



**DOUGLAS COUNTY COMMISSIONERS
WORK SESSION**

**Tuesday, February 13, 2024
(In Office and Remote)**

A G E N D A

(Times listed are estimates and may fluctuate depending
on length of discussion.)


Time*

3:00 p.m.

**Potential Approach to Increasing Opportunities
For Accessory Dwelling Units**

Energy Efficiency Block Grant Update

Agenda Item

DATE: FEBRUARY 13, 2024
TO: DOUGLAS COUNTY BOARD OF COUNTY COMMISSIONERS
THROUGH: DOUGLAS J. DEBORD, COUNTY MANAGER
FROM: TERENCE T. QUINN, AICP, DIRECTOR OF COMMUNITY DEVELOPMENT 
CC: KATI CARTER, AICP, ASSISTANT DIRECTOR OF PLANNING RESOURCES
STEVEN E. KOSTER, AICP, ASSISTANT DIRECTOR OF PLANNING SERVICES
SUBJECT: **POTENTIAL APPROACH TO INCREASING OPPORTUNITIES FOR ACCESSORY DWELLING UNITS**

SUMMARY

Commissioners have expressed an interest in considering, and implementing when appropriate, changes to Douglas County land use regulations to increase opportunities for homeowners to construct Accessory Dwelling Units (“ADUs”) on their properties. Staff has prepared a potential approach to considering opportunities for allowing Accessory Dwelling Units (“ADUs”) in three phases or “tiers” of increasing complexity and potential impact. With this approach, the County would work through identifying and implementing policies and regulations for each tier in consecutive order.

BACKGROUND

Typically, ADUs are accessory to a principal dwelling (typically occupied by the property owner) on a lot. Often, ADUs are designed and intended for renting out to separate families living independently from the residents of the principal dwelling as a way to supplement the homeowner’s income. In other instances, ADUs are seen as a means of providing a place for members of the homeowner’s extended family (often parents or adult children) to live close to the homeowner while maintaining a separate residence.

As a matter of public policy, allowing ADUs can be seen as a way for a community to increase its supply of housing, often at a more affordable price than other housing in a neighborhood, without generating the need to extend infrastructure to new areas.

DISCUSSION

Tier 1

The first, and least complex, tier of ADU options share one or more of the following characteristics:

- Completely internal to the principal residence on a property with no separate external entrance to the ADU.
- Made up of two or more people that are not related by blood or marriage living as a single “family unit” within a single residence.
- Spectrum of approaches from very structured to very informal:
 - Structured approach: a homeowner has an extra bedroom to rent out and shares the common areas of the home (kitchen, family room, etc.) with the renter.
 - Informal approach: four acquaintances lease a four bedroom home together and share in expenses for its upkeep.

There are no existing barriers to this approach in the Zoning Resolution for standard residential zone districts and most, if not all, Planned Developments (PDs). If not allowed in a particular PD, the community’s residents may ask the Board to amend the PD. The Board may also wish to consider if it would be appropriate to initiate an effort to increase awareness of this existing opportunity in unincorporated Douglas County.

Tier 2:

The second tier of ADU options share one or more of the following characteristics:

- The ADU is internal to the main structure of the principal residence and a separate external entry is provided to the ADU.
- The accessory unit functions independently from the principal residence.
- The accessory unit may be referred to as an “apartment.”
- Other amenities on the lot may be shared between occupants of both residences (shed, detached garage, recreation equipment, etc.).
- Each residence typically has its own street address and mailbox.

Currently there are not many areas in unincorporated Douglas County that are zoned in a way to allow the Tier 2 ADUs. Most areas they are allowed are in PDs. If not allowed in a particular PD, the community’s residents may ask the Board to amend the PD. If an allowance for ADUs is incorporated into a new development at its inception, infrastructure (road capacity, water, sewer, dry utilities) can be planned to accommodate the use and the HOA and residents are on notice that they are allowed. Factors to consider prior to allowing Tier 2 ADUs in new areas include:

- For homes on individual wells, do their well permits allow the water withdrawn to be used for the accessory unit?
- For homes on central water, can and will the water supplier provide water to the accessory unit?
- For homes on septic systems, are the systems properly sized for the additional flows?
- For homes on central sewer, does the sewer provider have capacity for the additional flows?

Tier 3:

The third tier of ADU options is similar to Tier 2 in most characteristics and considerations, with one key exception: the ADU is in a structure that is detached from the principal residence. The structure could have other accessory uses to the principal residence, such as a garage or barn.

Currently there are not many areas in unincorporated Douglas County that are zoned in a way to allow the Tier 3 ADUs. Most areas they are allowed are in PDs. If not allowed in a particular PD, the community's residents may ask the Board to amend the PD. If an allowance for ADUs is incorporated into a new development at its inception, infrastructure (road capacity, water, sewer, dry utilities) can be planned to accommodate the use and the HOA and residents are on notice that they are allowed. Factors to consider prior to allowing Tier 3 ADUs in new areas include those for Tier 2 ADUs as well as:

- The existence of additional structures may increase the visibility of the activity to neighbors.
- Issues such as split metering of utilities, maintenance of infrastructure, etc. may be more problematic when the accessory unit is in a separate structure from the principal residence.

NEXT STEPS

Staff is prepared to discuss these options and initiate a public process to consider regulation changes based on input and direction from the Board.

Agenda Item

DATE: FEBRUARY 13, 2024
TO: DOUGLAS COUNTY BOARD OF COUNTY COMMISSIONERS
THROUGH: DOUGLAS J. DEBORD, COUNTY MANAGER
FROM: DAN AVERY, SPECIAL PROJECTS MANAGER
SUBJECT: ENERGY EFFICIENCY BLOCK GRANT UPDATE

SUMMARY

Douglas County is eligible to receive a formula allocation of \$241,260 in Energy Efficiency and Conservation Block Grant (EECBG) funding from the Department of Energy. EECBG funds can be used for a broad range of activities. To date, staff has submitted a “Pre-Award Interest Form”, but no formal application. To assist staff in preparing the County’s application by April 30, 2024, staff requests guidance on:

1. Whether the Board remains interested in receiving this funding
2. The types of activities the Board is interested in funding over a two-year project period.

Staff is not requesting specific project authorizations at this time and would bring a formal application to a business meeting for Board approval.

PROGRAM GUIDANCE

Local governments can receive EECBG funding as a grant to be administered by the jurisdiction for any allowable use, or a voucher/equipment rebate for a narrower set of activities. Entities receiving less than \$250,000 are strongly encouraged to consider the voucher/equipment rebate option. Allocations totaling \$250,000 or less are also exempt from Build America Buy America (BABA) requirements. Local Governments must submit an Energy Efficiency and Conservation Strategy identifying program goals and objectives.

ALLOWABLE USES

- Strategy Development/Implementation
- Retaining Technical Consulting Services
- Building Energy Audits
- Financial Incentives for Energy Efficiency
- Energy Efficiency Retrofit Grants for Government Agencies and Nonprofit Organizations

- Energy Efficiency and Conservation Programs for Buildings and Facilities
- Conservation of Transportation Energy
- Building Codes and Inspection Services
- Energy Distribution Technologies
- Material Conservation Programs
- Reduction, Capture, and Use of Landfill Gases
- Replacement of Traffic Signals and Street Lighting
- On-site Renewable Energy On or In a Government Building
- Programs for Financing, Purchasing, and Installing Energy Efficiency, Renewable Energy, and Zero-emission Transportation (and associated infrastructure) Measures and Capital Investments, Projects, and Programs for Leveraging Public and Private Sector Funds

POTENTIAL COUNTY ACTIVITIES

During the work session, staff will present details on a subset of potential uses for Board consideration and discussion. These include:

1. Acquisition of electric lawn and garden equipment by June 1, 2026 to ensure compliance with new Colorado Air Quality Control Commission regulations. Affected equipment includes aerators, brush cutters, chainsaws, edgers, trimmers, blowers, power washers, push mowers, pruners, and wood splitters. US Department of Energy representatives have pre-authorized this use of funds. (Parks, Open Space, Public Works Operations, and Facilities.)
2. Ongoing transition of County facilities to LED light fixtures. (Facilities)
3. Bike lane and pedestrian Improvements in Inverness. (Engineering)
4. Acquisition of additional electric vehicles and chargers for use by willing and interested County departments. (Fleet)
5. Traffic signal synchronization at Highlands Ranch Parkway and Broadway (PWE)
6. Additional Public EV charging stations on County property in conjunction with CORE.
7. Grant program for energy efficiency upgrades benefiting homeowners or nonprofit entities.

NEXT STEPS

Staff welcomes discussion and direction from the Board on EECBG fund activities.