

ITEM: LMCA-000585-2026

PLANNER: Jeff Hirt, Planning Manager

REQUEST: Approval of Resolution No. 2, Series 2026, recommending that the City Council approve an ordinance amending Title 17 of the Louisville Municipal Code to update the City's Accessory Dwelling Unit (ADU) regulations to comply with HB 24-1152 related to the minimum allowable size for an ADU.

SUMMARY:

This zoning code amendment updates the City's accessory dwelling unit (ADU) regulations to fully comply with HB 24-1152, which requires local governments to allow ADUs with single-family residential units citywide. The ordinance adopted in May 2025 did not explicitly address that a minimum 750 square foot ADU must be allowed in all cases, subject to certain limitations. This requirement is specifically outlined in HB 24-1152.

BACKGROUND:

When the City adopted its ADU regulations, there was extensive discussion regarding size limitations. The adopted ordinance established a maximum size of 800 square feet for detached ADUs and 1,000 square feet for attached ADUs, with some exceptions. The ordinance also requires that an ADU cannot exceed 75% of the size of the primary single-family unit.

HB 24-1152 mandates that local governments allow a minimum 750 square foot ADU in all cases, except when the primary unit is 750 square feet or smaller (in which case the ADU must simply be smaller than the primary unit). Under the City's current ordinance, if the primary unit is less than 1,000 square feet, the 75% cap results in an ADU size below 750 square feet, which is inconsistent with state law.

ANALYSIS

HB 24-1152 includes detailed provisions regarding what constitutes a "restrictive standard" for an ADU. Among these is the requirement that all applicable codes allow a minimum 750 square foot ADU, with the exception noted above in relation to the primary house size.

The proposed amendment makes a narrow change to the City's ADU regulations by overriding the 75% size cap in cases where it would otherwise prohibit an ADU of at least 750 square feet. The existing maximum size limits of 800 square feet for detached ADUs and 1,000 square feet for attached ADUs remain unchanged, with the scenarios below addressed more clearly.

Summary of Maximum Size Allowances for ADUs		
Primary Unit Size	Current Code (75% Rule)	Proposed Code
900 SF	675 SF max	750 SF allowed
700 SF	525 SF max	699 SF allowed (smaller than primary unit)

Staff finds that this amendment is:

1. Required by state law, and noncompliance could affect the City's eligibility for future state grants.
2. Minor in scope, affecting only a small number of properties and affecting the allowable size of ADUs minimally.
3. Consistent with adopted housing policies, including the Louisville Housing Plan, which supports ADUs to increase housing options.

PROPOSAL

Amend Section 17.16.035 of the Louisville Municipal Code to state:

1. A minimum 750 square foot ADU is allowed in all cases, overriding the current 75% size cap.
2. An exception that if the primary unit is less than 750 square feet, the ADU must be smaller than the primary unit.

PUBLIC COMMENTS:

No public comments have been submitted as of the time of this staff report.

STAFF RECOMMENDATION:

Approval of Resolution No. 2, Series 2026, recommending that the City Council approve an ordinance amending Title 17 of the Louisville Municipal Code to update the City's Accessory Dwelling Unit (ADU) regulations to comply with HB 24-1152 related to the minimum allowable size for an ADU.

ATTACHMENTS/LINKS

1. Resolution 3, Series 2026
2. Draft Ordinance
3. [HB 24-1152](#)

**RESOLUTION NO. 2
SERIES 2026**

**A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING
TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE CONCERNING ACCESSORY
DWELLING UNITS AND COMPLIANCE WITH HB 24-1152**

WHEREAS, the City of Louisville (the “City”), is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”);

WHEREAS, the State of Colorado House Bill 24-1152 requires the City of Louisville to allow accessory dwelling units on all single family residential lots and comply with detailed supplemental standards related to accessory dwelling units;

WHEREAS, allowing accessory dwelling units is consistent with the Louisville Housing Plan goals to increase residential development opportunities in Louisville, expand and maintain access to affordable housing, and diversify Louisville’s housing stock;

WHEREAS, allowing accessory dwelling units is consistent with the Louisville Housing Plan Action Item 1.4 to remove barriers to and promote accessory dwelling units to help increase housing supply and diversity;

WHEREAS, the Planning Commission finds that the amendments to the City’s current accessory dwelling unit regulations to address the minimum size allowances for accessory dwelling units are necessary to comply with HB 24-1152; and

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Louisville, Colorado does hereby recommend approval of an ordinance amending Louisville Municipal Code to address electric vehicle charging stations.

PASSED AND ADOPTED this 12th day of February, 2026.

By: _____
Steve Brauneis, Chair
Planning Commission

Attest: _____
Cullen Choi, Secretary
Planning Commission

ORDINANCE NO. _____
SERIES 2025

**AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE
CONCERNING ACCESSORY DWELLING UNITS AND COMPLIANCE WITH HB 24-
1152**

WHEREAS, the City of Louisville (the “City”), is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”);

WHEREAS, the State of Colorado House Bill 24-1152 requires the City of Louisville to allow accessory dwelling units on all single family residential lots and comply with detailed supplemental standards related to accessory dwelling units;

WHEREAS, allowing accessory dwelling units is consistent with the Louisville Housing Plan goals to increase residential development opportunities in Louisville, expand and maintain access to affordable housing, and diversify Louisville’s housing stock;

WHEREAS, allowing accessory dwelling units is consistent with the Louisville Housing Plan Action Item 1.4 to remove barriers to and promote accessory dwelling units to help increase housing supply and diversity;

WHEREAS, after a duly noticed public hearing held _____, at which evidence and testimony were entered into the record, including the Louisville Planning Commission Staff Report dated _____, the Louisville Planning Commission has recommended the City Council adopt the amendments to the Louisville Municipal Code set forth in this ordinance;

WHEREAS, City Council has provided notice of a public hearing on said ordinance by publication as provided by law and held a public hearing as provided in said notice; and

WHEREAS, the City Council finds that the amendments to the City’s current accessory dwelling unit regulations to address the minimum size allowances for accessory dwelling units are necessary to comply with HB 24-1152.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. The maximum size restrictions for accessory dwelling units in Section 17.16.035.B of the Louisville Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken~~):

Sec. 17.16.035 Accessory dwelling units.

B. *Accessory Dwelling Unit Development Standards:*

3. Maximum Size:

- a. Accessory dwelling units shall not exceed 75% of the square footage of the principal single-family dwelling unit or the maximum square footage in this subsection, whichever is less. ~~However, accessory dwelling units at least 500 square feet in size shall be allowed in all cases, provided all other requirements in this Sec. 17.16.035 are met.~~
- b. Detached accessory dwelling units shall not exceed 800 square feet in size.
- c. Attached accessory dwelling units shall not exceed 1,000 square feet in size.
- d. Attached accessory dwelling units located in basements that are partially or fully below grade shall not count towards the maximum size limitations in this subsection 3.
- e. Garage areas shall not be included as part of the maximum size square footage calculation of an accessory dwelling unit.
- f. Notwithstanding subsection (a), an accessory dwelling unit of up to seven hundred fifty (750) square feet shall be permitted in all cases unless the principal single-family dwelling unit contains less than seven hundred fifty (750) square feet of floor area, in which case the accessory dwelling unit may be no larger than the principal single-family dwelling unit.
- g. Accessory dwelling units of at least five hundred (500) square feet in size shall be allowed in all cases, provided all other requirements of this Sec. 17.16.035 are met.

Section 2. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 3. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 12. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED
PUBLISHED THIS ____ DAY OF _____, 2026.**

**PUBLIC HEARING AND SECOND READING WILL BE THE ____ DAY OF
_____, 2026, AT 6:00 P.M. AT LOUISVILLE CITY HALL, 749 MAIN STREET,
LOUISVILLE, CO 80027.**

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk

**PASSED AND ADOPTED ON SECOND AND FINAL READING, THIS ____ DAY
OF ____, 2026.**

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk

APPROVED AS TO FORM:
KELLY PC

By: _____
Kathleen Kelly, City Attorney