

Planning and Zoning ADU Ordinance Recommendations and [Town Manager Notes](#)

Town of Lake City and Hinsdale County adopted a Comprehensive Housing Plan that identifies Accessory Dwelling Units (ADUs) as one of the easiest and quickest ways to address the local housing shortage with minimal infrastructure impact.

The Colorado General Assembly enacted House Bill 24-1152 (codified at C.R.S. §§ 29-35-101 et.seq), which requires subject jurisdictions ([population 1,000+](#)) to allow ADUs by-right through an administrative staff-level review process.

The State of Colorado definition of an Accessory Dwelling Unit, as set forth in C.R.S. 29-35-102(2) and HB 24-1152, is as follows: “Accessory dwelling unit means an internal, attached, or detached dwelling unit that: a) Provides complete independent living facilities for one or more individuals; b) Is located on the same lot as a proposed or existing primary residence; and c) Includes facilities for living, sleeping, eating, cooking, and sanitation.”.

The Lake City Planning & Zoning Commission, at its meetings on February 26, April 2, and April 23, 2026, reviewed the matter and recommended the amendments set forth below, which align with HB 24-1152, the state definition above and the Town and County adopted Comprehensive Housing Plan.

The P&Z Commission further recommends the following initial ADU Supportive Jurisdiction Strategy be adopted by the Town to receive DOLA designation as a ADU supportive jurisdiction: STR Prohibition — restricting ADUs to long-term rentals only to protect year-round workforce housing stock.

Planning and Zoning Recommendations for ADU Ordinance:

Accessory Dwelling Units.

1. Purpose and Intent. ADUs are intended to provide long-term workforce housing for year-round workforce and aging-in-place occupants. ADUs [constructed under the provisions of this ordinance](#) shall not be used for short-term rentals, office space, or guest quarters.
2. Definitions to be adopted
 - a. “Accessory Dwelling Unit (ADU): The Town hereby adopts the State of Colorado definition set forth in C.R.S. 29-35-402(2) and HB 24-1152: ‘Accessory dwelling unit means an internal, attached, or detached dwelling unit that (a) provides complete independent living facilities for one or more individuals; (b) is located on the same lot as a proposed or existing primary

residence; and (c) includes facilities for living, sleeping, eating, cooking, and sanitation.’ An ADU may be internal (e.g., basement apartment), attached, or detached (e.g., backyard cottage).” (Current ADU definition:

“Accessory dwelling unit means a single-family dwelling unit that is attached to a single-family home or a private garage. The minimum floor area of an accessory dwelling unit shall be 440 square feet, and the maximum floor area of an accessory dwelling unit shall be 1,800 square feet.” This only applies to the rural zoning district.)

- b. “Workforce Occupant: The Town hereby adopts the following definition for Workforce Housing Occupants: “Workforce Occupant means an individual employed a minimum of thirty (30) hours per week within Hinsdale County or an adjoining county”
- c. “Aging-in-Place Occupant: The Town hereby adopts the following definition for Aging-In-Place Occupants: “Aging-in-Place Occupant means an individual who is sixty (60) years of age or older, or who receives federal or state disability benefits, and who has resided in Hinsdale County for a minimum of one (1) year prior to occupancy.”

3. Permitted Zoning Districts and Approval Process

- a. ADUs be permitted as a use-by-right (administrative staff-level review, no public hearing required) in the Rural, R-1, Rural Estate, LM, T, T-1, and MHR zoning districts. (Currently only the Rural District allows one attached ADU per single family dwelling unit that’s 440 sq feet to 1800 sq feet.)

4. Development Standards

- a. Location & Design: An ADU may be internal, attached to the primary dwelling, over a garage, or detached on the same lot. Every ADU shall have a separate, dedicated entrance that is not part of the primary dwelling.
- b. Size: Minimum 200 square feet; maximum 1,000 square feet of floor area
- c. Parking: One parking space per ADU (DOLA ADU Technical Planner said this is problematic since state law prohibits requiring construction of a new parking space in conjunction with an ADU. She said we can only require parking if the three conditions below are met.). Additional parking shall be required only if the property meets all three conditions set forth in C.R.S. 29-35-403.

The three conditions are:

- i. The property does not have an existing off-street parking space, including a driveway, garage, or tandem parking space, that could be used for the ADU;

- ii. The property is located in a zoning district that, as of January 1, 2024, required one or more parking spaces for the primary dwelling unit; and
 - iii. The property is located on a block where on-street parking is prohibited for any reason, including to ensure emergency access.
- d. Water & Sewer Service: ADU's may utilize a common water and/or sewer tap from the primary residence where feasible and with written approval from the Town according to the conditions of and application for connection in Sec. 21-22 of the Lake City Municipal Code.
- e. Prohibited Structures: All ADU's must be placed upon a foundation. Recreational vehicles, campers, trailers, motor homes, and temporary structures are prohibited as ADU's. Modular prefabricated units are allowed subject to staff review.
- f. Accessibility: Accessibility features meeting visitability or ADA standards are encouraged.
- g. Compliance with Other Codes: All ADUs shall comply with adopted building, fire, and energy codes. ADUs located in the Historic District shall also comply with Lake City Historic Preservation District Certificate of Appropriateness requirements. Prior to occupancy, all required permits and inspections shall be completed.
- h. ADU Supportive Strategies: STR Prohibition. All ADUs approved under this ordinance shall be restricted to long-term rentals with a minimum tenancy of thirty-one (31) days. No ADU approved under this ordinance shall be rented or otherwise used as a short-term rental as defined under the Town's short-term rental regulations.