

AGENDA

JUNE 15, 2021

**DEVELOPMENT PERMITS AND APPEALS BOARD
VIRTUAL STUDY SESSION
TO START IMMEDIATELY FOLLOWING THE VACANCY INTERVIEW
6:30 P.M.**

To attend use the following link:

<https://thorntonco.zoom.us/j/91046185637>

Or Call **1(346) 248-7799** and Enter **910-4618-5637**

- 1) ACCESSORY DWELLING UNITS
 - A. See attached documentation provided

ACCESSORY DWELLING UNIT (ADU)

What is an accessory dwelling unit (ADU)?

An ADU is a second dwelling unit that is on the same property as a single-family detached dwelling (primary residence). The property owner must live in either the primary residence or the ADU.

An ADU comes in three forms:

- Detached – a detached unit from the existing house located on the same lot.
- Attached – an attached (addition) unit to the existing house located on the same lot.
- Within the primary residence – a unit that is integrated into the existing house.

What does an ADU Require?

To be considered an ADU, the space must contain: a living area, sleeping facilities, a bathroom, and a kitchen with a stove. A kitchen will be assumed if 220 V wiring is proposed.

Where are ADUs allowed?

ADUs are potentially allowed *only for single-family detached dwellings* in the following zone districts:

- Single-Family Detached
- Single-Family Attached
- Residential Estate
- Multifamily
- ADUs may be allowed in certain Planned Development (PD) zoning districts. Verify with a City Planner if your property is in a PD zoning district.

What are the requirements and restrictions?

The requirements established within the Development Code are conveniently outlined in this handout. For more information on these requirements please see [Section 18-173 of the Development Code](#).

What permits and approvals are required?

An ADU will always require a Development Permit. Depending on the size of the project, it will require either a Major or Minor Development Permit. Consult with a city planner to determine which type of Development Permit will be required.

A building permit will be required once the Development Permit is issued.

Please contact the Building Inspection Division for more information regarding the building permit requirements at 303-538-7250.

What is a deed restriction? How do you file a deed restriction?

The deed restriction required by the City for an ADU is a document that limits the use of the property. A template for this deed restriction is found in this handout. You will be required to record the deed restriction, with the legal description of your property attached, in the Adams County real property records before a building permit for the ADU will be issued. This deed restriction will become part of the title for the property where the ADU will be located.

ADU REQUIREMENTS

	DETACHED	ATTACHED	WITHIN EXISTING
Permits Required			
<ul style="list-style-type: none"> Building Permit 	Required	Required	Required
<ul style="list-style-type: none"> Minor Development Permit 	Required	Required	Required
<ul style="list-style-type: none"> Major Development Permit 	Required for detached structures larger than 768 SF. Consult with Planner	TBD – Consult with Planner	Not Required
Deed Restriction	Required	Required	Required
Maximum Unit Size	1,000 SF or 50% Gross Floor Area of Primary Dwelling, whichever is smaller. (See Note 1)	1,000 SF or 50% Gross Floor Area of Primary Dwelling, whichever is smaller. (See Note 1)	1,000 SF or 50% Gross Floor Area of Primary Dwelling, whichever is smaller. (See Note 1)
Minimum Unit Size	500 SF	500 SF	500 SF
Minimum Off-Street Parking Spaces	1 Off-Street Parking Space Required + Regular Required Parking (5 spaces total) (See Note 2)	1 Off-Street Parking Space Required + Regular Required Parking (5 spaces total) (See Note 2)	1 Off-Street Parking Space Required + Regular Required Parking (5 spaces total) (See Note 2)
Minimum Setbacks: Front, Rear, & Side	Same as primary dwelling	Same as primary dwelling	Not Applicable
Maximum Height	16 feet	16 feet or the height of the primary dwelling	Not Applicable

Utilities	Same utility connections as primary residence	Same utility connections as primary residence	Same utility connections as primary residence
• Water Service	Contact Building Inspections to determine capacity (See Note 3)	Contact Building Inspections to determine capacity (See Note 3)	Contact Building Inspections to determine capacity (See Note 3)
• Sewer Service	Metro Wastewater Fee Applied (See Note 4)	Metro Wastewater Fee Applied (See Note 4)	Metro Wastewater Fee Applied (See Note 4)
Addressing Assignment for ADU	The primary home and ADU will be assigned unit addresses (Unit A & Unit B) during the review process with planning.	The primary home and ADU will be assigned unit addresses (Unit A & Unit B) during the review process with planning.	The primary home and ADU will be assigned unit addresses (Unit A & Unit B) during the review process with planning.
Architecture	Designed to have the same architecture such as roof pitch and type, materials, and colors as the primary home. (See Section 18-473 & Section 18-470)	Designed to have the same architecture such as roof pitch and type, materials, and colors as the primary home. (See Section 18-473 & Section 18-470)	Not Applicable

NOTES

1. Size Requirements

When calculating the maximum size for an ADU, the calculations does not include any garage, porch, or similar area.

2. Minimum Off-Street Parking Spaces

Most residential zone districts require 4 off-street parking spaces: Two enclosed (garage) and two unenclosed (driveway). An ADU requires one (1) additional parking space which can be either enclosed or unenclosed.

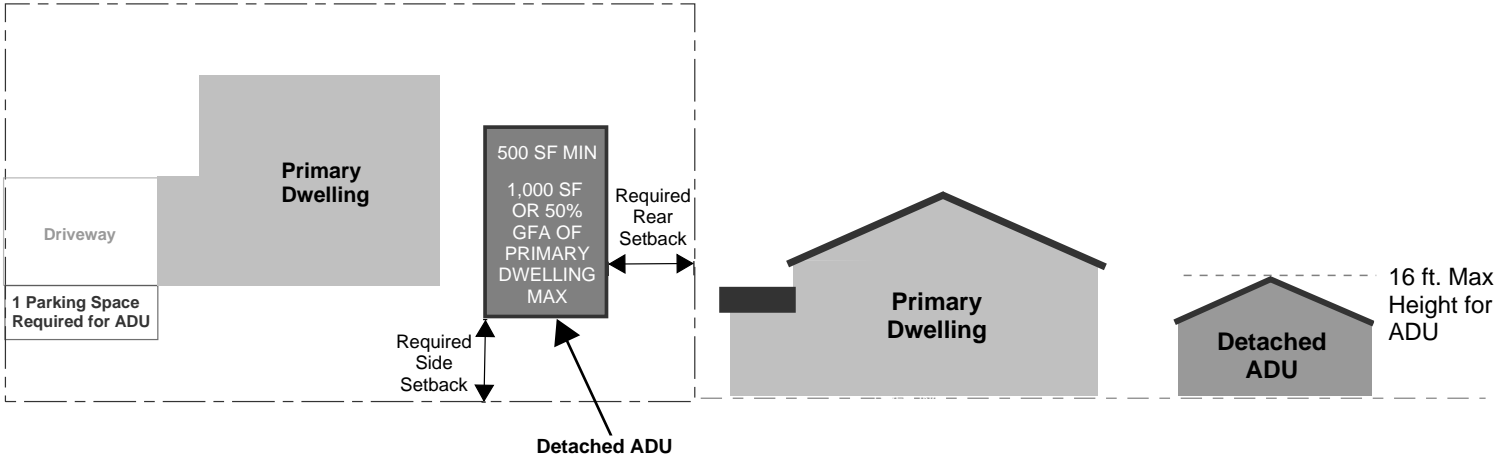
3. Water Service

Adding additional plumbing fixtures to an existing water service should be evaluated before submitting an application for a permit. A worksheet from the Building Inspection Division is included in this handout. Contact the Building Inspections Division for more information at 303-538-7250.

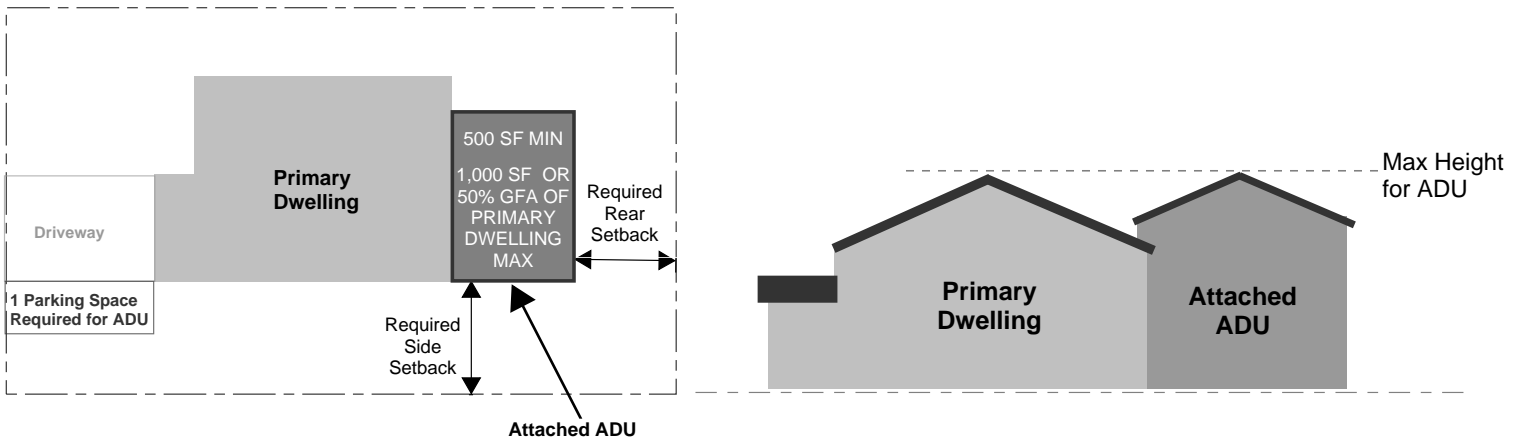
4. Sewer Service

Separate connection fees are required by the Metro Wastewater District for an ADU. The 2019 fee is \$4,270 per ADU. Fees are subject to change and may be more depending on water meter size requirements. Contact the Utility Billing Department at 303-539-7370 to arrange for payment.

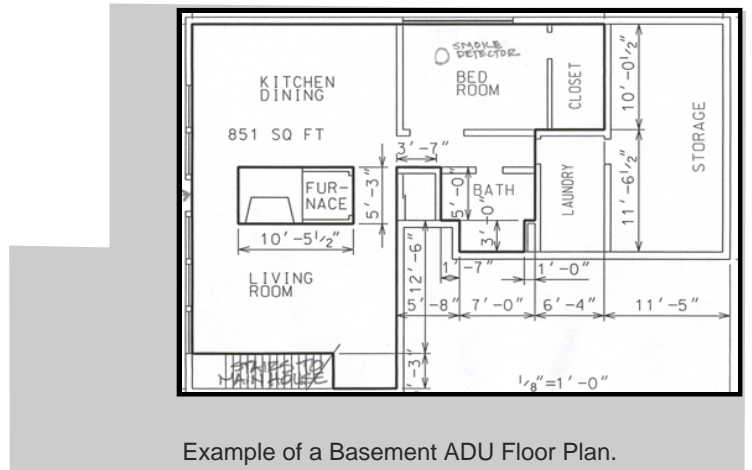
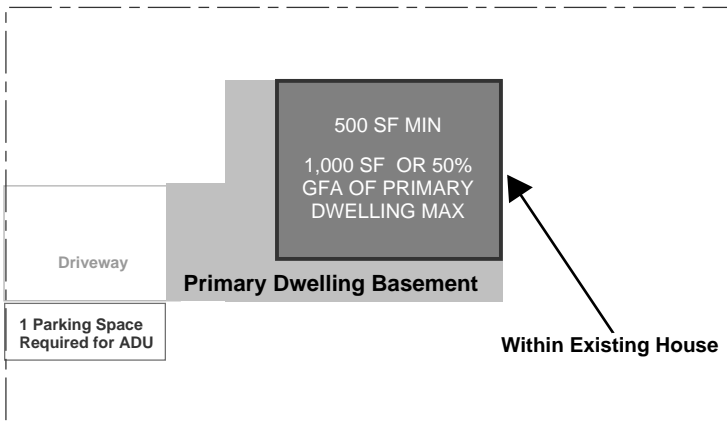
DETACHED ADU



ATTACHED ADU



WITHIN EXISTING PRIMARY DWELLING ADU



NOTE: Even if there are no exterior changes to the property, an ADU within an existing house will still require one additional off-street parking space as shown in the example above.

**RESTRICTIVE COVENANT TO PROPERTY
DECLARATION OF RESTRICTIONS**

THIS DECLARATION OF RESTRICTIONS (“**Declaration**”) is made this _____ day of _____, 20__ (“**Effective Date**”), by _____ (“**Declarant**”).

RECITALS

WHEREAS, Declarant is the owner of a certain parcel of real property in the City of Thornton, County of Adams, State of Colorado, more particularly described in **Exhibit A** attached hereto and made a part hereof (the “**Property**”); and

WHEREAS, Declarant is encumbering the Property as a condition to a request for issuance of a building permit by the City of Thornton for an accessory dwelling unit, as defined in the Thornton City Code.

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, Declarant for itself, its successors and assigns, does hereby agree that the Property shall be subject to and shall be used in conformance with the following restrictive uses.

AGREEMENT

1. Restrictions. The Property shall be subject to the following restrictions:
 - (a) The accessory dwelling unit shall not be sold separately from the principal dwelling unit, as described in the Thornton City Code, nor shall the lot on which it is situated be subdivided unless such subdivision has been approved by the city of Thornton in accordance with all provisions of Chapter 18 of the Thornton City Code; and
 - (b) The accessory dwelling unit shall comply with an approved minor development permit; and
 - (c) The certificate of occupancy for the accessory dwelling unit shall be in effect only so long as either the principal dwelling unit or the accessory dwelling unit is occupied by the Property owner of record as the owner’s permanent place of residence. A permanent residence shall mean the home which ones habitation is fixed to and to which ones, whenever they are absent, has a present intent to return, regardless of the duration of the absence.

2. Declaration Runs with the Land. The restrictions under this Declaration shall be deemed restrictive covenants and shall run with the land, shall be a benefit and a burden to the Declarant, their successors and assigns and any person acquiring an interest in the Property, their grantees, successors, heirs, administrators, devisees, or assigns.

3. Release of Restrictive Covenants. This Declaration may be terminated as to the Property only by recorded document, issued and executed by the City of Thornton, pursuant to applicable City of Thornton procedure.

4. Violation of Restrictive Covenants. Should the restrictive covenants be violated at any time, it shall be considered a violation of Chapter 18 of the Thornton City Code and the remedies described in Section 18-4 thereof shall be available to the City of Thornton. The Declarant shall be responsible for any and all costs, including but not limited to attorneys’ fees and costs, incurred by the City of Thornton for any enforcement actions brought for violations of these restrictive covenants.

5. Severability. All of the restrictions, covenants, agreements and conditions contained herein shall be construed together, but if it shall at any time be held by a court of competent jurisdiction that any

one of such restrictions, covenants, agreements or conditions, or any portion thereof is invalid or for any reason becomes unenforceable, no other restriction, covenant, agreement or condition contained therein shall be affected or impaired thereby.

6. Governing Law. This Declaration shall be construed, interpreted, and applied in accordance with the laws of the State of Colorado.

IN WITNESS WHEREOF, Declarant does hereby execute this Declaration to be effective as of the date first above written.

DECLARANT

STATE OF COLORADO)
) ss.
COUNTY OF ADAMS)

Acknowledged before me this ____ day of _____, 20____, by _____.

Witness my hand and official seal.

My Commission Expires: _____

Notary Public



PROJECT: _____
 ADDRESS: _____
 PHONE: _____

ENGINEER of RECORD: _____
 FIRM: _____
 ADDRESS: _____
 PHONE: _____

**PLUMBING DATA SHEET
 2012 IPC WATER FIXTURE UNIT CALCULATIONS**

* For Tenant Finish Applications, Provide Existing Water Meter Size ** Calculate the TOTAL FU's for ALL SPACES SERVED BY METER				Water Fixture Units	
				Fixture Units (F.U.) 2012 IPC	Total FU 2012 IPC
Fixture	Occupancy	Type of Supply	Quantity		
Bathroom Group	Private	Flush Tank		3.6	
Bathroom Group	Private	Flush Valve		8.0	
Bathtub	Private	Faucet		1.4	
Bathtub	Public	Faucet		4.0	
Bidet	Private	Faucet		2.0	
Combination Fixture	Private	Faucet		3.0	
Dishwashing Machine	Private	Automatic		1.4	
Drinking Fountain	Offices	3/8" valve		0.25	
Kitchen sink	Private	Faucet		1.4	
Kitchen sink	Hotel, restaurant	Faucet		4.0	
Laundry trays (1 to 3)	Private	Faucet		1.4	
Lavatory	Private	Faucet		0.7	
Lavatory	Public	Faucet		2.0	
Service sink / Mop basin	Offices	Faucet		3.0	
Shower head	Public	Mixing Valve		4.0	
Shower head	Private	Mixing Valve		1.4	
Urinal	Public	1" flush valve		10.0	
Urinal	Public	3/4" flush valve		5.0	
Urinal	Public	Flush Tank		3.0	
Washing Machine (8lbs)	Private	Automatic		1.4	
Washing Machine (8lbs)	Public	Automatic		3.0	
Washing Machine (15lbs)	Public	Automatic		4.0	
Water Closet	Private	Flush Valve		6.0	
Water Closet	Private	Flush Tank		2.2	
Water Closet	Public	Flush Valve		10.0	
Water Closet	Public	Flush Tank		5.0	
Water Closet	Public or Private	Flushometer Tank		2.0	
Hose Bib	Private	Faucet		3.0	
Hose Bib, each Additional	Private	Faucet		1.0	
Hose Bib	Public	Faucet		5.0	
Hose Bib, each Additional	Public	Faucet		1.0	
				Total Water F.U.:	

Peak Demand Estimate:	GPM
Additional Continuous GPM Flow (i.e. Irrigation Demand):	GPM
Total GPM:	GPM
Existing Meter Size (if applicable):	Inches
Required Water Meter Size:	Inches



Approved with City of Thornton Stamp in box above



Engineer of Record Stamp and Signature