

**TOWN OF WESTCLIFFE, COLORADO  
ORDINANCE # 4-2024**

**AN ORDINANCE OF THE TOWN OF WESTCLIFFE ADDING TITLE 10, CHAPTER 1, SECTION 17 –  
ACCESSORY DWELLING UNITS, OF THE MUNICIPAL CODE**

**WHEREAS**, the Town of Westcliffe acting by and through its Town Board of Trustees has the power to regulate land use matters pursuant to Colorado Revised Statutes (C.R.S.) Section 31, Article 23 et seq.; and

**WHEREAS**, the Board of Trustees of the Town of Westcliffe has determined that it is in the best interests of the Town to adopt and add Title 10, Chapter 1, Section 17 – Accessory Dwelling Units, and Amend Title 10, Chapter 2, Section 2 – Zone District Use Schedule (Exhibit A), as a supplement to the Town Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WESTCLIFFE, COLORADO, as follows:**

1. **Adoption of Title 10, Chapter 1, Section 17 of the Municipal Code.** Title 10, Chapter 1, Section 17 – Accessory Dwelling Units, and Amend Title 10, Chapter 2, Section 2 – Zone District Use Schedule (Exhibit A), of the Municipal Code is hereby adopted and added to read in substantially the same form and substance as follows:

**10-1-17: Accessory Dwelling Units**

A. **Scope.** This section shall be applicable to Accessory Dwelling units in the Residential Single-Family District, Core Commercial District, and the Multi Family District.

B. **Definitions.** As used in this Chapter, the following terms shall have the meanings indicated, unless the context otherwise requires:

1. “Accessory Dwelling Unit (ADU)” A smaller dwelling on the same grounds as the primary home; attached to the main dwelling or detached from the main dwelling. The Dwelling shall be no larger than 2/3 of the conditioned area of the primary home and no less than 300 square feet.

C. **Supplementary Regulations.**

1. Accessory Dwelling units must be on a fixed foundation and not on a chassis. Accessory Dwelling units may not be built until the primary Residence/Business has a certificate of occupancy.

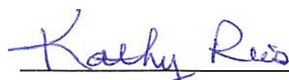
2. All ADU's must follow current setbacks relevant to the current zone to which they are in.
  3. An ADU above, below, or behind a business or dwelling, must provide parking and be on the alley.
  4. Any ADU less than 500 square feet shall comply with Section 3-6-1 of the Westcliffe Municipal Code.
2. **Revision of Title 10, Chapter 2, Section 2 of the Municipal Code.** Title 10, Chapter 2, Section 3, of the Municipal Code is hereby adopted and added to read in substantially the same form and substance as follows:
- See attached Exhibit A, hereby incorporated by reference.
3. **Severability.** If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
  4. **Effective Date and Time.** This Ordinance shall become effective 30 days after publication in accordance with law.

THIS ORDINANCE WAS INTRODUCED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED BY MAJORITY VOTE AT ITS REGULAR MEETING HELD AT THE TOWN OF WESTCLIFFE ON THE 15<sup>TH</sup> DAY OF OCTOBER, 2024.

TOWN OF WESTCLIFFE

By:   
Paul Wenke, Mayor

ATTEST:

  
Kathy Reis, Town Clerk

**EXHIBIT A-ADU**

USE	A	R-SF	R-MF	MH	CC	HC	HI	PUD	PUD B-1	PUD B-2	TN
0.57 ADU	R	R	R	R	R	R	P	A	B-1 R	B-2 R	R