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Silverthorne ordinance could make it easier for developers to build affordable housing

Ordinance 2022-07 would target accessory dwelling units and incentivize renting to lower-income residents

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[Eliza Noe](#)

enoe@summitdaily.com



A for sale sign sits in front of a home in the Willowbrook neighborhood in Silverthorne on Dec. 5, 2020. A new ordinance for the town would target accessory dwelling units and incentivize renting to lower-income residents.

Libby Stanford/Summit Daily News

A change in policy regarding the building of accessory dwelling units would make it easier for developers to build housing for lower-income families, if approved by Silverthorne Town Council.

Specifically, this ordinance changes three different articles of [the Town Code](#). As the code stands now, to build a single apartment, what the town calls accessory dwelling units, developers are required to obtain a conditional use permit and have public hearing before the planning commission and the council. If the ordinance is passed after its second reading, public hearings on the units would no longer be required, and those conditional permits can be approved by just the town's staff.

It would also give developers the option to make these apartments deed restricted, which means the unit would be eligible for waived tap fees if it is rented to a tenant or tenants making below 100% of the area median income. This translates to a household of one person making \$67,300 a year or lower, and a household of two earning less than \$76,900 a year [in Summit County](#).

"You can't make these homes short-term rentals," Town Planning Manager Lina Lesmes told the council Wednesday, March 23. "That's already restricted. There are also already a lot of other restrictions in the code that people will have to live with, including the ones that (council) talked about: regular zoning standards of setbacks, height, all that stuff."

According to the current town code, a single apartment is "a residential dwelling unit located on the same lot as a single-family detached dwelling unit, either within the same building as the single-family detached dwelling unit (as originally built or as modified), or as an integral part of a detached building."

The code excludes mobile homes, recreational vehicles, camper buses and travel trailers from being considered accessory dwelling units, and the units must have leases that last at least six months. Units can not exceed 33% of the area of the main family dwelling, and they are also only permitted in specific residential zones. In Silverthorne, it includes the Ptarmigan Trail Estates and Blue River Mesa subdivisions as well as the Willowbrook Meadows, Willow Creek Highlands, Beaver Valley and Arctic Placer subdivisions.

At the Jan. 26 work session, Town Council directed town staff to revise the land use regulations related to single apartments to streamline the review process and make the conditional use permit approval occur at the staff level. Last Wednesday, Silverthorne Town Council approved staff's new language of the code unanimously at its first reading. One recommendation from council members was to add

building permits to waived fees in future readings of the ordinance in order to further entice developers to build affordable housing.

The ordinance would not prevent developers from renting to higher incomes or charging higher rent. However, it would cut out thousands of dollars in fees if they decide to deed-restrict the unit.

There was brief discussion during the Town Council meeting about whether the top of the deed-restricted income limit should be closer to 120% of the area's median income, but council members decided that targeting a lower income was a better option to help combat the town's housing shortage — especially for local workers who live in Silverthorne all year.

“If you make \$32 an hour at full time, that's still less than 100%,” council member Mike Spry said. “When you talk about looking around at folks working full time plus a significant amount of overtime, it's still taking a significant hourly wage to get to 100%. We want to target some very specific groups here, and \$32 an hour is still pretty aggressive.”