



Accessory Kitchens

Estes Park Community Development Department

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DATE:

Planning Commission -
October 20, 2009

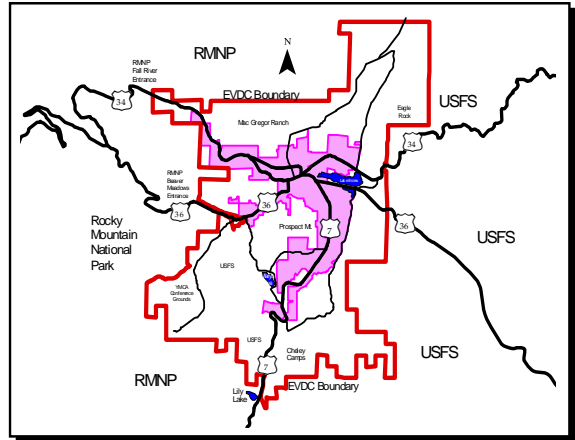
Town Board –

First Reading: December 8, 2009

Second Reading: January 12, 2010

Board of County Commissioners – January 19,
2010

REQUEST: To adopt regulations pertaining to
multiple kitchens in a single-family dwelling.



STAFF CONTACT: Bob Joseph

PURPOSE AND INTENT: The purpose of this amendment is to establish use and development regulations for a second kitchen within a single-family dwelling. These regulations are intended to support the following purposes:

- 1) To allow accessory kitchens associated with single-family dwellings, for use by the family residing within the dwelling unit, accessory to the first kitchen within the dwelling unit.
- 2) Approval of a kitchen accessory to a single-family dwelling shall not be considered approval of a second dwelling unit or accessory dwelling unit.

FORMATTING:

- 1) Existing text in black font.
- 2) Proposed text in **red underlined text**.
- 3) Text to be removed in **blue strikethrough**.

§ 5.2 ACCESSORY USES (INCLUDING HOME OCCUPATIONS) AND ACCESSORY STRUCTURES

A. General Standards.

[No Changes]

B. Accessory Uses/Structures Permitted in the Residential Zoning Districts.

1. Table of Permitted Accessory Uses and Structures.

**Table 5-1
Accessory Uses and Structures Permitted in the Residential Zoning Districts**

Accessory Use	Residential Zoning District								Additional Requirements
	"Yes" = Permitted Permitted				"No" = Not				
	RE-1	RE	E-1	E	R	R-1	R-2	RM	
<u>Accessory kitchen</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>	<u>§5.2.B.2.g</u>

2. Additional Requirements for Specific Accessory Uses/Structures Permitted in the Residential Zoning Districts.

g. Accessory Kitchen.

(1) Approval of a kitchen accessory to a single-family dwelling shall not constitute approval of a second dwelling unit or accessory dwelling unit.

(2) The dwelling shall not be occupied by more than one family unit, as defined in Section 13.2.C.28 "Household Living."

(3) The dwelling shall have only one address.

(4) Interior access shall be maintained to all parts of the dwelling to assure that an accessory dwelling unit or apartment is not created.

(5) Land Use Affidavit.

(a) Accessory kitchens located in a portion of the dwelling that also includes sanitary facilities shall require a Land Use Affidavit prepared by the Community Development Department.

(b) The Community Development Department shall record this Land Use Affidavit, at the applicant's expense, at the time of issuance of a building permit.

C. Accessory Uses and Structures Permitted in the Nonresidential Zoning Districts.

[No Changes]

- D. **General Dimensional and Operational Requirements.** The following standards shall apply to all accessory uses and structures in all zoning districts, except for: (1) Satellite antenna dishes accessory to residential uses that are one (1) meter or less in diameter; and (2) Satellite antenna dishes accessory to nonresidential uses that are two (2) meters or less in diameter. (Ord. 15-03 #1)

5. *Maximum Cumulative Gross Floor Area Allowed for all Accessory Uses in Accessory Buildings, Accessory Structures and/or Principal Buildings for Residential Uses.*

Maximum cumulative gross floor area for all accessory uses, ~~excluding accessory nightly rentals, in accessory buildings, accessory structures and/or principal buildings~~ (excluding: accessory kitchens; and, accessory nightly rentals in accessory or principal structures) shall not exceed the largest computation of the following:

- a. One thousand two hundred (1,200) square feet of gross floor area;
- b. Fifty percent (50%) of the gross floor area of the principal building, excluding the attached garage floor area;
- c. For lots with a net land area greater than one-half ($\frac{1}{2}$) acre and less than or equal to one (1) acre: $500+[1,000(a)]^*$.
- d. For lots with a net land area greater than (1) acre: $1,400+[400(a)]^*$.

*Where "a" = net land area in acres

Chapter 13 - Definitions

Section 13.2.C

28. *Household Living.*

- a. General Definition: A family unit related by blood, marriage or adoption or eight (8) or fewer unrelated individuals (including resident and nonresident care givers) living together in a single dwelling unit, with common access to and common use of all living and eating areas and all facilities for the preparation and serving of food within the dwelling unit.
- b. Examples: This classification includes households living in single-family houses, duplexes, town homes, other multi-family dwelling structures, manufactured housing and other structures with self-contained dwelling units.

Section 13.3

130. *Kitchen* shall mean a room or space within a room equipped with such electrical or gas hook-up that would enable the installation of a range, oven or like appliance using 220/40 volts or natural gas (or similar fuels) for the preparation of food, and also containing either or both a refrigerator and sink.

130.1 *Kitchen, Accessory* shall mean a kitchen other than the principal kitchen associated with a single-family dwelling.