

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
RESOLUTION NO. 02-2023**

**A RESOLUTION AMENDING GRAND LAKE MUNICIPAL CODE SECTION 12-2-6
REGARDING THE DEFINITION OF ACCESSORY DWELLING UNIT**

WHEREAS, the Board of Trustees (the “Board”) of the Town of Grand Lake, Colorado, pursuant to Colorado Statute is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado; and

WHEREAS, the Planning Commission of the Town of Grand Lake (the “Commission”), pursuant to Colorado Revised Statutes and the Town of Grand Lake Municipal Code (“The Code”), is vested with the authority to perform such duties as are conferred upon them, including making recommendations to the Board; and,

WHEREAS, the Town of Grand Lake Municipal Code Title 12, Article 2 was adopted to establish regulations and restrictions in accordance with a land use plan to, among other things, provide comprehensive regulations restricting the erection, construction, reconstruction, alteration, repair and use of building, structures, and land within the Town of Grand Lake; and

WHEREAS, the Town Code Municipal Code Title 12, Article 2, Section 6 provides definitions of certain terms in order to facilitate understanding of subsequent sections of the Town Code; and

WHEREAS, the Planning Commission of the Town of Grand Lake has determined the definition of “Accessory Dwelling Unit (ADU)” should be amended to permit both attached and detached Accessory Dwelling Units within the Town of Grand Lake; and

WHEREAS, the Planning Commission of the Town of Grand Lake has determined that certain terms defined in the Town Code lack clarity and, therefore, are difficult to apply when making land-use decisions; and

WHEREAS, the Planning Commission of the Town of Grand Lake reviewed the definition of ADU and unanimously approved Planning Commission Resolution 03-2023 at its regular meeting March 15, 2023, recommending revisions to the same; and

WHEREAS, the Board has determined that it is in the interest of the Town to amend the definition of ADU located in Chapter 12, Article 2 of the Code in conformance with the recommendations of the Planning Commission.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO AS FOLLOWS:

1. The Board of Trustees hereby amends Section 12-2-6 of the Municipal Code of the Town of Grand Lake by amending the definition of “Accessory Dwelling Unit (ADU)” with the removal of the ~~striketrough language~~ and the addition of the **bold underlined language** to read in its entirety as follows:

Accessory Dwelling Unit (ADU). One (1) additional dwelling unit within **or in addition to**, and not legally subdivided from, the principal structure. ~~The dwelling unit must be in a continuous enclosure. The entire dwelling unit~~ **Accessory Dwelling Unit** must function as a **Dwelling Unit** ~~unit~~ without any permanent physical separation such as wall or floor with no means of connection **and may be attached to or detached from the principal structure.**

2. **Severability:** If any Article, 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 of the remaining portions of this Ordinance. The Board of Trustees declares that it would have passed this Ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. **Repeal:** Existing Ordinances or parts of Ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any Ordinance hereby repealed prior to the taking effect of this Ordinance.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, THIS 27TH DAY OF MARCH, 2023.

Votes Approving: _____
Votes Opposed: _____
Absent: _____
Abstained: _____

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

By: _____
Steve Kudron
Mayor