



BrightonSM

ADU Rear Setback LUDC Amendments

CITY COUNCIL PUBLIC HEARING
January 20, 2026

City Staff Representative:

Shawn Weiman, Affordable Housing Coordinator
Community Development Department

ADU Rear Setbacks LUDC Amendments

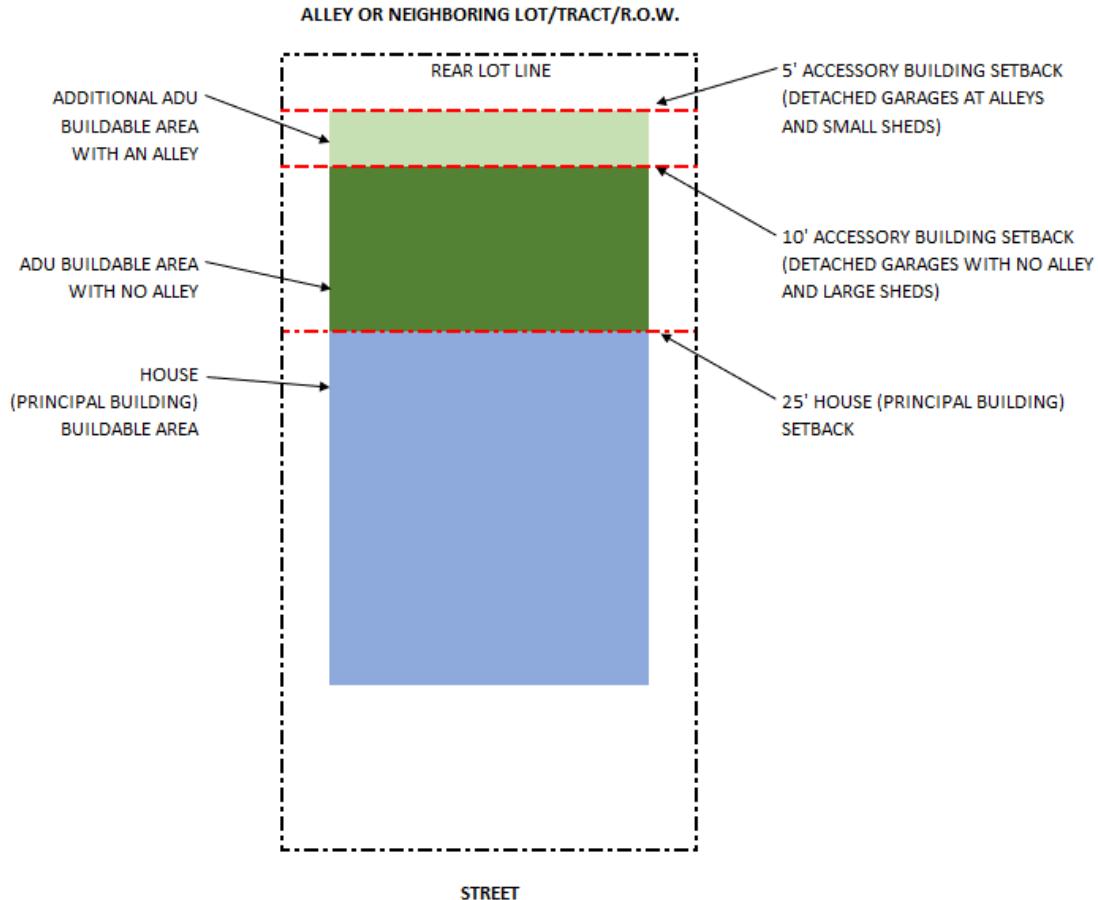
Purpose: To allow attached accessory dwelling units (ADUs) the same rear setback as detached ADUs and accessory buildings such as detached garages.



ADU Rear Setbacks - Background

- As required by state statute, detached ADUs were given the same rear setback allowed for accessory buildings such as detached garages.
- Accessory buildings are not allowed attached to the principal building; therefore, it was not considered to allow attached ADUs the same rear setback as detached ADUs.
- The Colorado Dept. of Local Affairs has determined that state statute requires all ADUs be afforded the same rear setback as accessory buildings.

Attached ADU Rear Setbacks



ADU Rear Setback Amendment

DOLA has reviewed the draft amendments and indicated they comply with the state statute.



COLORADO
Department of Local Affairs
Division of Local Government

Not revising the allowed rear setback in the LUDC would cause:

- The ADU regulations to be out of compliance with state statute,
- The City to become ineligible for the state ADU grant that is intended to prepare pre-approved ADU plans, and
- Brighton residents to be ineligible for CHFA ADU financing.

Process for Amending the LUDC

- Planning Commission considers making a recommendation on amendments to the LUDC.
- If recommended, ordinance goes before City Council during a first reading at public hearing.
- Second reading at public hearing.
- Notice of approved ordinance is published.

Public Notice & Comment

Notice of the public hearing was published on the City of Brighton website on December 30, 2025, at least 15 days prior to the public hearing, as required by Section 2.01.F of the LUDC.

Staff Recommendation

Revisions will bring the code within state requirements and further achieve the City's housing goals by becoming an ADU Supportive Jurisdiction.

Staff recommends approval of the LUDC amendments.



Planning Commission Recommendation

Planning Commission unanimously recommended approval of the amendments to the LUDC on Dec. 11, 2025, after considering that the amendments:

- ✓ Further the purposes of the LUDC,
- ✓ Are in accordance with the Comprehensive Plan,
- ✓ Promote the health, safety, and welfare of the Brighton community, and
- ✓ Improve the effectiveness and efficiency of administering the LUDC.

Options for City Council

The City Council has four options when reviewing the ordinance:

1. Approve the ordinance;
2. Approve a modified ordinance;
3. Deny the ordinance; or
4. Continue the item to be heard at a later, specified date.

THANK YOU

Questions?

