

Why Are Accessory Dwellings Not Allowed in Estes Park?

By Thomas Beck, AIA, NCARB

In our previous article regarding Workforce Housing we suggested that one possible option to expand the availability of workforce housing would be to use Accessory Dwelling Units (ADU) as an option to house our workforce, and our senior citizens who wish to age in place. Given that Estes Park and surroundings is a community that historically has had properties with multiple ADUs one wonders when and how the ability to rent out one's accessory buildings changed in such a restrictive way. Presumably, landowners who built multiple ADUs on their land also hired cooks, staff, housekeepers and stable hands, all contributing to the local economy while housing essential workers. The Town of Estes Park outright bans the practice of building ADUs, limiting the kitchens in a house to one. So, in Estes Park we can have a basement with a bathroom, refrigerator and bar sink, but no stove. Larimer County has rules which allow for non-paying guests, but completely disallows rental use. ADUs are also known as Mother-in-Law apartments, carriage houses and casitas. What does Estes Park have against Mother-in-Laws?

One obvious hurdle is the likelihood of homeowners, if given the leeway, to simply convert their ADUs into vacation rental cash cows, rather than using them for Long Term rental. There would certainly be ways to regulate in such a way that homeowners and their parents could build ADUs, and regulations could be put in place to ensure ADU use for Long Term, affordable housing.

In April 2020 the AARP Bulletin published an article regarding the benefits ADUs for aging in place. In one case the parents were able to build an addition in which their daughter could live in a separate 500 square foot apartment attached to their home. The benefits of having her near her 80-year-old parents is priceless. Among the benefits listed for ADUs were housing for caregivers and extra income from renting to a tenant.

Another recent read was a feature in Denver's 5280 Home, "A Second Home – At Home". In 2010 Denver city zoning codes changed to allow for ADUs in certain neighborhoods. Some of the interesting rules listed: owners must live on site, either in the home or the ADU; the ADU cannot be sold separately; only general contractors are allowed to build them i.e. no DIY. Denver is looking to ADUs as solutions for encouraging preservation rather than scraping homes, and to help build wealth in lower income communities. Extensive information about the requirements in Denver can be found at denvergov.org.

The Colorado Sun wrote as recently as December 2019 "These dwellings once had a significant role in the development of post-World War II Colorado, but eventually lost cachet as residents flexed for elbow room. Some areas zoned them out of existence for a variety of reasons — fear of population density, added traffic or adverse impact on property values." This article also mentions creating affordable rental housing and giving homeowners a way to build wealth.

In the past people and companies who could afford to operate a business also were proud to brag about providing taxes, benefits to their employees and charity to their community. They gave back to community. Here in Estes Park we have many businesses which participate actively in supporting charitable causes. Would it be so difficult to provide housing for essential employees in Estes Park? History would tell us it is possible and necessary. A change in our code to allow Accessory Dwelling Units for use as Long Term affordable rental housing, for housing our valued elders, and to make building wealth possible for our lower income citizens should be seriously considered by the Town of Estes Park.

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