equitable, and diversified housing solutions that allow our neighborhoods to grow in a way that is appropriate, which the City's proposed ADU Ordinance supports. The City too sees the proposed ADU Ordinance as an opportunity to rethink the shortcomings within the current city code that better align with the direction of the housing market, all the while ensuring housing choice and opportunity for residents.

#### Allow ADUs in all zone districts where single-family detached dwellings are permitted

- Certain residential zones that currently do not permit attached or detached ADUs would be able to build them.
- With the proposed updates, detached and attached ADUs will be permitted in the following zone districts: A, R-E, R-1-9, R-1-6, R-2, R-4, R-5, R-Flex (low, medium, high), OR, MX-N, MX-T, MX-M, MX-L, MX-I, FBZ, and LI.
- No more than two (2) ADUs may be located on any lot.

#### Updates to use specific standards for ADUs

- The development of ADUs will remain an administrative process and are not appealable.
- Updates to dimensional standards that reflect the statute requirement that city code cannot impose more restrictive requirements for ADUs than for single-family or other accessory structures of similar building type.
- The floor area of ADUs may be no greater than the floor area of the principal structure.
- The ADUs gross floor area will not count towards the total accessory structure's gross floor area.
- Increasing the maximum height allowance of ADUs, so as to not exceed that of the maximum building height of the principal building within the zone district.
- Allow more flexibility with regard to construction types for the construction of ADUs.
- Removing the requirement of an additional off-street parking space for an ADU.

#### Removal of Owner Occupancy Requirements and Associated Declaration of Restriction

- With the proposed updates, there will no longer be an owner occupancy requirement in the R-E, R-1-9, and R-1-6 zone districts. Owner affidavits will still be required at the time of Building Permit.

#### What the Ordinance will not change

- All of the existing zone districts will remain unchanged with respect to other accessory and primary uses.
- The Accessory Dwelling Unit Overlay (ADU-O) and Accessory Family Suite provisions of the UDC are made obsolete by state legislation and the proposed ADU ordinance amendments, as such, will be removed from the UDC.

#### Legislative Direction for Unit Owners' Associations (HOAs and COAs) and Planned Development Zones (PDZs)

- Unit Owners' Associations may not prohibit or unreasonably restrict the construction of ADUs.