

ORDINANCE NO. \_\_\_\_\_

INTRODUCED BY: Taddeo

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN ARTICLES OF THE LAND USE AND DEVELOPMENT CODE AND THE MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND MANUFACTURED HOMES

WHEREAS, the Land Use & Development Code (the "LUDC") contains certain provisions related to land use, zoning, design standards, and the process for applications; and

WHEREAS, the Municipal Code contains certain provisions related to manufactured homes and accessory dwelling units; and

WHEREAS, in order to comply with recent amendments to Colorado Revised Statute Title 29 Article 35 regarding accessory dwelling units and to support and allow flexibility for the development of accessory dwelling units as well as to more effectively enforce regulations concerning manufactured homes, certain amendments to the LUDC and the Municipal Code are necessary; and

WHEREAS, the City Council has received and considered all relevant evidence and testimony from City staff and other interested parties, including the public at large; and

WHEREAS, the City Council has reviewed the proposed amendments to the *Brighton Land Use and Development Code* and the *Brighton Municipal Code* and desires to adopt such amendments.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Brighton, Colorado, as follows:

Section 1. Section 4.01 Zoning Districts, Table 4-1, "District & Intent" description of MH – Manufactured and Small-Format Housing District, is hereby amended as follows:

MH – Manufactured and Small-Format Housing District. The MH district provides residential living for manufactured, mobile, or small format homes in a planned community that shares common amenities located in areas that have transitions between lower-density neighborhoods or more intense, non-residential uses, and where a high level of accessibility, public amenity, and support services are immediately available. See Section 5.07 Manufactured and Small-Format Housing District.

Section 2. Section 4.03(B) Accessory Dwelling of the LUDC is hereby amended as follows:

1. Residential. A dwelling unit that is secondary to another dwelling unit on the same lot, known as an Accessory Dwelling Unit or ADU, is allowed as an accessory use to a primary residential building (the "principal building") in zone districts where detached houses or duplexes are allowed. An ADU is not considered an accessory building as referenced in this code and is subject to the following standards:

a. One ADU is allowed per lot, and an ADU is allowed only where the principal building is a detached house or duplex (see Accessory Dwelling – Agricultural, Commercial, or Industrial for caretaker or watchman homes).

b. ADUs shall provide an entrance and living, sleeping, cooking, eating, and sanitation facilities independent from those of the principal building. ADUs shall not be mobile homes, motor homes, park models, other recreational vehicles, or other temporary shelters.

c. New and existing planned developments and planned unit developments that allow the construction of one or more single-unit detached dwellings shall not restrict ADUs more than this code restricts ADUs outside of a planned development or planned unit development or in any way that is prohibited by C.R.S. 29-35-103 as amended.

d. ADUs may be located (a) detached from the principal building, (b) within or attached to an accessory building such as above a detached garage, or (c) within or attached to the principal building. An ADU located entirely within the principal building, such as in an attic or basement, is known as an internal ADU.

e. An ADU shall not be subdivided, converted to a condominium, or otherwise severed in any way from the principal building property or ownership.

f. An ADU shall have an address assigned to it that differs from that of the principal building. Depending on the location of the ADU, the principal building address may change.

g. The applicant is responsible for verifying that adequate utility services will be in place for both the ADU and the principal building. The property owner shall obtain the necessary approvals and be responsible for the installation of the utilities necessary to serve the ADU, including when increased service capacity is required.

h. ADUs shall meet all development and design standards in Article 5, Accessory Dwelling Unit (ADU) Design Standards.

i. Off-street parking specific to an ADU is not required unless all three of the following conditions apply, in which case one off-street parking space shall be provided on the lot: (a) there is no existing off-street parking space on the lot, (b) the lot is located in a zone district that requires one or more parking spaces for the principal building, and (c) the lot is located on a block where on-street parking is prohibited. Driveways serving ADUs shall meet all standards in Articles 5 and 7.

2. Agricultural, Commercial, or Industrial. Dwellings for a caretaker or watchman shall be accessory to a principal agricultural, commercial, or industrial use on the lot, are not Accessory Dwelling Units (ADUs), and are subject to the following additional standards:

a. The principal use must be a lawful conforming use.

b. The caretaker/watchman dwelling unit shall be for occupancy by the caretaker or watchman employed on the premises.

c. Only one (1) caretaker/watchman dwelling unit shall be allowed in conjunction with a principal lawful use and shall be clearly ancillary to the primary business or use.

d. The caretaker/watchman dwelling unit may be a detached building or within or attached to the principal non-residential building. If a detached building, the caretaker/watchman dwelling unit is in addition to the accessory buildings allowed in Section 6.02.

- e. In addition to the parking required otherwise on site, one off-street parking space shall be provided for the exclusive use of the caretaker/watchman.
- f. The applicant shall demonstrate proof of adequate utility services for both the principal use and caretaker/watchman dwelling unit.
- g. Proof of adequate access shall be provided.
- h. No caretaker/watchman dwelling unit shall be deeded, sold, leased, or rented without conforming to the subdivision and zoning regulations.
- i. Driveways shall meet all standards in Articles 6 and 7.

Section 3. Section 4.03(C)(14) of the LUDC is hereby amended as follows:

14. Specific home occupation conditions:

- a. Garage sales are limited to no more than 4 per year and 3 days per event.
- b. Firearms sales shall submit with their license a statement verifying the following:
  - (1) No firearms, ammunition, or accessories shall be sold or offered for sale on the premises.
  - (2) The exchange of firearms shall only be conducted at gun shows, pursuant to all applicable firearms laws and regulations.
  - (3) No firearms, ammunition, parts or supplies related to the home occupation shall be kept on the premises, except those kept for the private use of the permit holder and unrelated to the business.
  - (4) No repair, service or gunsmithing shall be conducted.
  - (5) In the event that federal or state law prohibits the exchange of firearms merchandise outside of the dwelling in which the home occupation is conducted, any permit for firearms sales shall become void.

Section 4. Section 4.04(B) of the LUDC is hereby amended as follows:

B. Manufactured Homes. In any district where a detached house is permitted, a manufactured home shall be permitted subject to the same restrictions, setbacks, use, and residential design standards, including exterior cladding requirements, as any other dwelling unit of similar density and use for the same zone district. Manufactured homes in zone districts other than the MH zone district shall:

- 1. Be installed on an engineer-designed permanent foundation with no tongue, axle, or wheels attached to the unit.
- 2. Be subject to the residential design standards review process as applicable for non-manufactured homes.
- 3. Have documentation of the home's HUD certification.

Section 5. Section 5.02 Residential Building Types, Table 5-2 Residential District Building Type & Development Standards, of the LUDC is hereby amended as follows:

**Table 5-2: Residential District Building Type & Development Standards**

Zoning Districts								Building Types	Development Standards							
A/R	A/E	RE	R-1	R-1-A	R-1-B	R-2	R-3		Lot Standards			Minimum Setbacks [3]				Buildi ng Height
									Size	Width [1]	Lot Open Space	Front	Interi or Side	Corner Side [1]	Re ar	
■								Detached House - Rural	35 ac. A/R	300' +	80% of lot	Based on context. See Section 5.02.D. Frontage Design	20'	20'	20'	35' / 2.5 stories
	■	■						Detached House - Suburban	20K s.f. +	80' +	60% of lot		15'	30'	25'	35' / 2.5 stories
				■	■	■	■	Detached House - Neighborhood	7K s.f. +	65' +	1,200 s.f./unit		7'	15'	25' [4]	35' / 2.5 stories
				■	■	■	■ [5]	Detached House – City Lot	5K s.f. +	40' +	800 s.f./unit		5'	10'	25' [4]	35' / 2.5 stories
					□	■	■ [5]	Detached House - Compact	3K s.f. +	25' +	400 s.f./unit		4'	8'	25' [4]	35' / 2.5 stories
					■		■ [5]	Duplex - Suburban	7K s.f. +; 2 units max	65' +	600 s.f./unit		7'	20'	25'	35' / 2.5 stories
					□	■	■ [5]	Duplex / Multi-unit House	5K s.f. +; 2K s.f. per unit minimum 2 - 4 units	40' +	400 s.f./unit		5'	10'	25' [4]	35' / 2.5 stories
					□	■	■	Row House	1.5K s.f. per unit minimum 3 - 8 units	18'–36' per unit	200 s.f./unit		5' [2]	10'	15' [4]	45' / 3 stories
						□	■	Small Apartment	6K – 14K s.f. 3 – 12 units	50' – 100'	200 s.f./unit		5' [2]	10'	15'	45' / 3 stories
						□	□	Medium Apartment	10K – 20K s.f. 13 – 40 units	80' – 200'	150 s.f./unit		5' [2]	10'	20'	60' / 5 stories
						◆	◆	Large Apartment	20K s.f. – 80K s.f. 500 s.f. per unit	150' – 300'	150 s.f./unit	10' [2]	10'	20'	110' / 10 stories	
							■	Garden Apartment	5K s.f. + 1K s.f. per unit	100' +	300 s.f./unit	20'	25'	20'	45' / 3.5 stories	
							□	■	Senior Living	20K s.f. +	150' – 300'	150 s.f./unit	10' [2]	10'	20'	45' / 3 stories
■	■	■	■	■	■	■	■	Accessory Buildings	See Residential Accessory Buildings in Section 5.02.E							
■	■	■	■	■	■	■	■	Accessory Dwelling Unit (ADU)	See Accessory Dwelling Units in Section 5.04.H							
■	■						□	Live / Work	See Non-residential Building Types in Table 6-2							
□	□	□	□	□	□	□	□	Small Civic	See Non-residential Building Types in Table 6-2							

■ Building types allowed

□ Building types allowed subject to the location criteria in Section 5.02.F.

◆ Building type allowed only by Conditional Use Permit or Planned Zoning District according to the procedures in Article 2.

[1] Corner lots shall add 10' to the required lot width.

[2] Row Houses, Small, Medium Apartments shall have a 10' side setback when abutting lots with a detached house; 20' for Large Apartments.

- [3] Buildings that require a certificate of occupancy shall be setback at least 250' from an oil/gas facility, and 25' from a well that has been plugged and abandoned. Buildings that do not require a certificate of occupancy shall be setback 150' from a tank battery or oil/gas well (unless plugged and abandoned).
- [4] Detached houses, duplexes, and row homes with an alley-loaded attached garage shall have a 5' minimum setback from the rear property line.
- [5] Building type only permitted with the Common Lot Development Pattern.

Section 6. Section 5.02(E) of the LUDC is hereby amended as follows:

E. Accessory Buildings - Residential. Accessory buildings shall be permitted in association with and on the same lot as a principal building. Accessory buildings do not include accessory dwelling units (ADUs) and shall not be used for residential occupancy. The different types of accessory buildings outlined in this Section are not mutually exclusive and are subject to the following additional limitations.

1. Generally. All accessory buildings shall be at least 10 feet from the principal building, unless a lesser distance is specified by applicable building codes. Accessory buildings shall be clearly incidental and subordinate to the principal building or use, in terms of scale, location and orientation.

2. Small Sheds. Accessory buildings 200 square feet or less, and less than 12 feet tall, shall be limited to:

a. 1 per lot or 1 per each 5,000 square feet of lot, whichever is more; up to a maximum of 3;

b. Be located behind the front building line of the principal building.

3. Open Structures. Unenclosed structures such as pergolas and gazebos not attached to the principal structure, 200 square feet or less, and less than 12 feet tall, shall be limited to:

a. 1 per lot or 1 per each 5,000 square feet of lot, whichever is more; up to a maximum of 3;

b. Be located behind the front building line of the principal building.

4. Accessory Building - Residential. In any residential district, accessory buildings over 200 square feet shall meet the following:

a. No more than 1 per lot, except that the small apartment, medium apartment, large apartment, and garden apartment building types may have 1 per principal building.

b. Located behind the front building line.

c. Be at least 10 feet from the rear lot line, except that an accessory garage accessed from an alley may be set back 5 feet from the rear lot line.

d. Be at least 5 feet from the side lot line, except that on corner lots, they shall have the same street-side setback as the principal building.

e. Maximum height of 1.5 stories or no higher than the principal building, whichever is less. The following specific massing standards apply:

(1) The first story wall height shall be no more than 10 feet above the finished floor, except that gables, dormers or other subordinate walls may support the roof structure.

(2) The roof peak or other top of structure shall not exceed 24 feet above finished floor for pitched roofs with a 6:12 pitch or greater and no more than 16 feet for flat or shed roofs below a 6:12 pitch.

f. Maximum size of 800 square feet or 10% of the lot area, whichever is greater, but no more than 1,600 square feet. However, the lot shall maintain the required lot open space standards regardless of the permitted principal and accessory building allowances.

g. Be constructed with materials, architectural details and style, and roof forms that are compatible with the principal building as described in Section 11.02 Glossary of Architecture & Design Terms.

h. Accessory buildings may be attached to the principal building by an open-roofed structure, an enclosed breezeway, or other manner that ensures it is clearly a secondary and subordinate mass from the principal building.

i. Accessory buildings shall not be located within an easement area.

5. Detached Building – Agriculture. Accessory buildings for agriculture purposes in the A/E, A/R and RE districts are permitted subject to the following:

a. Setback. 30 feet, all sides.

b. Area. 3,000 square feet maximum; 2,000 square feet RE.

c. Height. 25', but 1' of additional height for each 2 feet of additional setback.

d. Number. 1 per every 3 acres; up to 5 maximum.

6. Detached Building – Civic Uses and Open Space. Accessory buildings for permitted institutional uses or public and common open spaces are permitted subject to the following:

a. Setback. 30 feet, all sides.

b. Area. 5,000 square feet maximum.

c. Height. 25', but 1' of additional height for each 2 feet of additional setback

d. Number. 1 per every 3 acres.

Section 7. Section 5.04(H) of the LUDC is hereby amended as follows:

H. Accessory Dwelling Unit (ADU) Design Standards.

1. General Requirements.

a. ADUs shall comply with the accessory dwelling uses Section 4.03.B.1 of this code and, except where specifically required herein, are not subject to Sections 5.03 Lot Open Space Design or Sections 5.04.A through G Building Design.

b. ADUs are not Accessory Buildings nor subject to the requirements specific to Accessory Buildings – Residential in Section 5.02.

c. Required building setbacks for ADUs shall be the same as those applicable to the principal building except as otherwise allowed herein.

d. An ADU shall be clearly subordinate to the principal building in terms of scale, location, and orientation.

e. An ADU shall have its own exterior entrance, except an attached or internal ADU may share an exterior entrance with the principal building or an accessory building provided that each unit has a secure entry door at a common hallway and the common hallway leads directly to the exterior of the building.

f. The exterior entrance leading into an ADU or into a common hallway serving an ADU shall have an entry that relates the ADU to its access point on the lot.

g. Exterior stairways leading to an ADU entrance shall not exceed 1 story in height.

h. ADUs shall not exceed 2 stories or 35 feet in height.

i. ADUs shall be affixed to a permanent engineer-designed foundation.

2. A Detached ADU shall:

a. Be limited to an above-grade living floor area not exceeding the above-grade living floor area of the principal building and shall not exceed 1200 square feet;

b. If served by an alley, be accessed from the alley (the Director may allow access to the ADU from the side street on corner lots); and

c. Have a minimum setback to the rear lot line of 10 feet, except if the ADU is attached to or within a detached garage accessed from an alley, then the minimum setback to the rear lot line shall be 5 feet.

3. An ADU Addition to or Alteration Within an Existing Principal Building shall:

a. When an addition to the principal building, be limited to an above-grade living floor area not exceeding the above-grade living floor area of the principal building and shall not exceed 1200 square feet;

b. When internal to the principal building such as within a basement, be limited to the spatial constraints of the principal building;

c. Comply with Section 5.04 of this code;

d. Without applying a higher standard than that in place for the principal building, be designed to maintain the architectural design, appearance, and character of the principal building, including similar massing, scale, and story height; and

e. Not decrease the overall window and door opening area of the building.

4. An ADU Addition to or Alteration Within an Existing Accessory Building shall comply with the requirements for a detached ADU, and the overall building shall not exceed 2 stories or 35 feet in height.

5. An ADU Built Attached to or Within a New-Construction Principal Building shall comply with the requirements applicable to the building as a whole, including providing the lot open space required for the building type as specified in Section 5.03 and the building design standards as specified in Section 5.04 of this code, and shall be limited to an above-grade living floor area not exceeding the above-grade living floor area of the principal building.

6. An ADU Built Attached to or Within a New-Construction Accessory Building shall comply with the requirements for a detached ADU, and the accessory building shall comply with the requirements applicable to accessory buildings, including Section 5.02.E. In instances of conflict, the less restrictive requirement shall apply, though in no case shall the overall building exceed 2 stories or 35 feet in height.

Section 8. Section 5.04(I) of the LUDC is hereby enacted as follows:

I. Exceptions. The Director may approve exceptions to the building design standards where:

1. The requirement is not consistent with the particular architectural style of the building based on reputable resources documenting the style;
2. The requirement would make the building less compatible with designs or characteristics of other buildings or sites in the area; or
3. An alternative design equally or better meets the design objectives of this section.
4. In any case, the deviation is the minimum necessary to address the circumstance and does not negatively impact other design standards applicable to the building or site.

Section 9. Section 5.07(A) and (B) of the LUDC is hereby amended as follows:

A. Intent. The intent of this section is to provide smaller sized detached housing that includes manufactured, mobile, or small format homes within a community that includes common amenities and promotes development patterns that are compatible with the surrounding area. Small format homes may be tiny homes as defined by Colorado Revised Statute, modular homes, or conventional site-built homes in an MH zone district and are generally less than 1200 square feet in floor area, although are not restricted by this code to any minimum or maximum size.

B. Applicability. Manufactured and small format home communities are permitted in the Manufactured and Small Format Housing District – MH and are allowed as a planned development project according to Section 2.04. These standards shall not apply to: (1) trailers, park models, recreational vehicles, or similar units used as a temporary place of business associated with a permitted and active construction project; (2) interim or temporary shelters designated by a governmental authority's declaration of emergency; or (3) manufactured homes located in zone districts other than MH (see Section 4.04.B). Mobile homes are allowed only where they were legally operating prior to January 1, 2020 and are not allowed in new MH zone district developments or in new planned developments.



Section 10. Section 5.07(C)(2)(a) of the LUDC is hereby amended as follows:

a. Detached dwelling units consisting of manufactured homes, mobile homes in place prior to January 1, 2020, or small format homes.

Section 11. Section 5.07(C)(5) of the LUDC is hereby amended as follows:

5. Parking Standards: Each home site shall have at least one on-site or onstreet parking space, or alternatively, a parking space may be in common lots within 300 feet of each dwelling unit. The project as a whole shall include 1.5 spaces per dwelling unit within the overall project to accommodate any overflow or visitor parking. Parking spaces on a home site shall be located to the side or rear of the dwelling. Home sites may include a carport, provided it remains open and unenclosed on at least 75% of the perimeter, is no taller than the dwelling unit, is no larger than 480 square feet, and in no case larger than the dwelling unit.

Section 12. Section 5.07(E)-(H) of the LUDC is hereby amended as follows:

E. Building Design.

1. All dwellings shall:

a. Have a primary entry element, such as a porch, stoop, or patio relating the home to the lot frontage or other common open space upon which the dwelling is located.

b. Bear on structural members or a permanent foundation and be secured to the ground according to an engineer's design that meets the requirements of the current applicable building codes.

c. When not installed on a continuous foundation, be skirted within 14 days after placement by enclosing the open area under the unit with a material that is compatible with the exterior finish of the home.

d. Be located on an improved surface designed to prevent vegetation growth.

2. Manufactured homes shall have documentation of the home's HUD certification.

F. Landscape and Parking Design. The standards of Articles 7 and 8 are applicable to MH district developments, except as otherwise required in this Section 5.07.

G. Utilities and Services.

1. Utilities shall be provided to each home and shall comply with City code requirements.

2. Impact fees applicable to detached homes shall apply to each home.

3. The storage, collection, and disposal of refuse shall be managed to avoid health hazards, rodent harborage, insect breeding areas, accident hazards, air pollution, or other conditions which may endanger health, safety, or welfare of the community. Refuse collection containers shall be set on concrete pads.

H. Subdivisions. Each home site may be individually platted if:

1. All lots have public utility access as provided in Article 3, including public easements for access to each home site, and all other standards and criteria of the subdivision standards are met;
2. All dwellings are secured to a permanent foundation; and
3. There are covenants, restrictions, and associations assuring that these provisions for the Development Standards, Common Areas, Building Design, and Utilities and Services, as demonstrated on an approved plan, will be maintained through a management entity or common association.

Section 13. Section 5.07(l)(1)-(2) of the LUDC is hereby amended as follows:

I. Mobile or Manufactured Home Park Legally Operating Prior to January 1, 2020. Buildings constructed in mobile or manufactured home parks that were legally operating prior to January 1, 2020 shall meet the following standards:

1. Home Sites.

- a. The minimum home size shall be six hundred fifty (650) square feet.
- b. The maximum home height shall be sixteen (16) feet.
- c. The minimum distance between homes shall be fifteen (15) feet, including covered decks or patios.
- d. The front of a home (entrance side) shall be a minimum of eighteen (18) feet from the curb.
- e. The side of a home shall be a minimum of four (4) feet from the curb.
- f. A covered deck or patio shall be a minimum of ten (10) feet from the rear of the home site boundary or lot line.
- g. Homes shall not block access to the utility pedestal. The minimum distance between a home and a utility pedestal shall be four (4) feet.

2. Carports.

- a. One (1) carport shall be allowed per site, not to exceed six hundred (600) square feet in size.
- b. Carports shall be allowed with a three-foot (3') front setback.
- c. Carports shall be open on all sides, with the following exceptions:
  - i. Open-faced lattice is allowed on two (2) sides.
  - ii. A permanent locked storage unit may be built on one (1) side of the carport so long as the unit does not interfere with the parking of cars. The unit shall be built according to current applicable codes and regulations and shall not exceed one hundred (100) square feet in size.
- d. Carports shall not exceed the height of the home and must have a similar roof pitch.

Section 14. Section 7.03 Required Parking, Table 7-3 Required Parking, is hereby amended as follows:

**Table 7-3: Required Parking**

<i>Use Category / Specific Use</i>	<i>Minimum Parking Rate</i>
<b>Residential</b>	
<i>Accessory Dwelling Unit (ADU)</i>	0 / unit. See Section 4.03.B.1 for exceptions.
<i>Dwellings (Detached, Duplex/Multi-Unit, Row House)</i>	2 / unit (See Section 5.07 for MH zone district parking requirements)
<i>Dwellings (Apartment)</i>	2 / unit (Studio / 1 bedroom)
	2.5 / unit (2 bedroom)
	2.75 / unit (3 bedroom)
	3 / unit (4 + bedroom)
	Director may administratively approve 0.5 / unit for micro units (< 400 s.f.)
<i>Senior Living (Independent)</i>	Same as Dwellings (Detached, Duplex/Multi-Unit, Row House)
<i>Senior Living (Assisted or Nursing)</i>	1 / 4 beds + 1 per employee
<i>Live/Work</i>	As required for the dwelling plus as required for the square footage area for commercial/occupational use
<i>Group Home (Assisted)</i>	Same as Dwellings (Detached, Duplex/Multi-Unit, Row House)
<i>Group Home (Protective or Rehabilitative)</i>	1 / 1 bed + 1 per employee
<i>Group Home (emergency shelter)</i>	1 / 8 beds + 1 per employee
<b>Public / Civic</b>	
<i>Assembly</i>	1 / 3 seats
<i>Public Safety / Services</i>	1 / 400 s.f.
<i>Library</i>	1 / 600 s.f.
<i>Museum</i>	1 / 1,000 s.f.
<i>School</i>	2 / class (elementary or junior)
	1 / 4 students + 1 / employee (senior or higher education)
	OR 1 / 4 seats of all auditorium or event space, whichever is greater
<b>Commercial</b>	
<i>Retail – Small (1.5K – 4K)</i>	1 / 500 s.f.
<i>Retail – General (4K – 10K)</i>	1 / 300 s.f.
<i>Retail – Medium (10K – 50K)</i>	1 / 200 s.f.
<i>Retail – Large (50K – 100K)</i>	1 / 200 s.f.
<i>Retail – Warehouse (100K+)</i>	1 / 250 s.f.
<i>Grocery Store</i>	1 / 200 s.f.
<i>Lodging - B&amp;B</i>	1 / guest room + 1 for operator or owner
<i>Lodging - Hotel / Motel</i>	1 / guest room + 0.5 / 100 s.f. of restaurant + 0.5 / 4 seats of meeting space
<i>Medical Care</i>	1 / 200 for all general office and service areas +
	1 / bed (admittance permitted)
<i>Office &amp; Services</i>	1 / 300 s.f. generally
	1 / 200 s.f. for uses that have frequent customer visits (i.e. medical services, day care, bank, vehicle repair, personal services)
<i>Restaurant, bar or night club</i>	1 / 100 s.f.
<i>Health and Fitness Center</i>	1 / 100 s.f.
<i>Recreation and Entertainment</i>	1 / 200 s.f. generally
	1 / 4 seats of fixed seating areas
	1 / active patron station (i.e 4 per lane bowling; 4 per hole golf course; etc.)
	1 / 100 s.f. for food and beverage service areas
<b>Industrial</b>	
<i>Manufacturing</i>	1 / 500 s.f. (artisan/limited or light)
	1 / 750 (all others)
	Director may administratively approve 1 / 1000 s.f. or 1 / employee for any large format manufacturing operations where the s.f. of building or site does not reflect the scale of operations or parking needs
<i>Warehousing</i>	1 / 1,000 (up to 10,000 s.f.)
	1 / 2,000 (10,001 s.f. to 50,000 s.f.)
	1 / 5,000 (over 50,000 s.f.)
<b>Agriculture</b>	

Table 7-3: Required Parking	
Use Category / Specific Use	Minimum Parking Rate
All uses	Use combination of residential, public/civic commercial and industrial rates based on type and general nature of agriculture activities.

Section 15. The first paragraph of Section 11.01(A) of the LUDC is hereby amended as follows:

The Residential Dwelling category is the principal use of land and buildings for dwelling units. The arrangement and extent of dwelling units depends on the zoning district, lot sizes, and building types, arranged in the following types:

Section 16. The definition of "Row House" contained in Section 11.01(A) of the LUDC is hereby amended as follows:

Row House. A multi-unit residential building designed for 3 to 8 dwelling units within an urban or suburban context. Row House units abut one another, sharing an adjoined party wall, and each have their own private entry. Units may be on a single lot subject to common ownership restrictions or platted on separate lots along the common wall subject to platting restrictions. As used in this code, "row house" is synonymous with "townhouse".

Section 17. The definition of "Small Format or Manufactured Home Communities" contained in Section 11.01(A) of the LUDC is hereby amended as follows:

Manufactured Home and Small-Format Community. A parcel of land planned and designed with multiple home sites for the placement of manufactured, mobile, or small format homes used for the principal dwelling of households for long-term residency. These communities include internal common areas, circulation systems, accessory uses, and facilities to support the community. Dwellings may either be located on designated home sites within a shared single-lot parcel, or on individually platted lots subject to the requirements of the MH – Manufactured and Small-Format Housing District.

Section 18. The definition of "Housing, affordable" contained in Section 11.03 of the LUDC is hereby repealed.

Section 198. The following definitions contained in Section 11.03 of the LUDC are hereby added and/or amended as follows, ~~and any definition of Section 11.03 of the LUDC not herein mentioned remains as written:~~

Accessory Dwelling Unit (ADU). An additional and subordinate dwelling unit located within, attached to, or detached from and on the same lot as a principal residential building.

Affordable Housing. A dwelling unit or units with a restricted sales price or rental rate and for which requirements for receiving fee reductions, subsidies, or other incentives are defined in the Brighton Municipal Code.

Dwelling Unit. A structure with one or more joined rooms used by a family for residential occupancy that provides living, sleeping, cooking, eating, and sanitary facilities.

Family. One or more persons living in a single dwelling unit; also referred to as a household.

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Manufactured Home. A factory-built, moveable dwelling unit manufactured on a permanent chassis and certified under the authority of the U.S. Department of Housing and Urban Development's National Manufactured Home Construction and Safety Standards Act. A manufactured home may contain one or more sections, is not self-propelled, may have a permanent or removeable tongue and/or axle, and may be attached to a permanent foundation. A manufactured home is neither a mobile home nor a modular home, nor is it a recreational vehicle.

Mobile Home. A factory-built, moveable dwelling unit manufactured on a permanent chassis with permanent or removeable tongue and/or axle, not self-propelled, and manufactured prior to enactment of the U.S. Department of Housing and Urban Development's National Manufactured Home Construction and Safety Standards Act.

Modular Home. A partially or fully prefabricated dwelling unit that is built according to and certified as complying with the latest adopted building codes of the State of Colorado and/or the City of Brighton. A modular home is neither a manufactured home nor a mobile home.

Recreational Vehicle. A vehicle on a single chassis, self-propelled or carried on or towed by another vehicle, for recreational, camping, or travel use, and not allowed for use as a dwelling unit. Recreational vehicles include park models and travel trailers.

Section 2019. Section 13.4.91(a) of the Municipal Code is hereby amended as follows:

(a) An accessory dwelling unit (ADU) may be serviced off the primary dwelling unit's water tap provided that a professional engineer or licensed plumbing contractor has provided a signed utility memo to the Building Division of the Community Development Department using standards found in the most recently adopted applicable plumbing code showing a calculation that the new ADU fixtures can be accommodated with the existing water tap.—

Section 21. All sections, subsections, and definitions not expressly amended or modified herein remain in full force and effect.

Section 22. Findings. The City Council finds that the LUDC amendments set forth herein: (i) further the purpose of the LUDC; (ii) promote the public safety, health, and general welfare of the community of the City of Brighton; (iii) support the development of accessory dwelling units; (iv) aid the enforcement of regulations concerning manufactured homes; and (v) improve the effectiveness and efficiency of administering the LUDC.

Section 239. As provided in City Charter Section 5.9(A), this Ordinance, either as presented or as amended, shall be published in full as it was adopted after the initial reading. This Ordinance shall be in full force and effect five days after its final publication, as provided in City Charter Section 5.8.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED, THIS 20<sup>th</sup> DAY OF May 2025.

PASSED ON SECOND AND FINAL READING, AND ORDERED PUBLISHED BY TITLE ONLY, THIS 17<sup>th</sup> DAY OF June 2025.

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CITY OF BRIGHTON, COLORADO

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GREGORY MILLS, Mayor

ATTEST:

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NATALIE HOEL, City Clerk

Published in the *Brighton Standard Blade*

First Publication: June 5, 2025

Final Publication: June 26, 2025

APPROVED AS TO FORM

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JAMES GALLAGHER, Assistant City Attorney