

State Legislation Promoting Accessory Dwelling Units (ADUs) Passes Its First Hurdle

An oft-mentioned priority of Gov. Polis and others has been to increase the housing supply throughout Colorado. One of the most successful programs has been the promotion of "Transit Oriented Development," which has manifested itself in the construction of medium- and high-rise buildings near light-rail stations.

Another strategy has been to promote and facilitate the construction of Accessory Dwelling Units (ADUs) in areas zoned for single-family homes.

The ADU movement has met some resistance in certain circles, and would be impractical in many subdivisions with small lot sizes and no alleys. Because most local jurisdictions have required ADUs to have separate access and one designated parking space, it hasn't been a viable option for most single-family homes in newer subdivisions — if the HOA would allow it.

Now there's a bill (HB24-1152) that just passed the House Committee on Transportation, Housing and Local Government, which would require HOAs (and developers of new subdivisions) to allow ADUs without undue restrictions. The bipartisan vote was 9-2, and the bill is now going to the House Appropriations Committee for approval before

going to the floor of the House and then the Senate.

The prime sponsors in the House are Rep. Ron Weinberg (R-Larimer County) and Judy Amabile (D-Boulder, et al.). The prime sponsors in the Senate are Sen. Kyle Mullica (D-Adams County), and Sen. Tony Exum (D-El Paso County).

The official title of the bill is "Concerning increasing the number of accessory dwelling units." Read the bill at <http://RealEstateToday.substack.com>.

The bill specifically applies to Colorado's metro areas, specifically to areas with a minimum 1,000 population served by a "Metropolitan Planning Organization." There are only five MPOs in Colorado. The one serving the Denver metro counties (plus Clear Creek

and Gilpin) is the Denver Regional Council of Governments, or DRCOG.

Section 1 of the bill, as introduced, requires subject jurisdictions to allow one ADU, where practical, for any home zoned single-family detached, and it prohibits a jurisdiction from enacting or enforcing laws that restrict the construction or conversion of ADUs.

My home city of Golden allows ADUs, and I have seen them permitted above detached garages (a great application of the concept), and in walk-out basements. The required parking space could be a separate driveway or one space in a multi-car

garage. It would be hard to create an ADU in a single family home on a small lot without a walk-out basement or room for a separate structure.

Every jurisdiction subject to the law, if passed, would be required to report to the Division of Local Government that it has met the law's requirements *and* developed one or more strategies to "encourage and facilitate" the construction of ADUs.

The bill also establishes a grant program within the Division to help local jurisdictions create their plans and strategies, reduce permitting fees, and provide technical assistance to builders and owners.

It also empowers the Colorado Economic Development Commission to expend \$8 million on a contract with the Colorado Housing and Finance Authority (CHFA) to provide affordable loans, interest rate buy-downs, and down payment assistance plus direct loans related to the construction and conversion of ADUs.

Accessory dwelling units facilitated by the proposed law won't

make a huge dent in the housing crisis, but they have other benefits. For starters, it will help homeowners create a revenue stream that could help them keep their home.

One of the rules for allowing ADUs in Golden and elsewhere is that the owner of the property must live on the premises — either in the main house or in the ADU. In other words, an owner or investor couldn't add an ADU and have two rental units. HB24-1152 disallows that requirement.

My thanks to reader John Phillips, who alerted me to this bill and attended the committee hearing at which it was debated and approved. John's business builds ADUs under the name **Verdant Living**. You can reach him at 303-717-1962. He is happy to answer any questions you might have about ADUs. His web-

Follow-up on Propane: Last week's article on propane as a backup energy source neglected to point out that some jurisdictions prohibit propane tanks when natural gas is available—within 300 feet in the case of Denver.

REAL ESTATE TODAY



By JIM SMITH Realtor®

2-BR Arvada Condo Just Listed by Kathy Jonke

Here is a rare opportunity to own a spacious 2-bedroom, 2-bathroom, garden-level condo at **7700 Depew Street #1501** in the well-maintained Wood Creek community that includes a pool and ample parking for you and your guests. Step inside to an open living room with a wood-burning fireplace and built-in shelves, dining area with patio doors and an all-white kitchen with tile floors. There is a bar-height counter between the living room and kitchen, providing an additional seating option. The living and dining rooms are carpeted and freshly painted in a soft neutral color. The two bedrooms are at opposite ends of the condo, separated by the living area. Both bedrooms have extensive closet space. The primary bedroom has two bi-fold doors accessing one closet plus a linen closet. Your private covered patio off of the dining room has a secure storage closet with plenty of room for bikes and additional items on the built-in shelves. There is also a full-size laundry room in the unit with three overhead cabinets and a hanging rod. The washer and dryer are included. Wood Creek is located within minutes of the Denver-Boulder Turnpike. Little Dry Creek trail is right outside your door. Walk to parks, shops, restaurants and transit. View a narrated video walk-through plus magazine-quality still photos at www.GRElistings.com, then call listing agent **Kathy Jonke** at **303-990-7428** to request a showing. If you prefer, you can come to the open house she will be holding this **Saturday, March 9th, from 11 a.m. to 1 p.m.**



Applewood Patio Home Listed by Chuck Brown

This 4-bedroom home at **14997 W. 32nd Place** backs to the largest of the Coors ponds, which is a nature lover's dream, hosting many species of wildlife including birds, coyotes, bobcats, deer, and elk. There are numerous hiking and biking trails less than a mile away on South Table Mountain, and Rolling Hills Country Club and Applewood Golf Course are each a few blocks away. Vibrant downtown Golden is 3 miles to the west, and I-70 is 2 miles to the east. The front door opens to a 1900-sq.-ft. main level overlooking the Coors pond. The primary suite has high ceilings and also overlooks the pond. A guest bedroom is at the front of the home with an ensuite bathroom. The lower-level walkout basement features 2 more bedrooms, a kitchenette, and a large rec room with built-in bar. The lower level could function as a space to house a caregiver. Enjoy the large main-level deck with it great views of the pond and mountains. It has plenty of room for a table, chairs and grill. The attached garage holds two cars with room to park more in the driveway. The owner says the HOA is well run, and the \$360 monthly dues pay for front/back yard maintenance, irrigation maintenance and common area fences, snow removal up to the porch and garage, trash and recycling collection, street maintenance and common area maintenance. It has been four years since a home was listed for sale in this neighborhood, which tells you how much people like living here. View a narrated video walk-through plus drone video at www.GRElistings.com, then call listing agent **Chuck Brown** at **303-885-7855** to request a showing. Or come to the **open house on Saturday, March 9th, from 11 a.m. to 1 p.m.**



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"Concentrate on giving, and the getting will take care of itself." —Anonymous