

ADUs Will Help House Essential Workers

By Thomas Beck, AIA, NCARB

We have written on more than one occasion in favor of changing restrictions in the Estes Valley on Accessory Dwelling Units (ADUs). On June 17, 2020 we wrote “Workforce Housing is Essential.” On July 1, 2020 we wrote “Why Are Accessory Dwellings Not Allowed in Estes Park?” And this year on July 30, 2021, we wrote “Recap 2021: Why Are Accessory Dwellings Not Allowed in Estes Park?” This is not a new topic in Estes Park. In 2009 the planning commission sent “revised sections of the development code concerning Accessory Dwelling Units (ADUs) to the town board for consideration at their next meeting.” (<https://www.eprail.com/2009/07/09/dwelling-units-sent-packing/>) The town trustees rejected the proposal, sending it back to the planning commission.

(<https://www.eprail.com/2009/07/09/adu-code-changed-nixed/>) The article goes on to explain that the discussion about ADUs had begun in 2006 when a property owner was trying to convert a garage which would have included a small kitchen.

In 2016 Frank Lancaster, then our Town Administrator, wrote a guest column about ADUs. (<https://www.eprail.com/2016/08/26/quest-column-by-frank-lancaster-accessory-dwelling-unit-regulations/>) He makes many very valid points which are as timely now as they were 5 years ago. He says, “Last week, the Estes Valley Planning Commission considered proposed code change to allow long-term rental of these housing units, and we heard comments that the Town is rushing into this with little consideration and transparency.” If one reads the comments from our 2021 reprise of this very issue, the very same arguments of rushing to judgement are again surfacing.

(<https://estespark.colorado.gov/EVDCamendments>) Comments over the years question the character of those who might reside in affordable housing, such as comments in 2016 suggesting Habitat for Humanity housing would negatively impact the neighborhood (zoned RM multifamily). Some paint fearful pictures of tenement style changes to lovely neighborhoods, question the very need to make ADUs rentable long-term, suggest that these discussions are back-door methods to revise zoning. It is suggested by some that this is a threat to property rights, an odd argument since the current regulations impose some pretty strict rules on property owners. Speaking of transparency, we suggest when readers look at the public comments for the 2021 ADU amendments they read Randy Hunt’s very thoughtful comments on the topic. His response to comments on the ADU issue prove that our Community Development Director is vested in transparency.

Lancaster’s column also points out that in 2015 the Colorado Association of Ski Towns (CAST) was invited to present “a brief overview of housing issues.” This organization includes mountain towns like ours that are not ski towns, “such as Ouray and Glenwood Springs.” The CAST report included observations that Estes Park was consistently losing families and middle income workers. The report “included ADUs as an important issue that needs to be addressed. Among CAST communities, most encourage and give incentives for ADUs. Estes Park is alone in prohibiting these types of rental units within existing homes.” Let’s emphasize that last sentence. Estes Park is the only CAST community which prohibits ADU rental units within existing homes.

We have made many arguments similar to Lancaster’s 2016 reflections in our Trail Gazette columns:

- ADUs can make it possible for homeowners to be able to afford to live in Estes Park by generating income from Long-term Rental of ADUs within their homes, attached to their homes, above attached or detached garages, or in a single detached structure of a limited size on a property of reasonable, definable, regulated scale.
- ADUs can make it possible for families to house their elders close by, or house caregivers to make it possible to age in place.
- ADUs can help alleviate our community’s lack of affordable housing for essential workers.

- Incentives for employee housing could help our local businesses attract and retain qualified workforce.
- Affordable housing will help our community maintain diversity, families and middle-income workers.
- Owners should live on site, either in the primary residence or in the ADU.
- Only General Contractors/licensed building professionals should be allowed to build ADUs. No DIY shanties.
- ADUs should not be allowed to be sold separately from a home.
- ADUs should not be required to be physically attached to a home.
- ADUs should not be allowed to be used for Short Term (Vacation) rental.
- ADUs should not be allowed in Multifamily housing.

As a part of our local government's efforts to resolve the long-standing issue of lack of affordable housing, they recently voted to change some vacation rental rules hoping this will help with affordable housing. This week is their October 6 forum regarding ADU rules. The meeting happens before publication of today's article. <https://www.eprail.com/2021/09/22/join-town-staff-to-discuss-accessory-dwelling-units-oct-6/> Fortunately a recording of the meeting will be posted to <https://estespark.colorado.gov/EVDCamendments> for those who were unable to join. The existing Use Regulations in the Development Code can be found in Chapter 5.2 (https://library.municode.com/co/estes_park/codes/development_code?nodeId=CH5USRE_S5.2ACUSIN_HOOCACST) For those unfamiliar with our zoning districts, here is a handy map with a legend defining the districts: <https://estespark.maps.arcgis.com/apps/SimpleViewer/index.html?appid=0c6e1d9944ee4cec92cb8aca4fb090dc>.

There are some very good questions to be answered in the comments submitted to the town. Tiny homes not on a trailer, but on a foundation? Number of ADUs per property if one is attached and one detached? Requirements for owners to reside on premises. Concerns about sewer, parking, and architectural integrity are valid infrastructural concerns, which can be defined and regulated. We also need to hear from many more of the citizens who will benefit from allowing rental of ADUs. The families who can't buy here because they can't supplement their income with some rent. The educators who teach our kids who have to commute. The medical essential workers unable to afford to rent or buy housing locally. The employees who choose to live and work elsewhere because of the severe lack of workforce housing in Estes Park.

We look forward to finding out what the town has to say in their October 6 forum. We need to stop saying this ADU conversation is some new, rushed process, but one which has been discussed since at least 2009. We need to tell our essential workers we value them by taking constructive action to make it possible for them to live in the community in which they work.

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