



# ACCESSORY DWELLING UNITS

Community Development Department • Planning Division

## ACCESSORY DWELLING UNITS

Accessory dwelling units (ADUs) are small independent residential dwelling units located on the same lot as a principal one-family dwelling unit. Accessory dwelling units may be located within the principal dwelling unit, attached to the principal dwelling unit, or detached from the principal dwelling unit.

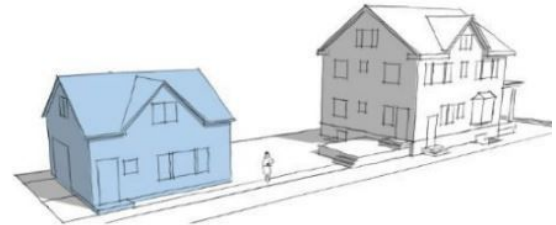
Mobile homes, travel trailers, recreational vehicles, shipping containers, storage containers, and other such temporary structures shall be prohibited for use as an accessory dwelling unit.



Internal



Attached



Detached

## FREQUENTLY ASKED QUESTIONS

### **What is an Accessory Dwelling Unit?**

An accessory dwelling unit (ADU) is a small independent residential dwelling unit located on the same lot as a principal one-family dwelling unit. Accessory dwelling units may be located within the principal dwelling unit, attached to the principal dwelling unit, or detached from the principal dwelling unit.

### **How many Accessory Dwelling Units can I have, and how big can an Accessory Dwelling Unit be?**

On properties with zoning that include single-family residential uses, property owners may have a maximum of one (1) Accessory Dwelling Unit.

Accessory Dwelling Units are restricted to 50% of the principal dwelling unit's footprint (excluding garage, porch, or similar areas) or 800 square feet, whichever is less.

### **How many people can there be living in an Accessory Dwelling Unit?**

Regardless of the size of the unit, there is a maximum occupancy of two (2) people for an Accessory Dwelling Unit.

### **Does the owner need to live in the principal dwelling unit?**

The property owner must live in either the principal dwelling unit, or the accessory dwelling unit.

### **What if my principal dwelling unit uses an on-site wastewater treatment system (septic tank)?**

If your home uses an on-site septic system, you will need to coordinate with the Health Protection Division of Health and Human Services to determine if your on-site wastewater treatment system has adequate capacity or needs to be modified in order to accommodate the proposed Accessory Dwelling Unit. They can be reached at [publichealth@broomfield.org](mailto:publichealth@broomfield.org) or at (720) 887-2220.

### **What materials do I have to use for my Accessory Dwelling Unit?**

Accessory dwelling units shall be designed to be consistent with the design of the principal dwelling unit.

If the property is within a development that is subject to an applicable zoning or site plan document or code requirement that includes design requirements for a single family residential units, the ADU shall be required to meet those design requirements.

ADUs located in developments with no specific design standards shall be required to provide no less than 50% of the exterior wall surfaces in a material similar to the principal structure.

### **How many parking spaces do I need for an Accessory Dwelling Unit?**

A minimum of one (1) off-street parking space shall be required for an accessory dwelling unit. Such parking is in addition to the required parking for the principal dwelling unit.

**How will utilities be provided?**

Accessory Dwelling Units must tie into the principal dwelling unit's water and sewer connections, and will not require separate water or sewer taps, or water or sewer licenses.

You will need to contact other utility providers for applicable telephone, television, electrical, gas and internet service to determine how those utilities can be provided.

**Does an Accessory Dwelling Unit need to meet setbacks?**

Accessory dwelling units must meet applicable setback requirements for the zone district of the property.

**What cannot be used as an accessory dwelling unit?**

Mobile homes, travel trailers, recreational vehicles, shipping containers, storage containers, and other such temporary structures shall be prohibited for use as an accessory dwelling unit.

**REVIEWS AND PERMITS REQUIRED**

A building permit for Accessory Dwelling Units is required. Please use the General Permit Application form ([available here](#)). Contact the Building Division to determine what supporting documents will be required as part of your building permit submittal. Property owners will be required to record a Declaration of Use which will state the size and location of the accessory dwelling unit and shall reference that the accessory dwelling unit must remain in compliance with the regulations contained within the Municipal Code. HOA's may have different rules and regulations, you should check with your HOA prior to submitting a permit.

**DISCLAIMER**

This document is intended to provide a brief explanation of Accessory Dwelling Unit regulations in the City and County of Broomfield. Due to space limitations, only select portions of the Broomfield regulations have been included here. This brochure should not be relied upon as a final source of information. Always refer to the Broomfield Municipal Code to get complete and up-to-date information concerning Broomfield's regulations. The full regulations can be found in Section 17-04-089 of the Broomfield Municipal Code.



Accessory Dwelling Unit - Planning Review Checklist

For general information on Accessory Dwelling Units (ADUs), please consult the Frequently Asked Questions on the Planning web page. This ADU Checklist should be completed by the property owner/applicant, signed by the owner, and submitted to the Building Division with the Building Permit application for the proposed ADU. This checklist is intended to help the homeowner submit the necessary accompanying information to facilitate the Planning Division's review of the Building Permit application. Please consult the Buildings Division website (link above) prior to application to determine additional permit review requirements.

Owner/Applicant, Property Location, and Type of ADU

Owner's Name: \_\_\_\_\_

Property Address: \_\_\_\_\_ Zoning (if known): \_\_\_\_\_

Please indicate the type of proposed ADU (check one):

- Within the existing home?
Addition to the existing home?
Detached behind or next to the existing home?

Owner hereby affirms the following:

- This will be the only ADU on the property.
The owner will live in either the principal residence or the ADU as their primary residence.
There will be no more than 2 people living in the ADU.
The ADU will not be used as a short term rental. Refer to BMC chapter 5-39 for definition of short-term rental.
The property will provide at least 3 off-street parking spaces (garage and/or driveway). Note: The off street parking space shall be consistent with the requirements established in section 17-32-080 of the Broomfield Municipal Code (BMC).

Property Details

Size of:

- The first floor of the principal residence: \_\_\_\_\_ square feet. Note: Exclude the garage, porch and similar square footage from this calculation.
The proposed ADU: \_\_\_\_\_ square feet. Note: ADU must not exceed 50% of the square footage of the first floor footprint of the principal residence or 800 sf; whichever is less.

Does this property use an on-site septic system (yes or no): \_\_\_\_\_

- If yes, owner acknowledges they have contacted or will contact Environmental - Public Health for more information regarding this separate review.

<b>Plot Plan</b>	
<p><b>Select one:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The ADU will be located within the existing home. No plot plan required.</li> <li><input type="checkbox"/> The ADU will be either an attached or detached unit on the property. A plot plan is required.                      Note: Plot plan should show the proposed improvements including the existing footprint and size of the principal residence, any existing accessory structures such as garages, sheds and decks, the proposed improvements associated with the ADU, and associated setbacks and building separations. If available, please use the improvement location certificate (ILC) for your property.</li> </ul>	
<b>Declaration of Use</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Owner has completed the Declaration of Use and agrees to record this document if applicable. Refer to Declaration of Use statement and <a href="#">BMC 17-32-160(J)</a>.</li> </ul>	
<b>Design Requirements</b>	
<p>To preserve the appearance of the single-family dwelling and the greater residential community, accessory dwelling units shall be designed in the following manner:</p> <ul style="list-style-type: none"> <li>❖ The design of the accessory dwelling unit shall be consistent with the design of the principal dwelling unit by use of similar architectural style(s), exterior wall material(s) and color(s), window type(s), door and window trim(s), roofing material(s) and roof pitch and color(s).</li> <li>❖ If the entrance to the accessory dwelling unit is visible from an adjacent street, it shall be designed in a manner as to be clearly subordinate to the entrance of the principal dwelling.</li> </ul>	
<p><b>Note, at least one of the three options below will apply. Please consult with the Planning Division for assistance with these requirements. Contact: <a href="mailto:Planning@Broomfield.org">Planning@Broomfield.org</a></b></p> <p>Proposed ADUs located within a development that is subject to an applicable site development plan and/or planned unit development plan, or overlay district which includes design requirements for a single family residential units shall be required to meet those design requirements. Proposed ADUs located in developments with no specific design standards shall be required to meet applicable standards listed below.</p> <p><b>I have consulted with the Broomfield Planning Division and:</b></p> <p><b>Determined my property:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Is not located within a PUD or Overlay Area                     <ul style="list-style-type: none"> <li><input type="checkbox"/> At least 50% of the exterior wall surfaces is in a material similar to the principal structure.</li> <li><input type="checkbox"/> Walls facing the street must consist of at least 50% of the material used in the principal structure.</li> </ul> </li> <li><input type="checkbox"/> Is subject to an approved Site Development Plan and/or PUD Plan and will comply.</li> <li><input type="checkbox"/> Is subject to Overlay District requirements and will comply.</li> </ul>	
<p><b>Utility Services:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> By checking this box, the owner acknowledges that, with the exception of telephone, television, electrical and internet service, accessory dwelling units must be served through the utility services of the principal dwelling unit and shall not have separate services.</li> </ul>	
<b>Homeowner Signature</b>	
<p>_____</p> <p>Owner's Signature</p>	<p>_____</p> <p>Date</p>

## Broomfield Municipal Code Regulations Regarding Accessory Dwelling Units Chapter 17-32-160

Accessory dwelling units are permitted accessory uses in all zoning districts which establish single-family residential uses as a permitted use, subject to the following conditions:

- (A) A single-family dwelling must exist as a principal dwelling unit on the lot or be constructed in conjunction with the accessory dwelling unit.
- (B) Only one accessory dwelling unit shall be allowed for each parcel.
- (C) Accessory dwelling units may be located within the principal dwelling unit, attached to the principal dwelling unit, or detached from the principal dwelling unit.
  - i. Attached accessory dwelling units, and detached accessory dwelling units that do not meet the minimum separation distance from the principal structure as established by the applicable zone district shall be required to meet all principal structure setbacks of the applicable zone district.
  - ii. Detached accessory dwelling units may be located in the required side and rear yard of a principal structure, provided that such accessory dwelling unit meets established accessory building setback requirements for the applicable zone district, but in no case less than five feet from any property line. No accessory dwelling unit shall be permitted in front of the principal structure or its elevation plane.
- (D) The square footage of the accessory dwelling unit shall be no larger than 50% of the principal dwelling unit footprint or 800 square feet, whichever is less. Square footage calculations, as contained herein, exclude any related garage, porch or similar area for the principal dwelling unit and accessory dwelling unit.
- (E) *Parking.* A minimum of one off-street parking space shall be required for an accessory dwelling unit. Such parking is in addition to the required parking for the principal dwelling unit. The off street parking space shall be consistent with the requirements established in [section 17-32-080](#) of the B.M.C.
- (F) The maximum occupancy for any accessory dwelling unit shall be two people.
  - i. The property owner shall be required to occupy as their primary residence either the principal structure or the accessory dwelling unit on the lot.
  - ii. Accessory dwelling units shall not be eligible for use as a short term rental, as defined in [chapter 5-39](#) of the Broomfield Municipal Code.
- (G) To preserve the appearance of the single-family dwelling and the greater residential community, accessory dwelling units shall be designed in the following manner:
  - i. The design of the accessory dwelling unit shall be consistent with the design of the principal dwelling unit by use of similar architectural style(s), exterior wall material(s) and color(s), window type(s), door and window trim(s), roofing material(s) and roof pitch and color(s).
    - 1. Proposed ADUs located within a development that is subject to an applicable site development plan and/or planned unit development plan, or overlay district which includes design requirements for a single family residential units shall be required to meet those design requirements.
    - 2. Proposed ADUs located in developments with no specific design standards shall be required to provide no less than 50% of the exterior wall surfaces in a material similar to the principal structure. Walls facing the street must consist of at least 50% of the material used in the principal structure.
  - ii. If the entrance to the accessory dwelling unit is visible from an adjacent street, it shall be designed in a manner as to be clearly subordinate to the entrance of the principal dwelling.
- (H) With the exception of telephone, television, electrical and internet service, accessory dwelling units must be served through the utility services of the principal dwelling unit and shall not have separate services.
  - i. As part of the application review process, any lot proposing to add an ADU which uses an on-site septic system shall be required to have their proposal reviewed by the Health and Human Services Department to verify that there is adequate capacity in the septic system to accommodate the proposed ADU. All septic system modifications to modify capacity shall require Health and Human Service Department review.
- (I) Home occupations may take place within any accessory dwelling unit approved or lawful pursuant to this section. However, home occupations taking place in any accessory dwelling unit shall comply with [section 17-32-020](#).
- (J) All property owners shall record a declaration of use which will state the size and location of the accessory dwelling unit and shall *reference* that the accessory dwelling unit must remain in compliance with the regulations contained within the municipal code pertaining to accessory dwelling units. For detached accessory dwelling units this declaration shall be recorded prior to the issuance of certificate of occupancy.
- (K) Mobile homes, travel trailers, recreational vehicles, *shipping containers*, *storage containers*, and other such temporary structures shall be prohibited for use as an accessory dwelling unit.  
( [Ord. No. 2097](#), § 5, 10-8-19)

## Declaration of Use of an Accessory Dwelling Unit

*Pursuant to [Broomfield Municipal Code 17-32-160\(J\)](#), all property owners shall record a declaration of use which will state the size and location of the accessory dwelling unit and shall reference that the accessory dwelling unit must remain in compliance with the regulations contained within the municipal code pertaining to accessory dwelling units. For detached accessory dwelling units this declaration shall be recorded prior to the issuance of certificate of occupancy.*

I, \_\_\_\_\_ (please print), as (an) owner of  
the residential property located at \_\_\_\_\_ (property address),

hereby declare that:

- I have applied for and received a Building Permit to add an accessory dwelling unit to my property;
- The subject accessory dwelling unit is \_\_\_\_\_ sf in size and the type of ADU is (check one):
  - Within the existing home
  - Attached to the existing home
  - Detached from the existing home\*

\*Note, a detached ADU requires recordation of this Declaration

- I will comply with all applicable regulations contained within the Broomfield Municipal Code pertaining to accessory dwelling units, as may be amended; and
- I will record this ***Declaration of Use*** prior to the Broomfield Buildings Division issuing a certificate of occupancy for the subject ADU and will provide a copy of the recorded document to the Broomfield Buildings Division.

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date