



Effective Date: 9.28.2021

ADU Determinations

Per the Castle Rock Municipal Code (CRMC) and the International Building Code, the following applies:

CRMC Section 15.06.010

Dwelling Unit: A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

CRMC Section 17.61.030

Accessory Dwelling Unit (ADU) means a dwelling unit that is:

- (i) located within an existing Primary Dwelling Unit, inclusive of an attached garage, or
- (ii) an addition to the Primary Dwelling Unit, or
- (iii) a detached structure on the same lot or tract as the Primary Dwelling Unit.

CRMC 3.16.030 Development Impact Fees:

"For purposes of this Subsection, any remodeling activity which results in the creation of an additional dwelling unit shall be subject to the payment of the fee as specified in this Subsection."

Fees will be charged on the incremental increase in the square footage on the property

Discussion:

If all five (5) criteria listed below are present, then the Town will determine your submittal to be an ADU and will require compliance with Title 17, Section 17.61, including a Deed Restriction to be filed with the County prior to the approval of your building permit and payment of Development impact Fees per Section 3.16.030.

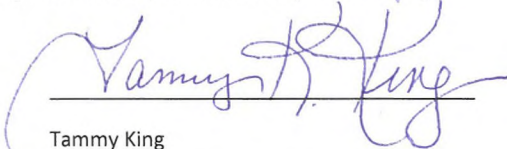
Criteria:

1. ___ Provisions for living.
2. ___ A Kitchen, as defined as an area used for the preparation of food and includes a stove/cook top, range, oven, or one or more 220 volt or greater outlets or gas line connections.
3. ___ A ¾ or full bathroom(s).
4. ___ A bedroom(s) or other area designed or designated for sleeping. This policy and code clarification use the terms 'bedroom,' 'sleeping room,' and 'facility for sleeping' interchangeably.
5. ___ Separation: When the ADU is not attached, in order to be considered an ADU, the main dwelling must be physically separated from the ADU. This physical separation can be accomplished with a wall, a wall with a door, or other similar separation. Where a wall exists, the presence of a door frame, door hinges, pocket, or an opening equal to or less than 38 inches in width shall constitute separation.

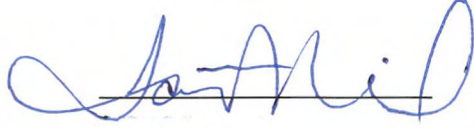
Accessory Dwelling Units (ADU's) must comply with Title 17, Section 17.61 (see attached)



Joseph Montoya
Chief Building Official



Tammy King
Zoning Manager



Tara Vargish
Director, Development Services