

# Property Owner's Certificate of Compliance

---

## Accessory Dwelling Unit (ADU)

*Effective Date: November 1, 2018*

***The undersigned property owner certifies that the attached Building Permit Application for Accessory Dwelling Unit (ADU) is in compliance with the following list of standards, regulations and requirements for ADUs per Garfield County's Land Use & Development Code as amended on October 15, 2018.***

1. **Floor Area** – Maximum floor area of ADU shall not exceed 1,000 square feet (excluding garage).
2. **Ownership Restriction** – ADU is restricted to leasehold interest (cannot be sold or subdivided).
3. **Minimum Lot Area** – Subject parcel must meet Garfield County's minimum lot size requirements as defined by applicable zone district in Land Use & Development Code, Table 3-201.
4. **One ADU per Lot** – A maximum number of one ADU is allowed per lot.
5. **Legal Access** – Property Owner confirms legal access to proposed ADU as illustrated on site plan.
6. **Water** – Property Owner represents that they have notified either: (a) their water supplier to address additional tap fees (if applicable) or (b) State of Colorado's Division of Water Resources to secure any necessary water rights to supply legal water to the ADU.
7. **Sewer** – Property Owner represents that they have notified either: (a) their sewer & wastewater provider to address additional tap fees (if applicable) or (b) alternately, if an on-site wastewater treatment system (OWTS) is employed, limitations on the number of occupants using the ADU shall not exceed maximum recommendations of existing/proposed septic system per State of Colorado's OWTS standards.

---

***\*PLEASE NOTE:*** *This form will be digitally scanned into the Community Development Department's office records and will be available for public view and reference in any future title searches for the subject property.*

---

**I hereby acknowledge having read the preceding checklist and agree to abide by these requirements.**

\_\_\_\_\_  
 Property Owner(s) Signature

\_\_\_\_\_  
 Date

**OFFICE USE ONLY:**

**Assessor's Parcel Number ID Number:** \_\_\_\_\_

**Building Permit Number Reference:** \_\_\_\_\_

**DIVISION 7. ADDITIONAL STANDARDS FOR RESIDENTIAL USES.****7-701. ACCESSORY DWELLING UNIT & SECONDARY DWELLING UNIT**

A lot may be permitted to have either an Accessory Dwelling Unit or a Secondary Dwelling Unit in addition to a Single-Unit Dwelling, but not both.

**A. Accessory Dwelling Unit Standards**

- 1) **Maximum Floor Area.**  
The Floor Area of an ADU shall not exceed 1,000 square feet.
- 2) **Ownership Restriction.**  
An ADU is restricted to leasehold interest in the dwelling unit and is for residential or Home Office/Business use only.
- 3) **Compliance with Building Code.**  
Construction shall comply with the standards set forth in this Code and with Building Code requirements.
- 4) **Minimum Lot Area.**  
The minimum Lot Size for an ADU is the minimum lot size in that zone district.
- 5) **One per Lot.**  
One Accessory Dwelling unit which is subordinate to a Single-Unit (primary) dwelling unit is allowed per legal lot.

**B. Secondary Dwelling Unit Standards**

- 1) **Maximum Floor Area.**  
The Floor Area of a Secondary Dwelling Unit shall not exceed 1,500 square feet for a lot less than 4 acres. The Floor Area of a Secondary Dwelling Unit shall not exceed 3,000 square feet for any lot 4 acres or greater.
- 2) **Ownership Restriction.**  
A Secondary Dwelling Unit is restricted to leasehold interest in the dwelling unit and is for residential or Home Office/Business use only.
- 3) **Compliance with Building Code.**  
Construction shall comply with the standards set forth in this Code and with Building Code requirements.
- 4) **Minimum Lot Area.**  
The minimum Lot Size for a Secondary Dwelling Unit is either:
  - a. 2 acres, or
  - b. For lots in zone districts with a minimum Lot Size of less than 2 acres, the minimum Lot Size is twice the minimum required Lot Size.
- 5) **One per Lot.**  
One Secondary Dwelling unit which is subordinate to a Single-Unit (primary) dwelling unit is allowed per legal lot.

## ARTICLE 15: DEFINITIONS:

---

**Dwelling Unit.** A building or a portion of a building used exclusively for residential occupancy, including Single-unit Dwellings, Accessory Dwelling Units, Secondary Dwelling Units, 2-unit dwellings, and multi-unit dwellings.

**Dwelling Unit, 2-Unit.** A single building consisting of 2 dwellings that does not include any combination of an Accessory Dwelling Unit and/or a Single Unit Dwelling.

**Dwelling Unit, Accessory.** A dwelling unit, 1,000 square feet or less in floor area, considered accessory to a Single-Unit Dwelling for use as a complete independent living facility. The Accessory Dwelling Unit shall be located on the same lot and may be attached to or detached from the Single-Unit Dwelling.

**Dwelling Unit, Attached.** A residential building containing dwelling units, each of which has primary ground floor access to the outside and which are attached to each other by legally divided party walls without openings. The term is intended primarily for such fee simple title ownership of dwelling types as townhouses and duplexes.

**Dwelling Unit, Detached.** A single-unit dwelling that meets the Building Code.

**Dwelling Unit, Multi-Unit.** A dwelling containing 3 or more dwelling units, not including hotels, motels, fraternity and sorority houses, and similar group accommodations.


**Dwelling Unit, Secondary.** A dwelling unit, greater than 1,000 square feet in floor area, considered secondary to a Single-Unit Dwelling for use as a complete independent living facility. The Secondary Dwelling Unit shall be located on the same lot and may be attached to or detached from the Single-Unit Dwelling.

**Dwelling Unit, Single Family or Single-Unit.** A building or portion of a building designed exclusively for residential occupancy. A single structure with 1 or more rooms designed to function as a single living facility and containing kitchen facilities plus living, sanitary, and sleeping facilities.

# EXHIBIT A

## Accessory Dwelling Unit Changes

Table 3-403: Use Table														
<i>/P/ By Right /A/ Administrative Review /L/ Limited Impact Review /M/ Major Impact Review /●/ Exempt from County Review and Standards</i>														
Use Category	Use Type	Residential Districts				Nonresidential Districts				Resource Land Zone Districts				Unless exempted, all uses must comply with Article 7 Standards including Use-Specific Standards.
		R	RS	RU	RM HP	CL	CG	I	PL	RL P	RL E	RL TS	RL GS	
<b>AGRICULTURAL AND ANIMAL-RELATED USES</b>														
General	Agriculture	P	P						●	P	P	P	P	EXEMPT
	Building or Structure Necessary to Agricultural Operations, Accessory	P	P						●	P			P	EXEMPT
	Forestry	P	P						●	P	P	P	P	EXEMPT
Products Processing, Storage, Distribution, and Sale	Off-Site	A				L	L	L	●	P	P	P	P	
	At Point of Production	P	P	P	P	P	P	P	●	P	P	P	P	EXEMPT
Animals and Related Services	Animal Sanctuary	P							●	P			P	7-601
	Animal Processing	M				M	M		●					7-602
	Feedlot, Commercial	M					M		●				M	
	Kennel, Small	L	M			L	L	A	●	L			L	7-603
	Kennel, Large	M				L	L	A	●	L			L	7-603
	Riding Stable	P	P						●	P			P	
	Veterinary Clinic	A	A			L	L	A	●				L	7-604
<b>RESIDENTIAL USES</b>														
Household Living	Dwelling, Single-Unit (per legal lot)	P	P	P	P	P	P		●	P			P	
	Dwelling, 2-Unit	A	A	A	A	A	A		●					
	Dwelling, Multi-Unit	L	L	A	L	L	L	L	●					
	Dwelling Unit, Accessory	P	P	P	P	P	P	P	●	P	P	P	P	7-701
	Dwelling Unit, Secondary	A	A	A	A	A	A	A	●	A	A	A	A	7-701


  
**Land Use Table updated to reflect new definitions of ADUs and Secondary Dwelling Units**

**Minimum Lot Size Requirements  
for ADUs Vary by Zone District**

**Table 3-201: Zone District Dimensions**

Legend R=Residential NR=Nonresidential C=Commercial NC=Noncommercial	Lot Size			Setbacks (feet)			Height (feet) 3,4,5	
	Minimum Lot Area <sup>1</sup>	Maximum Lot Coverage (%)	Maximum Floor Area Ratio	Front		Rear		Side <sup>2</sup>
				Arterial	Local			
Zone District								
Rural <b>R</b>	2 acres	R: 15	N/A	50	25	25	10	R: 25 NR: 40
Residential - Suburban <b>RS</b>	20,000 s.f.	50	50%	50	25	25	10	25
Residential - Urban <b>RU</b>	7,500 s.f.	50	50%	50	25	25	10	25
Residential-Manufactured Home Park <b>MHP</b>	2 acres	50	--	50	25	25	10	25
Commercial - Limited <b>CL</b>	7,500 s.f.	NC: 75 C: 85	50%	50	25	R: 25 C: 7.5	10	40
Commercial - General <b>CG</b>	7,500 s.f.	NC: 75 C: 85	50%	50	25	R: 25 C: 7.5	10	40
Industrial <b>I</b>	21,780 s.f.	75	N/A	50	25	25	10	40
Plateau <b>RLP</b>	35 acres	--	--	25	25	25	25	50
Escarpment <b>RLE</b>	35 acres	--	--	25	25	25	25	50
Talus Slopes <b>RLTS</b>	35 acres	--	--	25	25	25	25	50
Gentle Slopes <b>RLGS</b>	35 acres R: 2 acres	R: 15	--	25	25	25	10	75
Public Airport <b>PA</b>	--	--	--	Subject to FAA, FAR Part 77, Airport Layout Plan, Building Codes, and other applicable Federal, State, and local standards and regulations				
Public Lands <b>PL</b>	--	--	--	--	--	--	--	--

1. Unless otherwise required by section 7-105, Adequate Central Water Distribution and Wastewater System.
2. Or ½ of building height, whichever is greater.
3. Telecommunication Facilities may exceed maximum height provided they are reviewed (if required) and approved pursuant to Table 3-403, Use Table.
4. Parapet walls may exceed building height limitations by 4 feet.
5. Stacks, vents, cooling towers, elevator cupolas, towers, and similar noninhabitable building appurtenances, and cupolas, spires, and belfries constructed as part of a Place of Worship shall be exempt from height limitations.