



Community Planning & Permitting

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BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING

November 18, 2025 at 1 p.m.

Boulder County Courthouse, 3rd Floor,
1325 Pearl Street, Boulder
Virtual and in-person

PUBLIC HEARING RE: LU-25-0008 MCDONALD FAMILY CARE ADU

DATE PUBLISHED: November 7, 2025

STAFF PLANNER: Pete L'Orange, Senior Planner

Docket LU-25-0008: McDonald Family Care ADU

Proposal: Limited Impact Special Use review for a Family Care Accessory Dwelling Unit on an approximately 7.7-acre parcel at 376 J J Kelly Road.

Location: 376 J J Kelly Road, an approximately 7.7-acre parcel, located approximately 1,900 feet west and 850 feet north of the intersection of Antelope Drive and Apply Valley Road in Section 13, Township 3N, Range 71W.

Zoning: Agricultural (A) Zoning District

Applicants/Owners: McDonald Skye Family Trust c/o E. Skye McDonald

Agents: enContext Architecture c/o Danielle Lynn

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SUMMARY AND RECOMMENDATION:

This application proposes to convert a portion of an existing detached structure for use as a Family Care Accessory Dwelling Unit (Family Care ADU). Per Article 4-516.H.2.a, Limited Impact Special Use Review is required for a Family Care ADU and is analyzed pursuant to the Special Use Standards in Article 4-601 and Additional Provisions for Family Care Units in Article 4-516.H.5 of the Boulder County Land Use Code (the Code). Staff recommend conditional approval of the proposal because, as conditioned, staff find the Family Care ADU can meet the Limited Impact Special Review Criteria in the Code.

DISCUSSION:

The subject parcel is located in the Agricultural zoning district, west of the Town of Lyons, approximately 1,900 feet west and then 850 feet north of the intersection of Antelope Drive and Apply Valley Road, at the northwest corner of J J Kelly Road (see Figure 1 below).

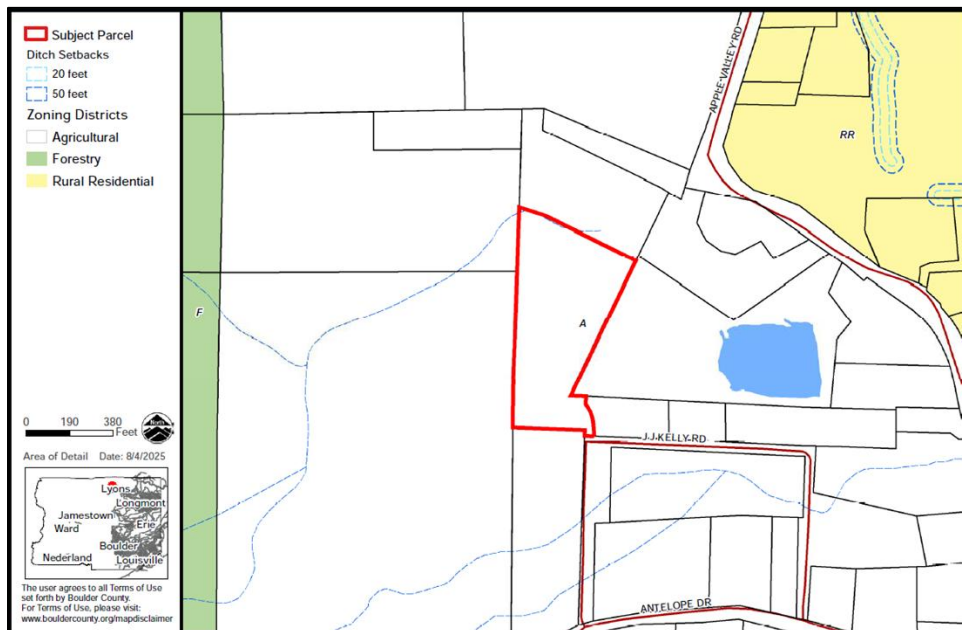


Figure 1: Vicinity map showing location of the subject parcel.

The Boulder County Comprehensive Plan indicates that most of the subject parcel is located within a Very High Biodiversity Area and the southern portion of the subject parcel is located within a Rare Plant Area (see Figure 2 below). There is also a small Riparian Area in the northwest portion of the subject parcel. Finally, there are Significant Natural Communities Areas and an Archaeologically Sensitive Area west of the subject parcel, but not on the parcel itself.

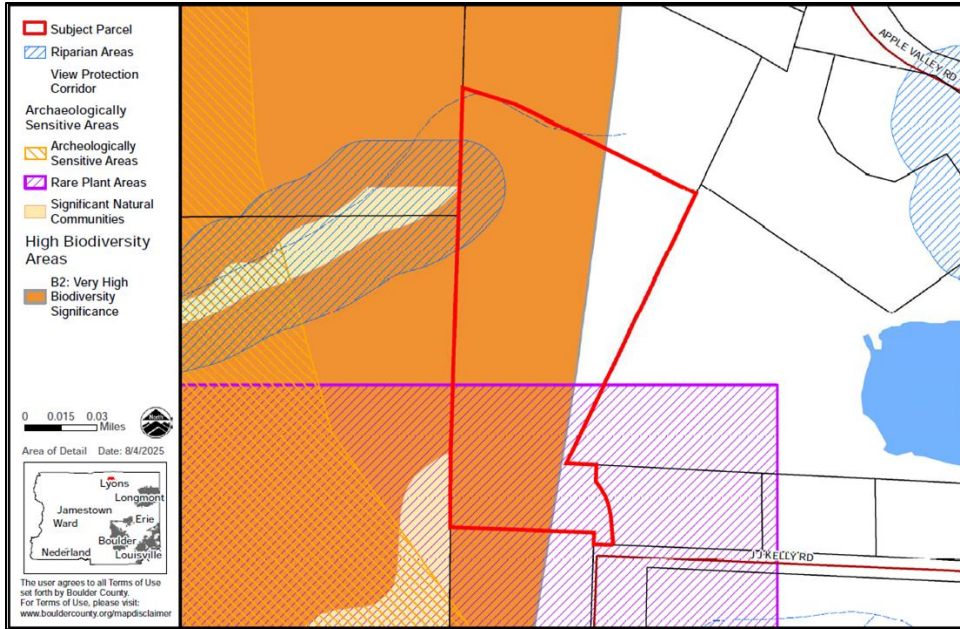


Figure 2: Comprehensive Plan map.

The Boulder County Comprehensive Plan identifies a couple of small Rockfall Susceptibility Areas and a Debris Flow Susceptibility Area in the northern portion of the subject parcel (see Figure 3 below).

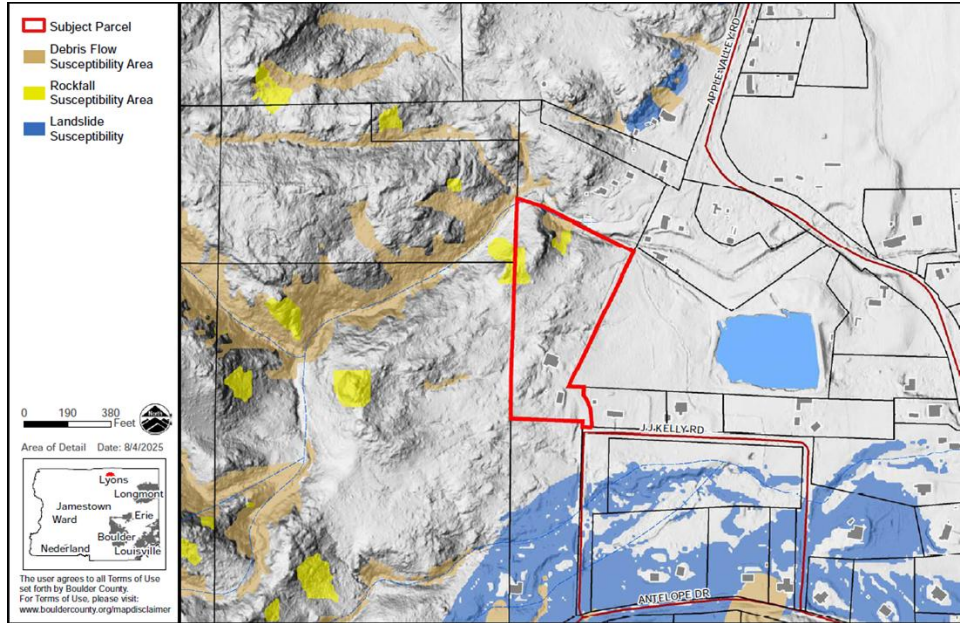


Figure 3: Geological Hazards map.

Finally, west of the subject parcel are large areas of Boulder County Open Space and some City of Longmont owned open space (see Figure 4 below).



Figure 4: Open Space and Public Lands map.

REFERRALS:

This application was referred to the typical agencies, departments, and nearby property owners within 1,500 feet of the property. All responses received are attached and summarized below.

Boulder County Building Safety and Inspection Services Team: Boulder County Building Safety and Inspection Services reviewed the proposal and responded that the proposed development will require building permits. They noted that the proposal would result in a mixed-use building, with an agricultural occupancy and a residential occupancy. They also noted that a complete code analysis will be required, from a Colorado licensed design professional (an architect for example), at permitting. The building occupancy must be classified by each space. They also noted that gas was installed in the structure without a permit; this will need to be addressed as part of the building permit for the proposed Family Care ADU.

Boulder County Development Review Team – Access & Engineering: Boulder County Development Review Team – Access & Engineering reviewed the proposal and determined that the subject parcel is accessed via from Antelope Drive, an unpaved Boulder County owned and maintained right-of-way (ROW) with a Functional Classification of Local Secondary, via J J Kelly Road, an unpaved private road. Legal access has been demonstrated via a Quit Claim Deed for a non-exclusive ROW easement that is generally 60 feet wide recorded on August 5, 2020, at reception #03804353. They also stated that the existing access appears to meet the Boulder County Multimodal Transportation Standards and provided recommendations regarding stormwater management.

Boulder County Parks & Open Space – Natural Resources Planner: The Natural Resources Planner reviewed the proposal and stated that no significant natural resource impacts are anticipated from this proposal. They noted that the High Biodiversity Area will not be further impacted, and recommended revegetation of any disturbed areas.

Boulder County Wildfire Mitigation Team: The Wildfire Mitigation Team reviewed the proposal and determined that, as the application proposes to create new habitable space, wildfire mitigation is required. They provided information and recommended conditions of approval to ensure that wildfire risks are appropriately minimized and mitigated.

Lyons Fire Protection District: This agency reviewed the proposal and noted that the Family Care ADU will be considered new construction. As such, the Lyons Fire Code requires that the ADU have a residential fire sprinkler system. The Lyons FPD also noted that, since this is an existing building, the applicants are not required to provide a water cistern. Finally, the agency noted that a code-compliant and fire-rated wall assembly, without any penetrations, is required between the dwelling space and the agricultural workshop space.

Public Service Company of Colorado (Xcel Energy): This agency reviewed the application materials and noted that they own and operate natural gas service to the existing residence and that the applicant must complete the application process for any new natural gas service, or modification to existing facilities.

Agencies that sent a response indicating no conflicts: Boulder County Historic Preservation Team.

Agencies that did not respond: Boulder County Long Range Planning; Boulder County Stormwater team; Boulder County Sherrif; Boulder County Surveyor; Boulder County Assessor’s Office; Northern Colorado Water Conservancy District; Longmont Power & Communication; City of Longmont; Town of Lyons; Boulder Valley and Longmont Conservation Districts; and Colorado Parks & Wildlife.

Adjacent Property Owners: Notices were mailed to 35 nearby property owners. Staff have not received any public comments on the application.

LIMITED IMPACT SPECIAL REVIEW SUMMARY:

The Community Planning & Permitting staff reviewed the conditions and standards for approval of a Limited Impact Special Review, as well as the Additional Provisions for Family Care Units. Staff have reviewed these standards as they apply to the Family Care Unit ADU.

(1) Complies with the minimum zoning requirements of the zoning district in which the use is to be established, and will also comply with all other applicable requirements;

The subject parcel is zoned Agricultural and is a legal building lot. Family Care ADUs can be approved as an accessory use (Article 4-516) through Limited Impact Special Review.

In addition, the proposed Family Care ADU is subject to the requirements of the Boulder County Building Safety and Inspection Services Team and adopted County Building Codes, as outlined in the referral comments, including, but not limited to required sprinklering, ignition resistant materials and defensible space, and the BuildSmart energy efficiency and sustainability requirements.

If the Family Care ADU were to be decommissioned, it would need to either be returned to non-residential floor area or be reviewed and approved as new residential floor area (RFA). Currently, the Maximum RFA for the subject parcel is 3,567 square feet (per Article 4-402.E.3.a of the Code); the existing recorded RFA for the subject parcel is 2,826 square feet, a difference of 741 square feet. As such, based on the currently allowed Maximum RFA, if the Family Care ADU were to be decommissioned, it could be reviewed and approved as RFA without causing the subject parcel to exceed their Max RFA allowed.

Additionally, Family Care ADUs are subject to additional provisions as set forth in Article 4-516.H.5.

Additional Provisions for a Family Care Unit under Article 4-516.H.5 include the following:

a. The accessory dwelling may be detached from the structure housing the principal dwelling provided it is closely clustered with the principal dwelling.

The proposed Family Care Unit is part of an existing detached accessory structure, located approximately 100 feet from the principal residence (see Figure 6 below). Staff find that the relatively small distance between the two structures and the fact that the applicants propose to repurpose a portion of an existing structure, located along an existing driveway, means that proposed location of the Family Care ADU is consistent with existing development patterns on the subject parcel and is adequately clustered with the principal residence.

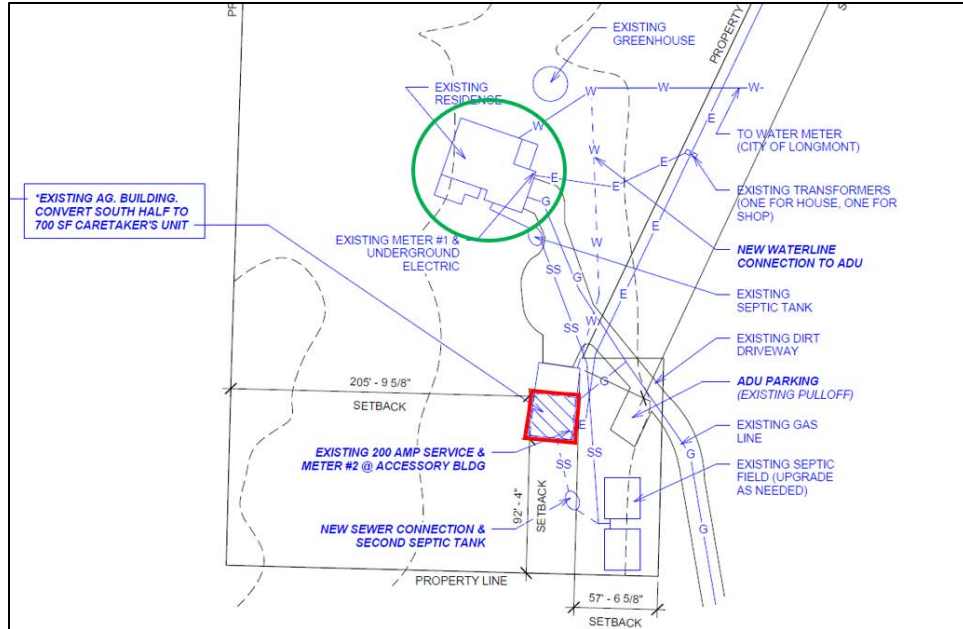


Figure 5: Site plan as submitted by the applicants, with the proposed ADU indicated in red and the existing residence circled in green.

Therefore, staff find the proposed location of the Family Care ADU is appropriate and that this provision is met.

- b. The accessory dwelling is limited to 700 square feet in size. The Board may approve covered porches to proposed accessory dwellings which exceed these specified square footage limitations, provided that no other portion of the floor area of the proposed dwelling exceeds the specified limitation, and provided that the Board approves the additional covered porch area in accordance with the special use criteria. In no event shall any such approved covered porch area ever be enclosed.***

The applicants have proposed to convert 700 square feet of an existing 1,200-square-foot accessory structure into the Family Care ADU, with the remaining 500 square feet to be used as agricultural shop space. However, the floor plans submitted with the application materials depict a door between the proposed ADU and the agricultural floor area. In order to ensure that the floor area of the ADU does not exceed the 700 square feet allowed by the Code, and in order to meet the Lyons Fire Protection District’s requirements, staff find that cannot be any “internal communication” between the two spaces, and the door must be removed. Staff informed the applicants of this requirement, and they stated they had no problem removing the door. Staff recommend as a condition of approval that plans submitted for permitting show complete separation between the two spaces with no internal communication.

Therefore, as conditioned, staff find this provision can be met.

- c. A separate entrance to the accessory dwelling is allowed, but only one entrance to all dwelling units may be visible from the front property line.**

Per the Article 18-175A of the Code, the front lot line is defined as “That part of a property line dividing a lot from a road, exempting private thoroughfares which are not in subdivided land.” In this case, since J J Kelly Road is a private thoroughfare, it is not considered a road for the purpose of determining the front lot line. As such, the subject parcel does not technically have a front property line, and all of the lot lines are considered side lot lines.

However, from a practical standpoint of considering the potential impact of the proposed Family Care ADU, the front property line might be considered to be the property line where the driveway enters the subject parcel. Based on that, it would be the eastern property line. From that entry point, the entrance to the proposed Family Care ADU would not be visible.

Therefore, staff find this provision is met.

- d. The property owner must live on the property.**

The property owners reside in the existing principal residence.

Therefore, staff find this provision is met.

- e. The owner must submit an annual report to the Land Use Department indicating that the purpose for which the accessory unit was approved has not changed, and that the unit continues to be occupied in accordance with the approval. Any impermissible change in use of the unit can result in termination of the right to occupy or use the unit.**

Staff recommend a condition of approval requiring the property owner to submit an annual report to the Community Planning & Permitting Department indicating that the accessory dwelling continues to be used as a Family Care Accessory Dwelling Unit that is occupied in accordance with the approval of this docket.

Therefore, as conditioned, staff find this provision can be met.

- f. The unit may only be used as approved through Special Review. If a change in use is deemed to be a substantial modification of the approval, the approval will be terminated and the unit must be removed or decommissioned.**

The accessory dwelling unit shall only be used as a Family Care Unit. Staff recommend a condition of approval requiring that any changes to this use be considered a substantial modification of the approval and cause the termination of the Family Care ADU, requiring the unit to be removed or decommissioned. As discussed above, if the Family Care ADU were to be decommissioned, it would need to either be returned to non-residential floor area or be reviewed and approved as new residential floor area.

Therefore, as conditioned, staff find this provision can be met.

g. A notice of these provisions will be recorded in the real property records of the Clerk and Recorder's Office for any approval granted.

Staff recommend a condition of approval requiring, prior to the issuance of any building permits for the Family Care Unit, a signed affidavit be recorded that recognizes the conditions of approval for this docket.

Therefore, as conditioned, staff find this provision can be met.

As conditioned, staff find the Family Care ADU can meet all of the required provisions under Article 4-516.H.5 of the Code.

Therefore, as conditioned, staff find this criterion can be met.

(2) Will be compatible with the surrounding area. In determining compatibility, the Board should consider the location of structures and other improvements on the site; the size, height and massing of the structures; the number and arrangement of structures; the design of structures and other site features; the proposed removal or addition of vegetation; the extent of site disturbance, including, but not limited to, any grading and changes to natural topography; and the nature and intensity of the activities that will take place on the site. In determining the surrounding area, the Board should consider the unique location and environment of the proposed use; assess the relevant area that the use is expected to impact; and take note of important features in the area including, but not limited to, scenic vistas, historic townsites and rural communities, mountainous terrain, agricultural lands and activities, sensitive environmental areas, and the characteristics of nearby development and neighborhoods;

For purposes of this review, staff consider the properties within 1,500 feet of the subject parcel as the applicable surrounding area, which is consistent with the Site Plan Review defined neighborhood. Existing development within this area consists

primarily of single-unit dwellings and open space. Staff do not have any concerns regarding the compatibility of the Family Care ADU use.

Additionally, as discussed above, the proposed Family Care ADU is located in an existing, single-story structure along an existing driveway. As such, staff find the amount of site disturbance required will be minimal and limited to creating pedestrian access to the new Family Care ADU's entrance on the south side of the structure (discussed in more detail in Criterion 4 below).

As such, staff find the proposed Family Care ADU will be compatible with the surrounding area.

Therefore, staff find this criterion is met.

(3) The use will be in accordance with the Comprehensive Plan;

As discussed above, the Comprehensive Plan indicates that most of the subject parcel is located within a Very High Biodiversity Area and the southern portion of the subject parcel is located within a Rare Plant Area. The existing structure proposed to be converted to the Family Care ADU is within both of these areas (see Figure 7 below). However, as also discussed above, the applicants propose to use an existing structure so the proposal will not have any significant increased or additional impacts on the Very High Biodiversity Area or the Rare Plant Area.

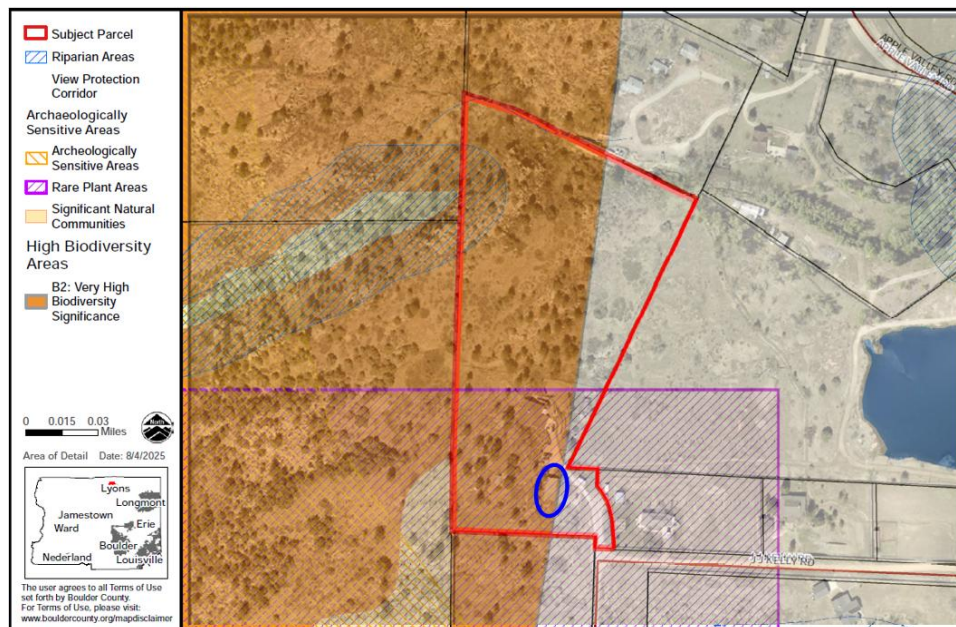


Figure 6: Aerial photograph of the subject parcel overlaid on the Comprehensive Plan map, with the location of the existing structure circled in blue.

In addition to the natural resources designations, the Comprehensive Plan also specifically addresses Accessory Dwelling Units in Housing Element Policy HO 3.05 Accessory Dwelling Units. This policy states, “*The county will consider accommodating more housing in defined areas and circumstances by providing opportunities for well-designed attached and detached accessory dwelling units with limited impacts on the county’s natural resources and transportation infrastructure.*” As discussed above, staff find that this proposal will have a very minimal impact on any natural resources. As discussed in more detail below in Criterion 7, staff also find that the proposal will not have any adverse impact on the county’s transportation infrastructure. As such, staff find the proposal is consistent with this policy.

Therefore, staff find that this criterion is met.

- (4) *Will not result in an over-intensive use of land or excessive depletion of natural resources. In evaluating the intensity of the use, the Board should consider the extent of the proposed development in relation to parcel size and the natural landscape/topography; the area of impermeable surface; the amount of blasting, grading or other alteration of the natural topography; the elimination or disruption of agricultural lands; the effect on significant natural areas and environmental resources; the disturbance of plant and animal habitat, and wildlife migration corridors; the relationship of the proposed development to natural hazards; and available mitigation measures such as the preservation of open lands, the addition or restoration of natural features and screening, the reduction or arrangement of structures and land disturbance, and the use of sustainable construction techniques, resource use, and transportation management;***

As the applicants propose to use an existing structure, staff do not anticipate that the proposed Family Care ADU will result in an over-intensive use of land or an excessive depletion of natural resources. However, as discussed above, the proposal will require some minimal ground disturbance to create the pedestrian access to the entrance for the Family Care ADU. Additionally, as discussed in the referral response from Boulder County Public Health, the existing on-site wastewater treatment system (OWTS) must be upgraded. Both of these will result in minor, but necessary site disturbance. To ensure that these disturbed areas are restored, minimizing any lasting impacts on the subject parcel, staff recommend as a condition of approval that all disturbed areas be revegetated, and that erosion and stormwater control measures be installed before and during construction.

Therefore, as conditioned, staff find that this criterion can be met.

(5) The use will not have a material adverse effect on community capital improvement programs;

Staff have not identified any capital improvement programs which might be impacted by the proposed Family Care ADU; additionally, no referral agency has responded with any such concern.

Therefore, staff find that this criterion is met.

(6) The use will not require a level of community facilities and services greater than that which is available;

Boulder County Public Health noted in their referral response that the existing onsite wastewater treatment system (OWTS) is rated for a three-bedroom residence and does not have the capacity for the proposed Family Care ADU; the applicant will be required to obtain a OWTS Major Repair Permit Associated with a Property Improvement permit. Per the applicants' narrative submitted with the application materials, they intend to upgrade septic system as necessary. The OWTS permit will have to be obtained before any building permit can be issued.

Per the referral response from the Lyons Fire Protection District (Lyons FPD), the Family Care ADU is considered new construction and requires that the ADU have a residential fire sprinkler system; this will be part of the permitting process. The Lyons FPD also noted that, since this is an existing building, the applicants are not required to provide a water cistern.

Therefore, with these permitting requirements, staff find this criterion is met.

(7) Will support a multimodal transportation system and not result in significant negative impacts to the transportation system or traffic hazards;

The subject parcel is accessed from Antelope Drive, an unpaved Boulder County owned and maintained right-of-way (ROW) with a Functional Classification of Local Secondary, via J J Kelly Road, an unpaved private road. Legal access has been demonstrated via a Quit Claim Deed for a non-exclusive ROW easement that is generally 60 feet wide recorded on August 5, 2020, at reception #03804353.

As noted in the referral response from the Development Review Team – Access & Engineering (DRT A&E), the existing driveway and access appear to comply with the Boulder County Multimodal Transportation Standards. As such, no modifications to the driveway or access are required. However, to ensure that construction activities do not adversely impact the use of the travel way, staff recommend as a condition

of approval that all vehicles, materials, machinery, dumpsters, and other items be staged on the subject parcel.

Therefore, as conditioned, staff find this criterion can be met.

(8) *Will not cause significant air, odor, water, or noise pollution;*

Staff have not identified any potential air, odor, water, or noise pollution which might result from the proposed Family Care ADU, and no referral agencies have responded with any such concerns.

Therefore, staff find this criterion is met.

(9) *Will be adequately buffered or screened to mitigate any undue visual impacts of the use;*

As discussed above, the proposed Family Care ADU will be located within an existing structure on the subject parcel. The structure is approximately 12 feet in height, and no increase in height is proposed. Per the application materials, the colors are proposed to match those on the existing principal residence, which are generally muted earthtone colors. Staff have not identified any undue visual impacts which might result from the proposed Family Care ADU.

The exterior light fixture proposed by the applicants for the Family Care ADU appears to be compliant with Article 7-1600 of the Code; however, no specific fixture information was provided with the application materials. As staff do not have particular concerns about the amount of proposed exterior lighting, staff find that a full lighting plan is not necessary. However, during an October 22, 2025, site visit, staff noted an exterior light fixture on the existing agricultural structure which is not compliant with the Code (see Figure 8 below).

To ensure that exterior lighting on the subject parcel does not result in undue visual impacts, staff recommend as a condition of approval that all exterior light fixtures comply with Article 7-1600 of the Code and, at final inspection, staff verify that all new or replacement exterior light fixtures are down-lit and fully shielded fixtures.



Figure 7: Photograph of existing structure, with non-compliant exterior light fixture.

Therefore, as conditioned, staff find this criterion is met.

(10) The use will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Boulder County;

Staff have not identified any impacts of the proposed Family Care ADU which would be detrimental to the health, safety, or welfare of the present or future inhabitants of Boulder County; additionally, no referral agencies have responded with any such concerns.

Therefore, staff find this criterion is met.

(11) The use will establish an appropriate balance between current and future economic, environmental, and societal needs by minimizing the consumption and inefficient use of energy, materials, minerals, water, land, and other finite resources;

Staff find that the proposal helps to minimize the inefficient use of energy, materials, minerals, water, land, and other finite resources by using an existing structure on an already developed parcel; no referral agencies have responded with any relevant concerns.

Therefore, staff find this criterion is met.

(12) The use will not result in unreasonable risk of harm to people or property – both onsite and in the surrounding area – from natural hazards. Development or

activity associated with the use must avoid natural hazards, including those on the subject property and those originating off-site with a reasonable likelihood of affecting the subject property. Natural hazards include, without limitation, expansive soils or claystone, subsiding soils, soil creep areas, or questionable soils where the safe-sustaining power of the soils is in doubt; landslides, mudslides, mudfalls, debris fans, unstable slopes, and rockfalls; flash flooding corridors, alluvial fans, floodways, floodplains, and flood-prone areas; and avalanche corridors; all as identified in the Comprehensive Plan Geologic Hazard and Constraint Areas Map or through the Special Review or Limited Impact Special Review process using the best available information. Best available information includes, without limitation, updated topographic or geologic data, Colorado Geologic Survey landslide or earth/debris flow data, interim floodplain mapping data, and creek planning studies;

As discussed above, there are identified Debris Flow Susceptibility and Rockfall Susceptibility areas in the northern portion of the subject parcel; however, all of the existing development on the subject parcel, including the existing structure to be used for the Family Care ADU, are located well away from these areas (see Figure 9 below).

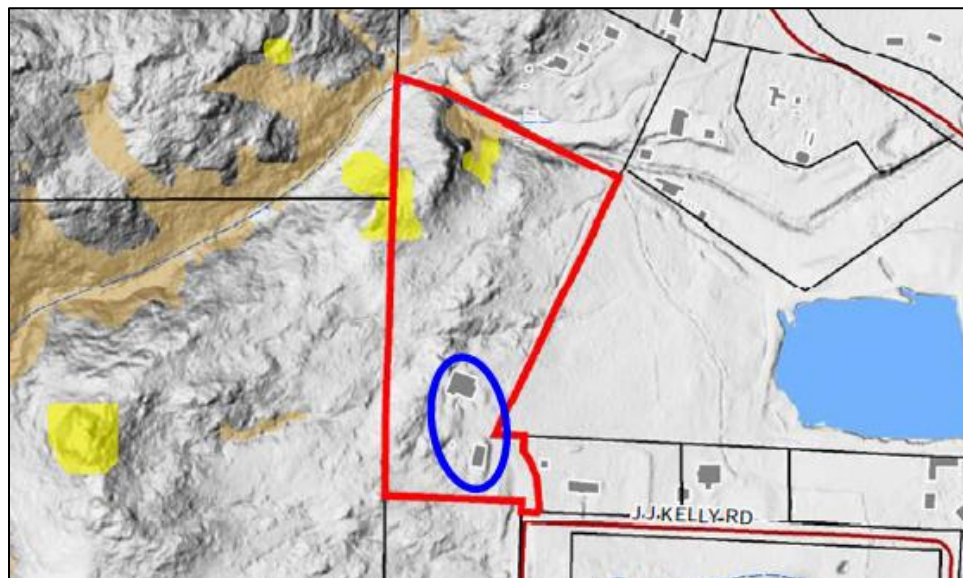


Figure 8: Detail of Geological Hazards map, with the Debris Flow Susceptibility Area indicated in light brown, Rockfall Susceptibility Areas indicated in yellow, and the development area circled in blue.

The subject parcel is located in Wildfire Zone 1. Per the referral response from the Wildfire Mitigation team, because the proposal includes creating new habitable space, wildfire mitigation will be required, including ignition-resistant materials, defensible space, and emergency vehicle clearance. The specifics of the defensible

space requirements will be determined in consultation with the Wildfire Mitigation team during the building permit process; similarly, any work necessary for emergency vehicle clearance will be identified and addressed through the building permit process. To ensure that the wildfire mitigation measures are carried out, staff recommend they be included as conditions of approval.

Therefore, as conditioned, staff find that this criterion is met.

- (13) *The proposed use shall not alter historic drainage patterns and/or flow rates unless the associated development includes acceptable mitigation measures to compensate for anticipated drainage impacts. The best available information should be used to evaluate these impacts, including without limitation the Boulder County Storm Drainage Criteria Manual, hydrologic evaluations to determine peak flows, floodplain mapping studies, updated topographic data, Colorado Geologic Survey landslide, earth/debris flow data, and creek planning studies, all as applicable given the context of the subject property and the application;***

As the applicants are proposing to construct the Family Care ADU in an existing structure, staff find the proposal will not require any significant grading or earthwork which might impact drainage patterns. No referral agencies have responded with any such concerns.

Therefore, staff find that this criterion is met.

RECOMMENDATION:

Staff have determined that, as conditioned, the proposal can meet all the applicable criteria of the Boulder County Land Use Code for Limited Impact Special Review. Therefore, staff recommend that the Board of County Commissioners **CONDITIONALLY APPROVE Docket LU-25-0008: McDonald Family Care ADU**, subject to the following conditions:

1. The development is subject to the requirements of the Boulder County Building Safety and Inspection Services Team and adopted County Building Codes, as outlined in the referral comments, including, but not limited to required sprinklering, ignition resistant materials and defensible space, and the BuildSmart energy efficiency and sustainability requirements.
2. The Family Care ADU is limited to no more than 700 square feet as allowed by Code; any porch area associated with the ADU cannot be screened in or enclosed in any fashion.

3. **At building permit**, plans submitted for permitting must demonstrate complete separation of the agricultural and residential occupancy spaces, including a code-compliant and fire-rated wall assembly with no penetrations.
4. The property owner must submit an annual report to the Community Planning & Permitting Department indicating that the Family Care Accessory Dwelling Unit continues to be used as a Family Care Unit that is occupied in accordance with the approval of this docket.
4. Any changes to the Family Care ADU use shall be considered a substantial modification of the approval and cause the termination of the Family Care Unit, requiring the unit to be removed or decommissioned.
5. **Prior to the issuance of any building permits for the Family Care Unit**, a signed affidavit from the property owners must be recorded that recognizes the conditions of approval for this docket.
6. **At building permit**, submit information regarding the following stormwater control measures: stockpiling locations, concrete washout location, port-a-potty location and staking, and perimeter control around the limits of disturbance.

Prior to any grading or site disturbance, the perimeter control measures must be installed as required per the approved plans.

At the time of the footing foundation inspection and all subsequent inspections, the Community Planning & Permitting Department must confirm the perimeter control measures have been installed as required per the approved plans. Any other areas on site are subject to installation of perimeter control measures, if needed.

7. **Prior to issuance of a Certificate of Occupancy**, all areas of exposed soil must be revegetated. If weather is not conducive to seeding or if adequate revegetation efforts have not occurred and vegetation is not adequately established at the time of final inspection request, an irrevocable letter of credit or monies deposited into a County Treasurer account must be provided to assure completion of revegetation. What is considered “adequate revegetation” is influenced by the amount of site disturbance, potential for significant erosion (steep slopes), and visibility. In all cases some level of germination and growth is required. Note that areas of disturbance not included on the revegetation plan are still subject to reseeding and matting. Please note that no species on List A, B or C in the county's [Noxious Weed Management Plan](#) may be used to meet Revegetation requirements.

8. All exterior light fixtures must be in compliance with Article 7-1600 of the Code. **At the final inspection**, the Community Planning & Permitting Department must verify that all new or replacement exterior light fixtures are down-lit and fully shielded fixtures.
9. **After applying for, but prior to issuance of any permits**, a Boulder County Wildfire Mitigation Specialist will contact you to schedule a Wildfire Partners or Regulatory Wildfire Mitigation assessment and defensible space marking. Based upon the compliance path selected, either a Wildfire Partners Assessment report or a Wildfire Mitigation Plan will be created to describe the wildfire mitigation requirements.

Before scheduling rough framing inspections, the plan's defensible space portion must be implemented and inspected by the Community Planning & Permitting Department. All trees marked for removal must be cut, and all slash, cuttings, and debris must be removed and/or properly disposed of.

At the time of final inspection, all remaining required items in the Wildfire Partners Assessment report or the Wildfire Mitigation Plan are to be fully implemented and inspected. Ground surfaces within five feet of both existing and new structures, and at least 2 feet beyond the driplines of decks, bay windows, and other eaves and overhangs, must be covered with an allowable non-combustible ground cover over a weed barrier material. The driveway vertical and horizontal vegetation clearance must be in place and conform to the Parcel Access Design Standards in the Boulder County Multimodal Transportation Standards.

10. The Applicants shall be subject to the terms, conditions, and commitments of record and in the file for **Docket LU-25-0008: McDonald Family Care ADU**.



Boulder County Land Use Department

Courthouse Annex Building
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Office Hours: Mon., Wed., Thurs., Fri. 8 a.m. to 4:30 p.m.
Tuesday 10 a.m. to 4:30 p.m.

Shaded Areas for Staff Use Only

Intake Stamp

Planning Application Form

The Land Use Department maintains a submittal schedule for accepting applications. Planning applications are accepted on Mondays, by appointment only. Please call 303-441-3930 to schedule a submittal appointment.

| | | | | | |
|---|----------------------|--|------------------------------|---|---|
| Project Number | | Project Name | | | |
| <input type="checkbox"/> Appeal <input type="checkbox"/> Correction Plat <input type="checkbox"/> Exemption Plat <input type="checkbox"/> Final Plat <input checked="" type="checkbox"/> Limited Impact Special Use <input type="checkbox"/> Limited Impact Special Use Waiver <input type="checkbox"/> Location and Extent | | <input type="checkbox"/> Modification of Site Plan Review <input type="checkbox"/> Modification of Special Use <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Resubdivision (Replat) <input type="checkbox"/> Rezoning | | <input type="checkbox"/> Road Name Change <input type="checkbox"/> Road/Easement Vacation <input type="checkbox"/> Site Plan Review <input checked="" type="checkbox"/> Site Plan Review Waiver <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Special Use/SSDP | <input type="checkbox"/> Special Use (Oil & Gas development) <input type="checkbox"/> State Interest Review (1041) <input type="checkbox"/> Subdivision Exemption <input type="checkbox"/> Variance <input type="checkbox"/> Other: |
| Location(s)/Street Address(es) 376 JJ Kelly Rd, Lyons, CO 80540 | | | | | |
| Subdivision Name TR, NBR 962 LYONS AREA | | | | | |
| Lot(s) | Block(s) | Section(s) | Township(s) | Range(s) | |
| Area in Acres 7.87 | Existing Zoning A | Existing Use of Property Residential | Number of Proposed Lots 1 | | |
| Proposed Water Supply existing (city of Longmont) | | Proposed Sewage Disposal Method existing septic | | | |

Applicants: existing well

| | | | | |
|---|-------------|---|-----------------------|--|
| Applicant/Property Owner McDonald Skye Family Trust | | Email skye@stringsummit.com | | |
| Mailing Address | | | | |
| City | State | Zip Code | Phone | |
| Applicant/Property Owner (Agent) Consultant enContext Architecture | | Email Danielle@Context-Architect.com | | |
| Mailing Address PO Box 1698 | | | | |
| City Lyons | State CO | Zip Code 80540 | Phone 303-947-2497 | |
| Agent/Consultant | | Email | | |
| Mailing Address | | | | |
| City | State | Zip Code | Phone | |

Certification (Please refer to the Regulations and Application Submittal Package for complete application requirements.)

I certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

All landowners are required to sign application. If additional space is needed, attach additional sheet signed and dated.

| | | |
|---|-------------------------------------|-----------------|
| Signature of Property Owner E, Skye McDonald | Printed Name Eran Skye McDonald | Date 9/16/25 |
| Signature of Property Owner Susan T McDonald | Printed Name Susan Tess McDonald | Date 9/16/25 |

The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.



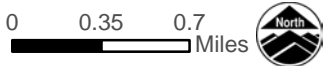
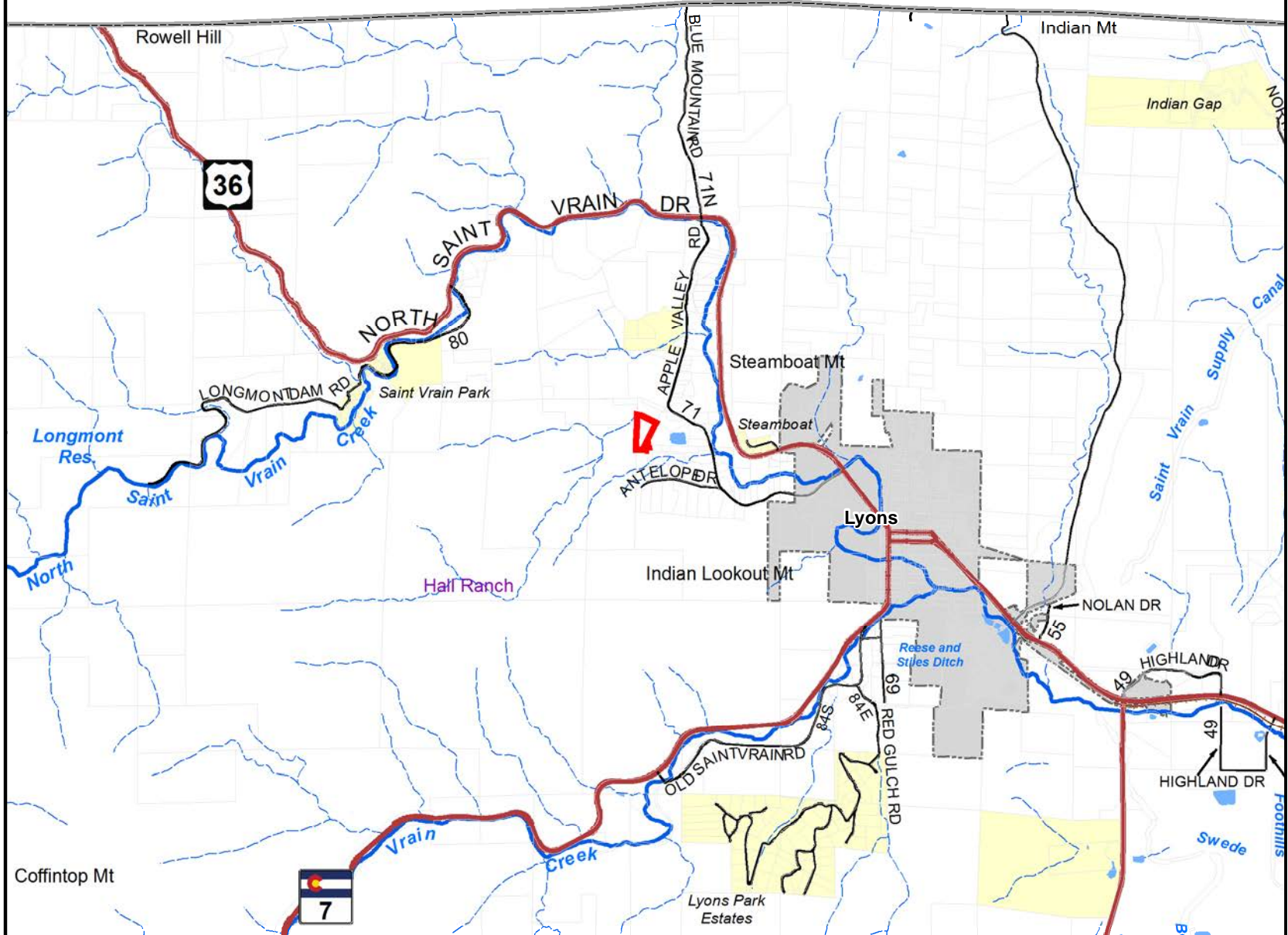
Community Planning & Permitting

2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

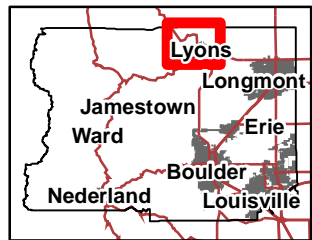
Vicinity

376 J J KELLY RD

- Subject Parcel
- Municipalities
- Subdivisions**
- Subdivisions



Area of Detail Date: 8/4/2025



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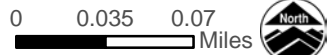
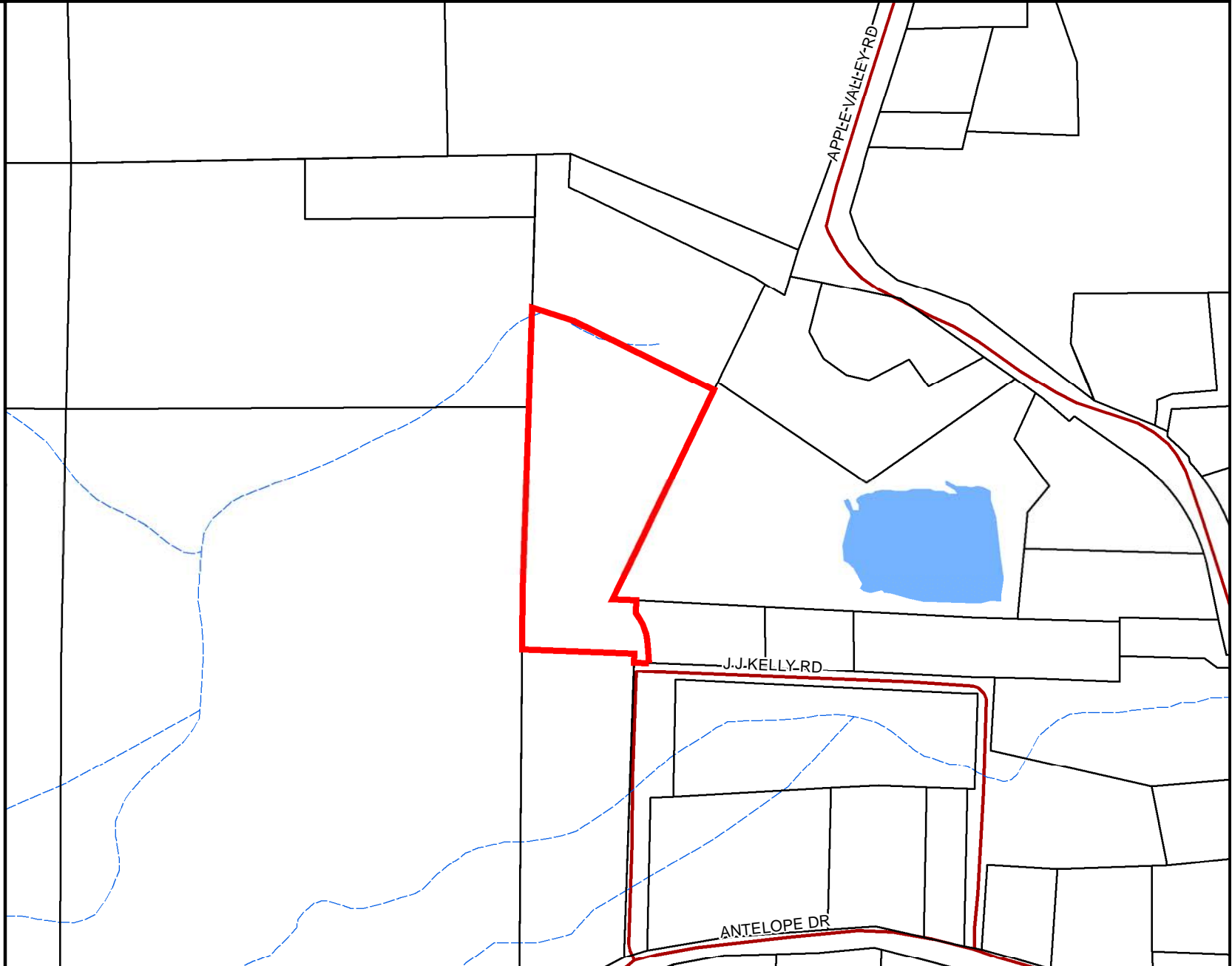
Community Planning & Permitting

2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

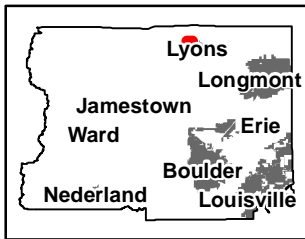
Location

376 J J KELLY RD

 Subject Parcel



Area of Detail Date: 8/4/2025



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Aerial

376 J J KELLY RD

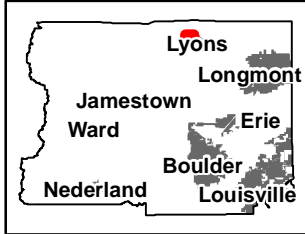
 Subject Parcel



0 0.05 0.1 Miles



Area of Detail Date: 8/4/2025



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Aerial

376 J J KELLY RD

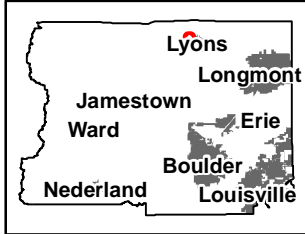
 Subject Parcel



0 0.015 0.03 Miles



Area of Detail Date: 8/4/2025



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Community Planning & Permitting

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Zoning

376 J J KELLY RD

Subject Parcel

Ditch Setbacks

20 feet

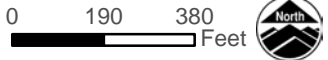
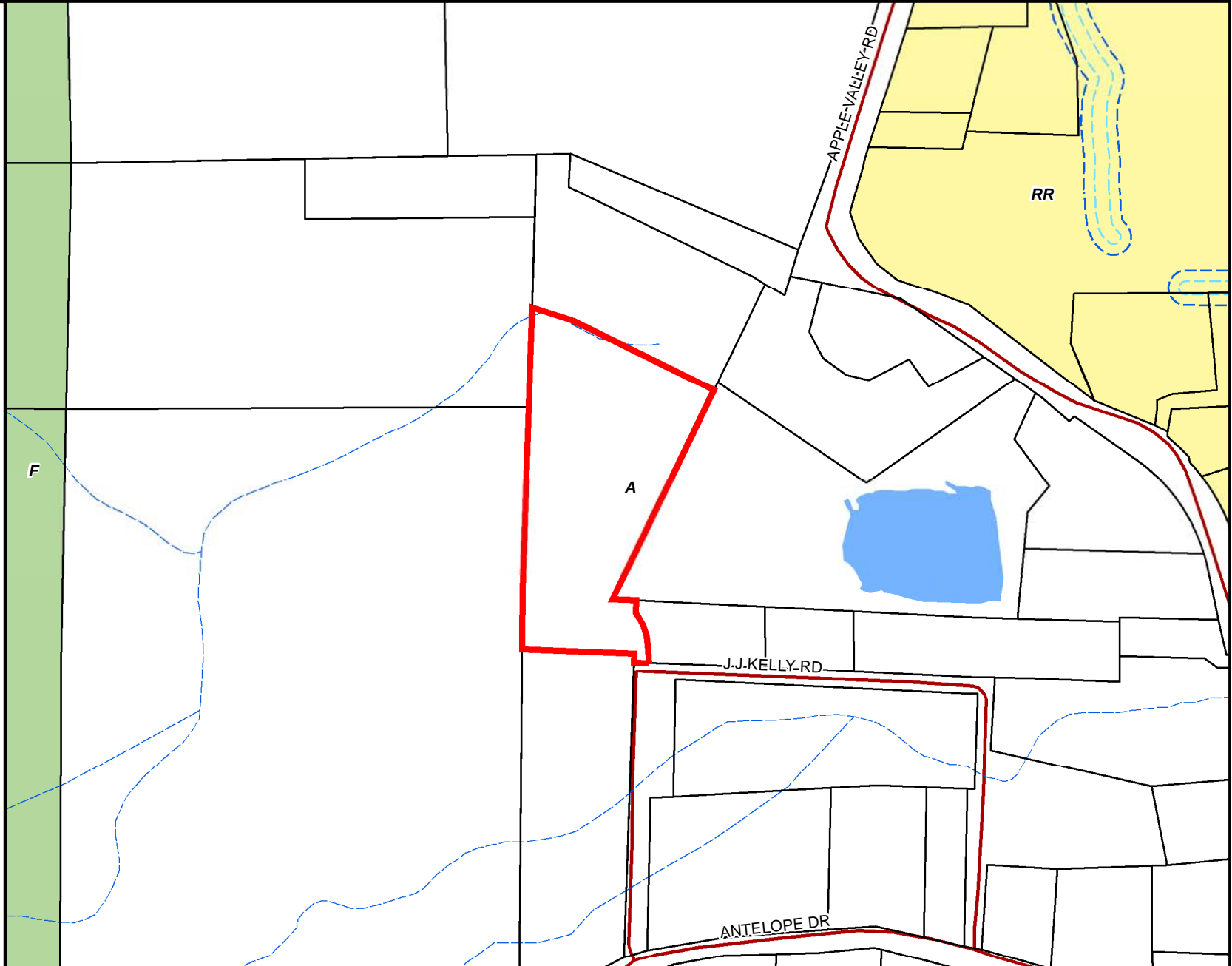
50 feet

Zoning Districts

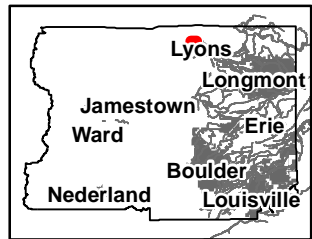
Agricultural

Forestry

Rural Residential



Area of Detail Date: 8/4/2025



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Comprehensive Plan

376 J J KELLY RD

Subject Parcel

Riparian Areas

View Protection
Corridor

Archaeologically Sensitive Areas

Archeologically
Sensitive Areas

Rare Plant Areas

Significant Natural
Communities

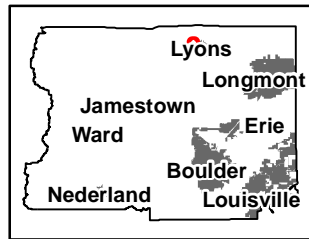
High Biodiversity Areas

B2: Very High
Biodiversity
Significance

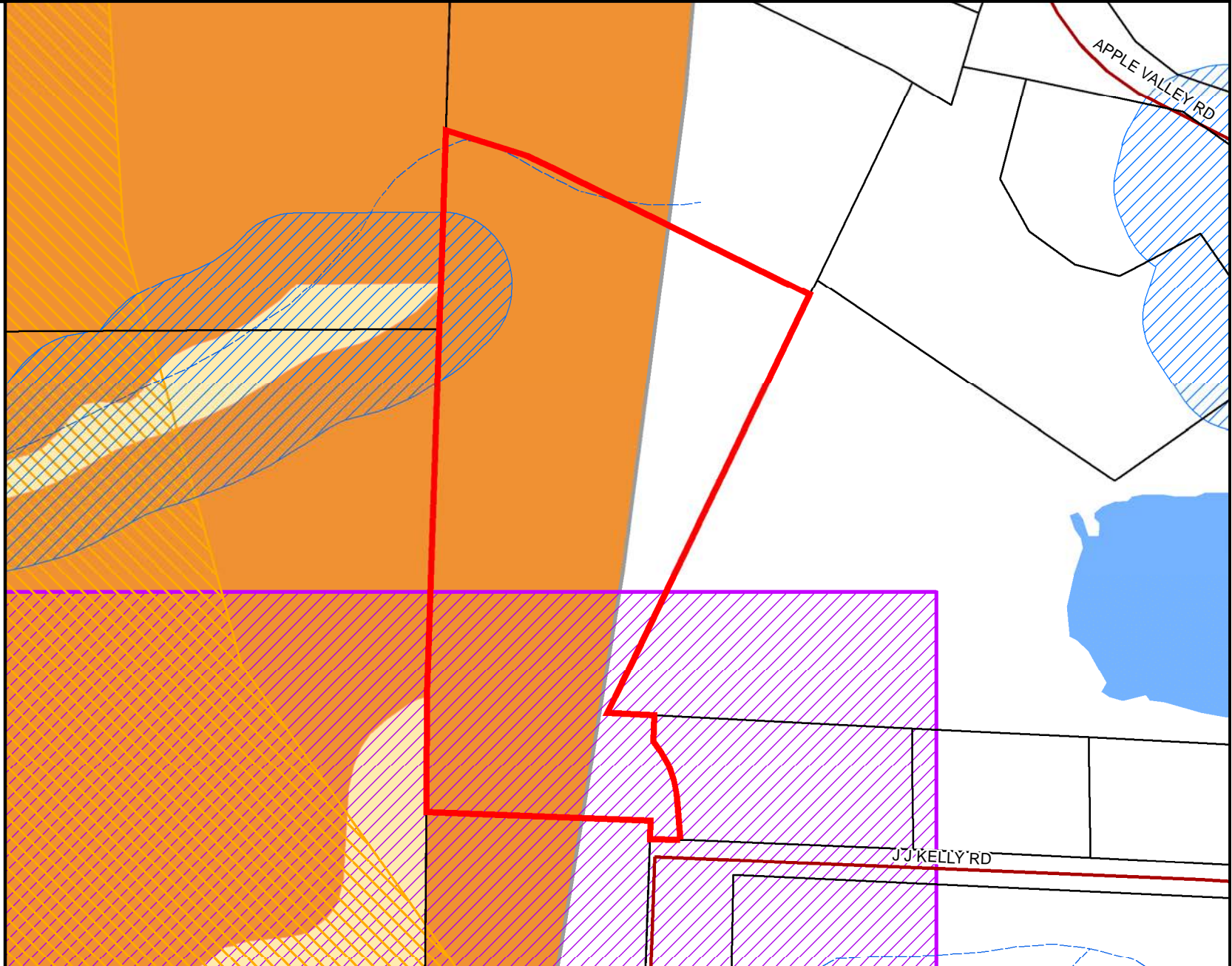
0 0.015 0.03
Miles



Area of Detail Date: 8/4/2025



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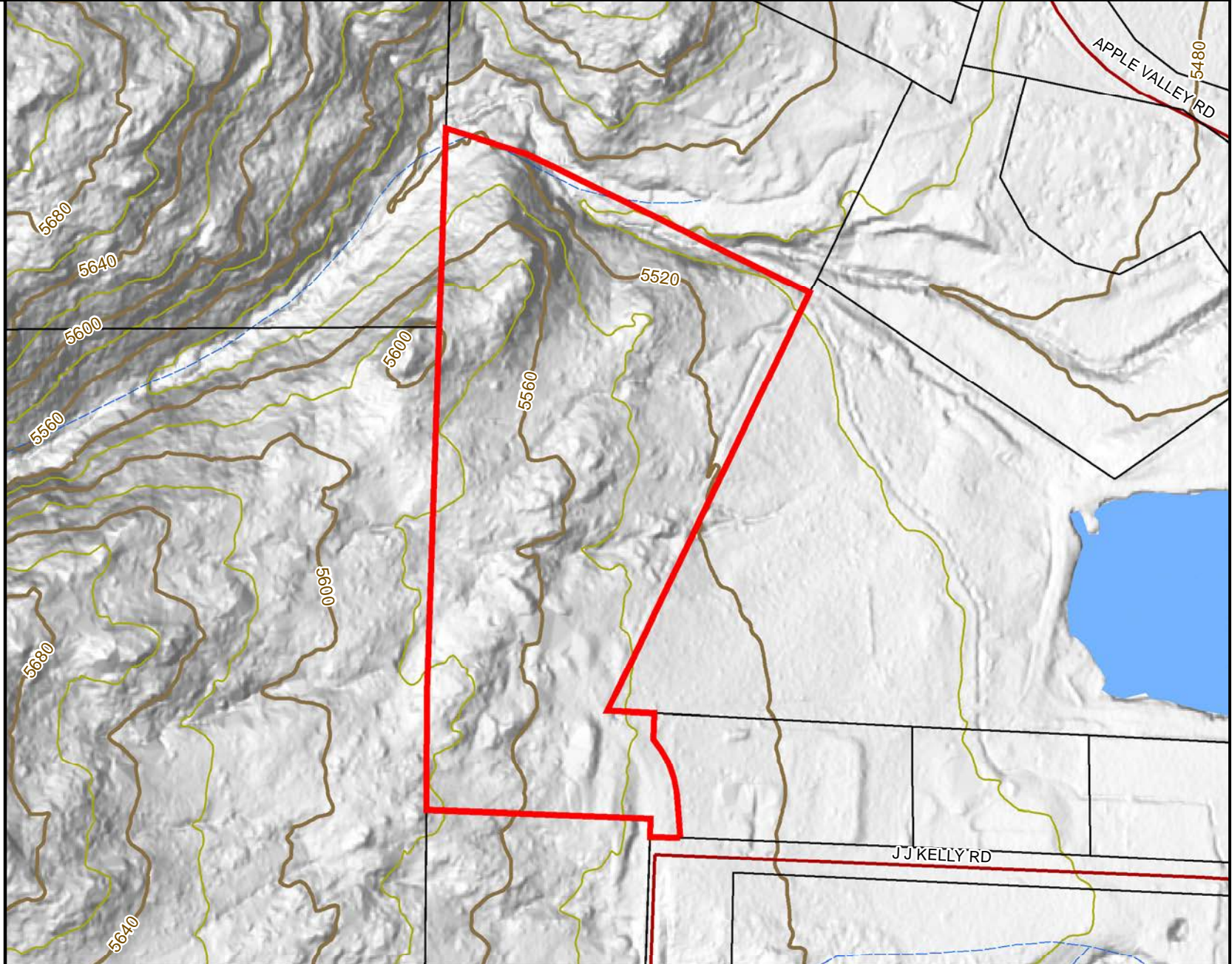
Community Planning & Permitting

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Elevation Contours

376 J J KELLY RD

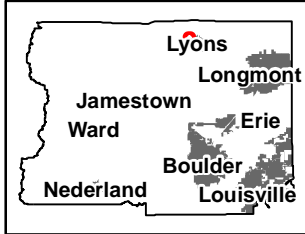
-  Subject Parcel
-  Contours 40'
-  Contours 20'



0 0.015 0.03 Miles



Area of Detail Date: 8/4/2025



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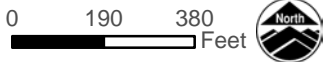
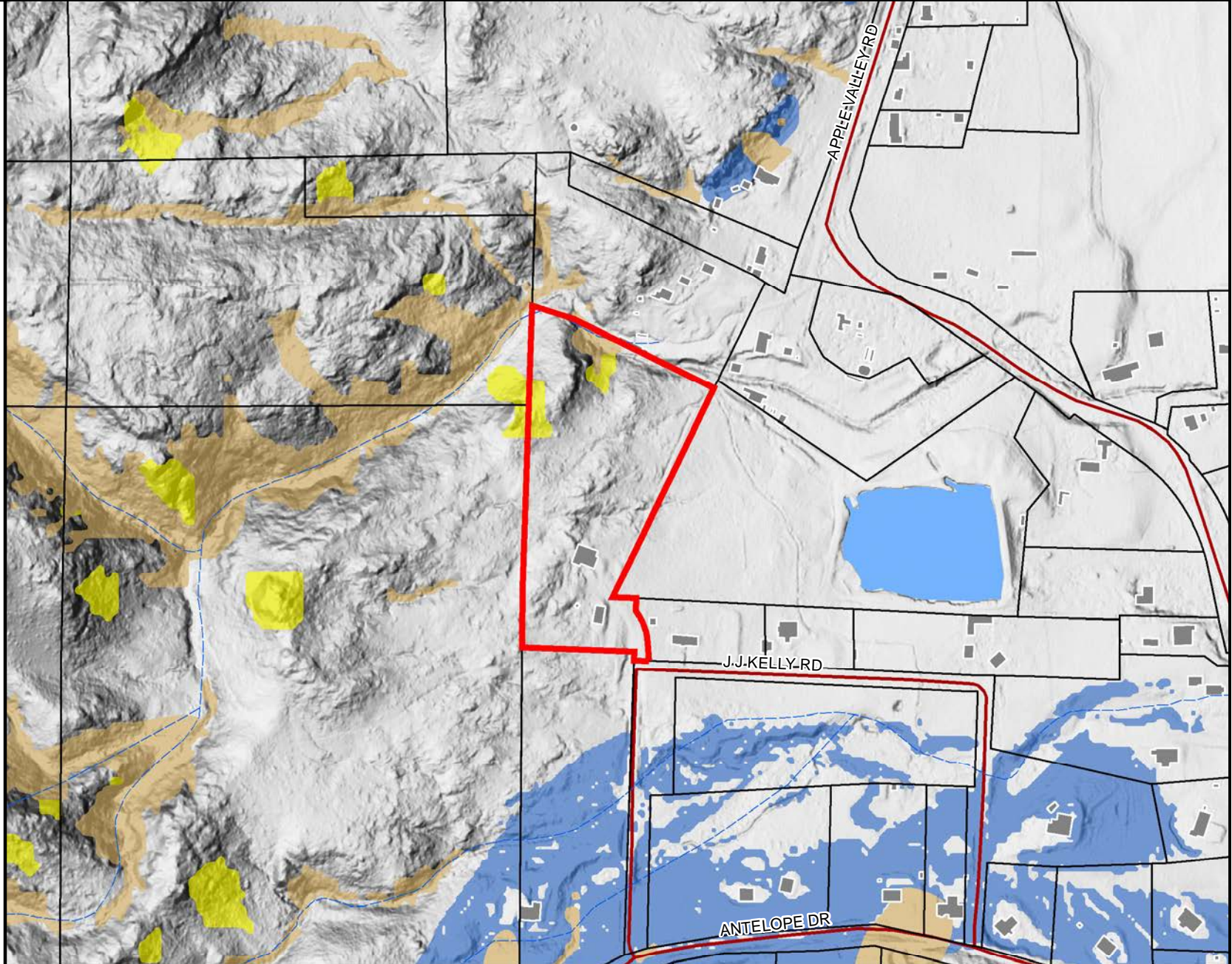
Community Planning & Permitting

2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

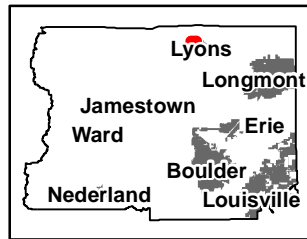
Geologic Hazards

376 J J KELLY RD

-  Subject Parcel
-  Debris Flow Susceptibility Area
-  Rockfall Susceptibility Area
-  Landslide Susceptibility



Area of Detail Date: 8/4/2025



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Planning Areas

376 J J KELLY RD

Subject Parcel

Active IGA Boundary

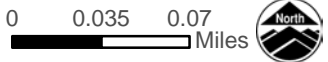
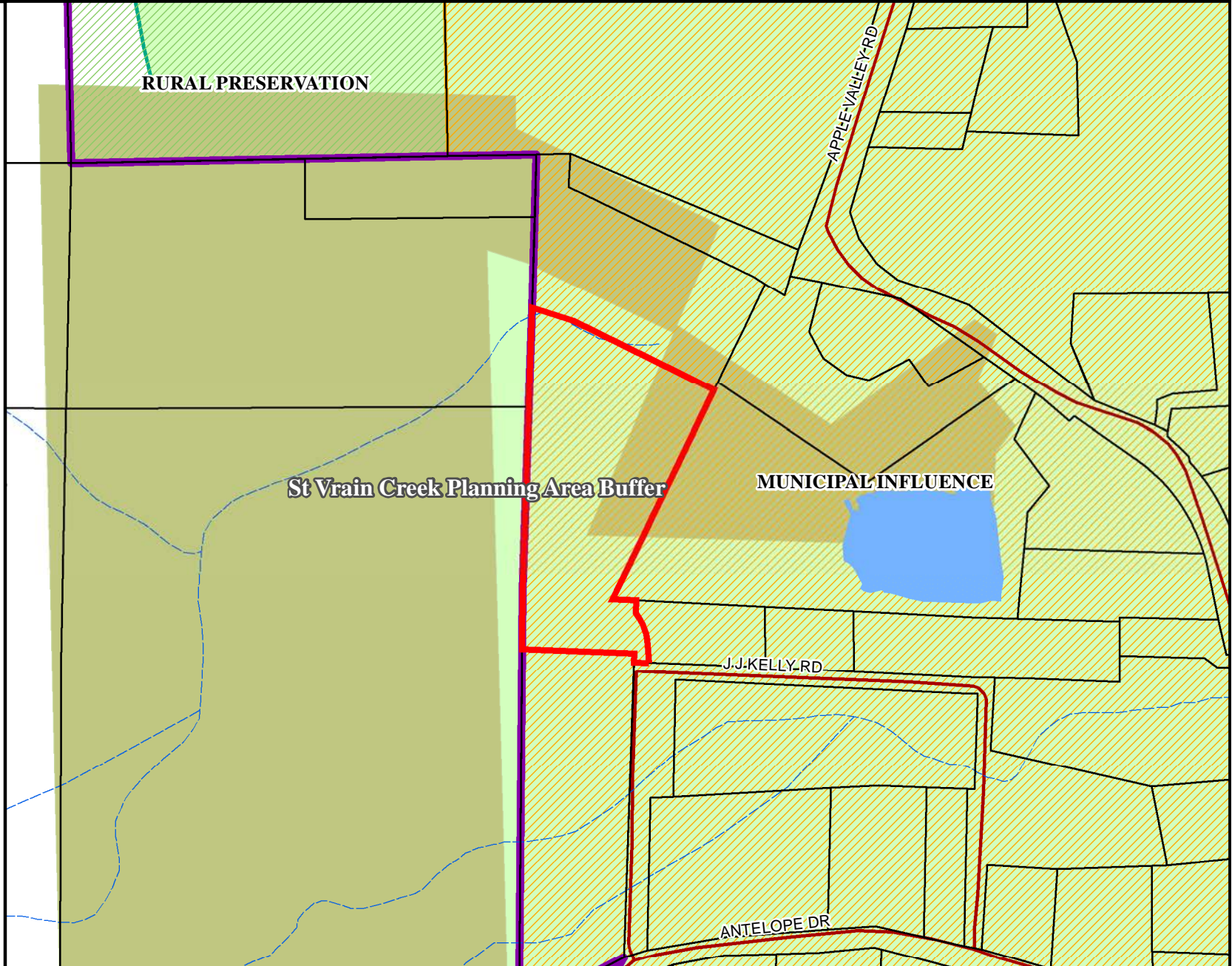
Active IGA Designation

RURAL PRESERVATION

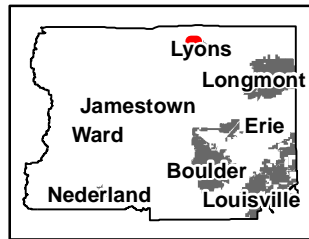
MUNICIPAL INFLUENCE

Municipal Watersheds

Creek Planning Area



Area of Detail Date: 8/4/2025



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Community Planning & Permitting

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Public Lands & CEs

376 J J KELLY RD

Subject Parcel

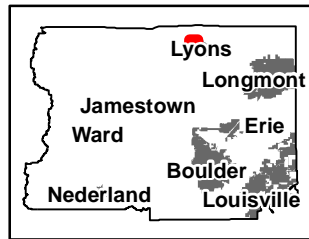
Boulder County Open Space

- County Open Space
- County Conservation Easement
- Other Open Space

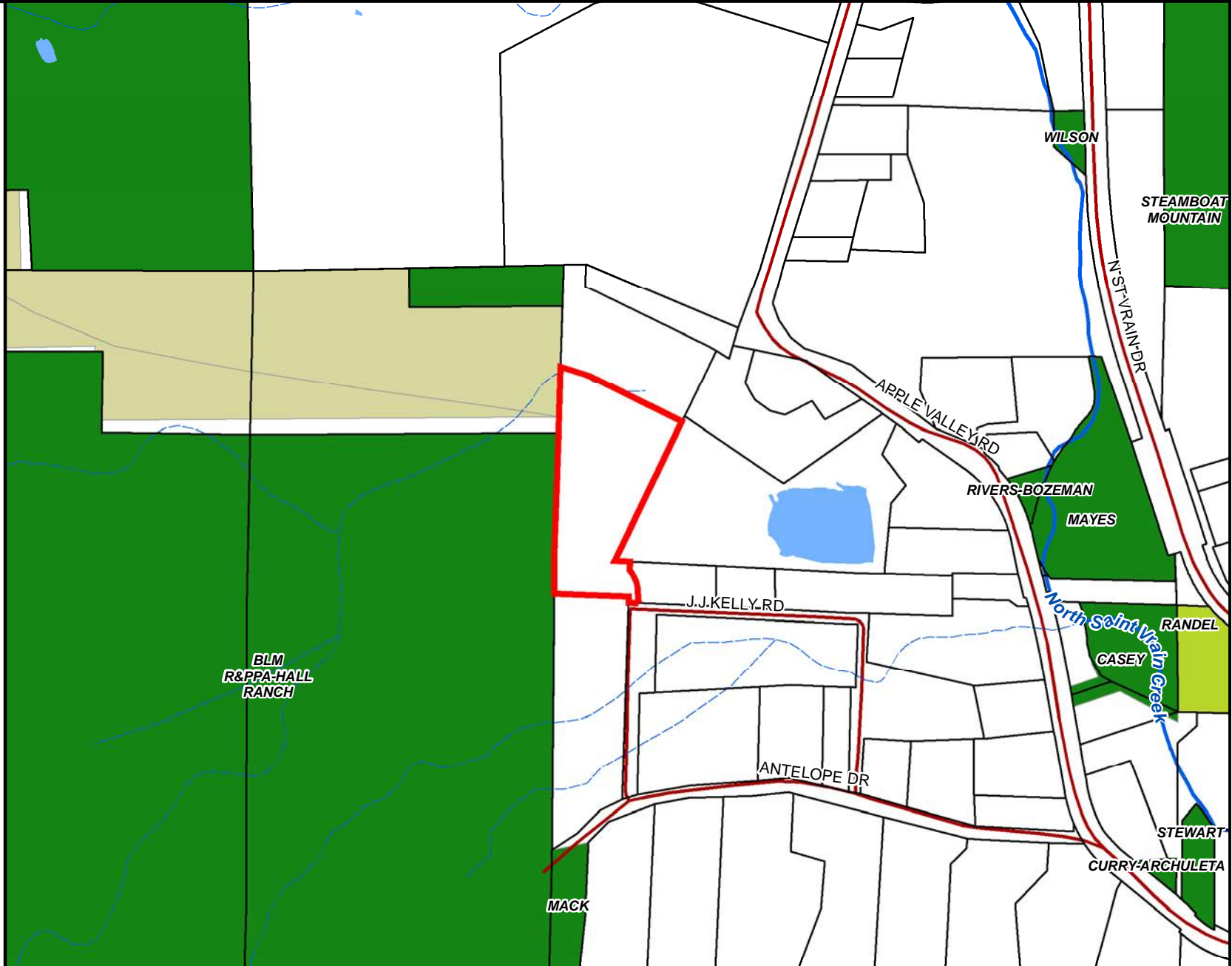
0 0.05 0.1 Miles



Area of Detail Date: 8/4/2025



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McDonald Family Care Unit For Great-Grandmother DeSimone :: Narrative for Special Review

This narrative addresses the criteria for a Limited Impact Special Review under Boulder County Land Use Code 4-601, outlining the purpose and design of a proposed accessory dwelling unit (ADU) intended to provide current and ongoing family care for our elderly relative, and grandmother that is leaving her home now due to immediate needs of oversight and care. The ADU will be located on the property at 376 JJ Kelly Rd, Lyons, CO, ensuring the necessary support and proximity while maintaining the character of the surrounding area. No new building, additional square footage, or external changes, aside from new windows and doors and landscaping, will alter the existing accessory structure.

USE NARRATIVE

The primary objective of this ADU is to offer a dedicated, accessible living space for an elderly Great-grandmother currently in need of oversight and care while allowing her to reside close to her family while maintaining a small degree of independence. Ruth DeSimone is a 95 year old great-grandmother who has successfully lived alone up until now. The natural physical deterioration of aging has proven she currently needs help with most household tasks such as cooking, cleaning, driving, paying bills, baths and to ensure her medications are properly and safely administered. Her daughter (our Mother) has been helping at her current home in SW Florida and are together currently selling the home to make the relocation to Colorado. The immediate proximity of our family will help facilitate the necessary and continuous care, companionship, and assistance with all of these tasks as well medication monitoring and maintenance, mobility, and memory care. This arrangement promotes her well-being and security, ease of financial responsibilities, access to adult and able-bodied drivers, and providing peace of mind for all family members.

DESIGN IMPACTS

The proposed ADU has been carefully designed to minimize visual and environmental impacts, adhering to the criteria for a Limited Impact Special Review. As the unit will be situated within an existing accessory building, it will not affect the character of the existing property and surrounding neighborhood. The addition of doors, windows, and skylights, will complement the existing primary residence, utilizing similar materials and color palettes. The caretaker unit will be 700 sf, consistent with Boulder County's ADU guidelines, and will be situated in a manner that preserves existing landscaping and minimizes disruption to neighboring properties. No new grading will be required to

accommodate the ADU, as there is an existing parking pad adjacent to the structure, and the footprint of the structure will not be modified. The structure already has its own electric and gas connections. New sewer and water connections will be integrated into existing systems on site, or upgraded as needed, to meet county standards.

The design prioritizes accessibility features, including a single-story layout, wider doorways, grab bars, and a zero-entry shower, to accommodate any present and future mobility challenges.

The agricultural workshop function will continue to remain in the structure as well, though reduced in size. The agricultural shop will house gardening equipment, tools, soils, seeds, as well as counter space for prep, cleaning, and storage of food in conjunction with the on-site greenhouse. These functions will remain in the northern portion of the metal building.

FLOOR AREA

The existing metal Agricultural structure is approximately 1,200 sf. The caretaker unit will take up 700 sf of the existing accessory structure, which will count toward Residential Floor Area (RFA) for the property. The remaining 500 sf will remain an agricultural workshop. This addition of RFA is allowable within the maximum RFA defined for the property. See Floor Area breakdowns below:

Proposed Residential Floor Area:

Existing: 2,826 sf Residence

New: 700 sf Caretaker ADU

TOTAL RFA = 3,526 sf

**Max. Allowable RFA for the property = 3,576 sf*

Proposed Agricultural Floor Area:

Existing 150 sf greenhouse

Modified AG Workshop: reduced to 500 sf

Limited Impact Special Use Review Fact Sheet

Project Identification

| |
|--|
| Project Name: Caretakers Unit |
| Property Address/Location: 376 JJ Kelly Rd |
| Current Owner: McDonald Skye Family Trust |
| Size of Property in Acres: 7.87 |

The applicant(s) is/are required to complete each section of this Limited Impact Special Use Review Fact Sheet even if the information is duplicated elsewhere in the application. Completed Fact Sheets reduce the application review time which helps expediate the Director's Determination. Please make duplicates of this Limited Impact Special Use Review Fact Sheet if the project involves more than two structures.

Determining Floor Area

If an existing wall(s) and/or roof(s) are removed and a new wall(s)/roof(s) are constructed, the associated floor area due to the new wall(s)/roof(s) are considered new construction and must be included in the calculation of floor area for the Limited Impact Special Use Review and shown on this Fact Sheet.

Structure #1 Information

| Type of Structure: (e.g. residence, studio, barn, etc.) | | Existing Equipment Shed | | |
|--|-------------------|-------------------------|--|--|
| Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.) | | 1,200 sf sq. ft. | 700 sf (interior) Deconstruction: sq. ft. | |
| Are new floor areas being proposed where demolition will occur? <input type="checkbox"/> Yes (include the new floor area square footage in the table below) <input checked="" type="checkbox"/> No | | | | |
| Proposed Floor Area (New Construction Only) | | | | |
| | Finished | Unfinished | Total | |
| Basement: | sq. ft. | sq. ft. | sq. ft. | Height (above existing grade) 12.5' (existing) |
| First Floor: | 700 sf sq. ft. | sq. ft. | sq. ft. | Exterior Wall Material Metal |
| Second Floor: | sq. ft. | sq. ft. | sq. ft. | Exterior Wall Color Green |
| Garage: <input type="checkbox"/> Detached <input checked="" type="checkbox"/> Attached | sq. ft. | sq. ft. | sq. ft. | Roofing Material Metal |
| Covered Deck: | sq. ft. | sq. ft. | sq. ft. | Roofing Color Green |
| Total: | sq. ft. | sq. ft. | sq. ft. | Total Bedrooms 1 |

Structure #2 Information

| Type of Structure: (e.g. residence, studio, barn, etc.) | | | | |
|--|----------|------------|-------------------------|-------------------------------|
| Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.) | | sq. ft. | Deconstruction: sq. ft. | |
| Are new floor areas being proposed where demolition will occur? <input type="checkbox"/> Yes (include the new floor area square footage in the table below) <input checked="" type="checkbox"/> No | | | | |
| Proposed Floor Area (New Construction Only) | | | | |
| | Finished | Unfinished | Total | |
| Basement: | sq. ft. | sq. ft. | sq. ft. | Height (above existing grade) |
| First Floor: | sq. ft. | sq. ft. | sq. ft. | Exterior Wall Material |
| Second Floor: | sq. ft. | sq. ft. | sq. ft. | Exterior Wall Color |
| Garage: <input type="checkbox"/> Detached <input checked="" type="checkbox"/> Attached | sq. ft. | sq. ft. | sq. ft. | Roofing Material |
| Covered Deck: | sq. ft. | sq. ft. | sq. ft. | Roofing Color |
| Total: | sq. ft. | sq. ft. | sq. ft. | Total Bedrooms |

Grading Calculation

Cut and fill calculations are necessary to evaluate the disturbance of a project and to verify whether or not a Limited Impact Special Use Review (LISR) is required. A Limited Impact Special Use Review is required when grading for a project involves more than 500 cubic yards (minus normal cut/fill and backfill contained within the foundation footprint).

If grading totals are close to the 500 yard trigger, additional information may be required, such as a grading plan stamped by a Colorado Registered Professional Engineer.

Earth Work and Grading

This worksheet is to help you accurately determine the amount of grading for the property in accordance with the Boulder County Land Use Code. Please fill in all applicable boxes.

Note: Applicant(s) must fill in the shaded boxes even though foundation work does not contribute toward the 500 cubic yard trigger requiring Limited Impact Special Use Review. Also, all areas of earthwork must be represented on the site plan.

Earth Work and Grading Worksheet:

| | Cut | Fill | Subtotal |
|----------------------------|----------|----------|-------------------------------|
| Driveway and Parking Areas | 0 | 0 | 0 |
| Berm(s) | 0 | 0 | 0 |
| Other Grading | 0 | 0 | 0 |
| Subtotal | 0 | 0 | 0 <small>Box 1</small> |

* If the total in Box 1 is greater than 500 cubic yards, then a Limited Impact Special Review is required.

| | Cut | Fill | Total |
|--|-----|------|-------|
| Foundation | | | |
| Material cut from foundation excavation that will be removed from the property | | | |

Excess Material will be Transported to the Following Location:

| |
|--------------------------------------|
| Excess Materials Transport Location: |
| |
| |
| |

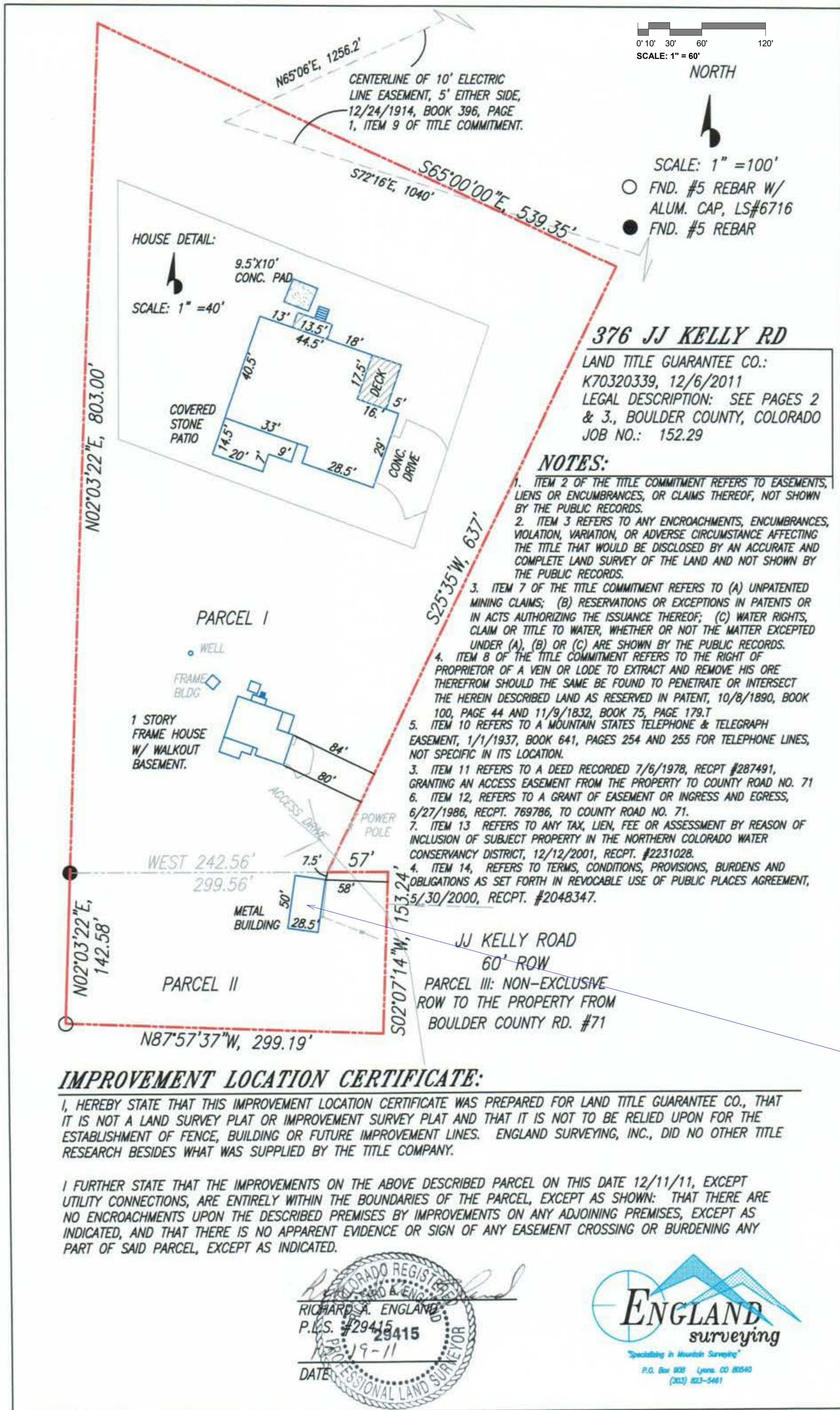
Is Your Property Gated and Locked?

Note: If county personnel cannot access the property, it could cause delays in reviewing your application.

Certification

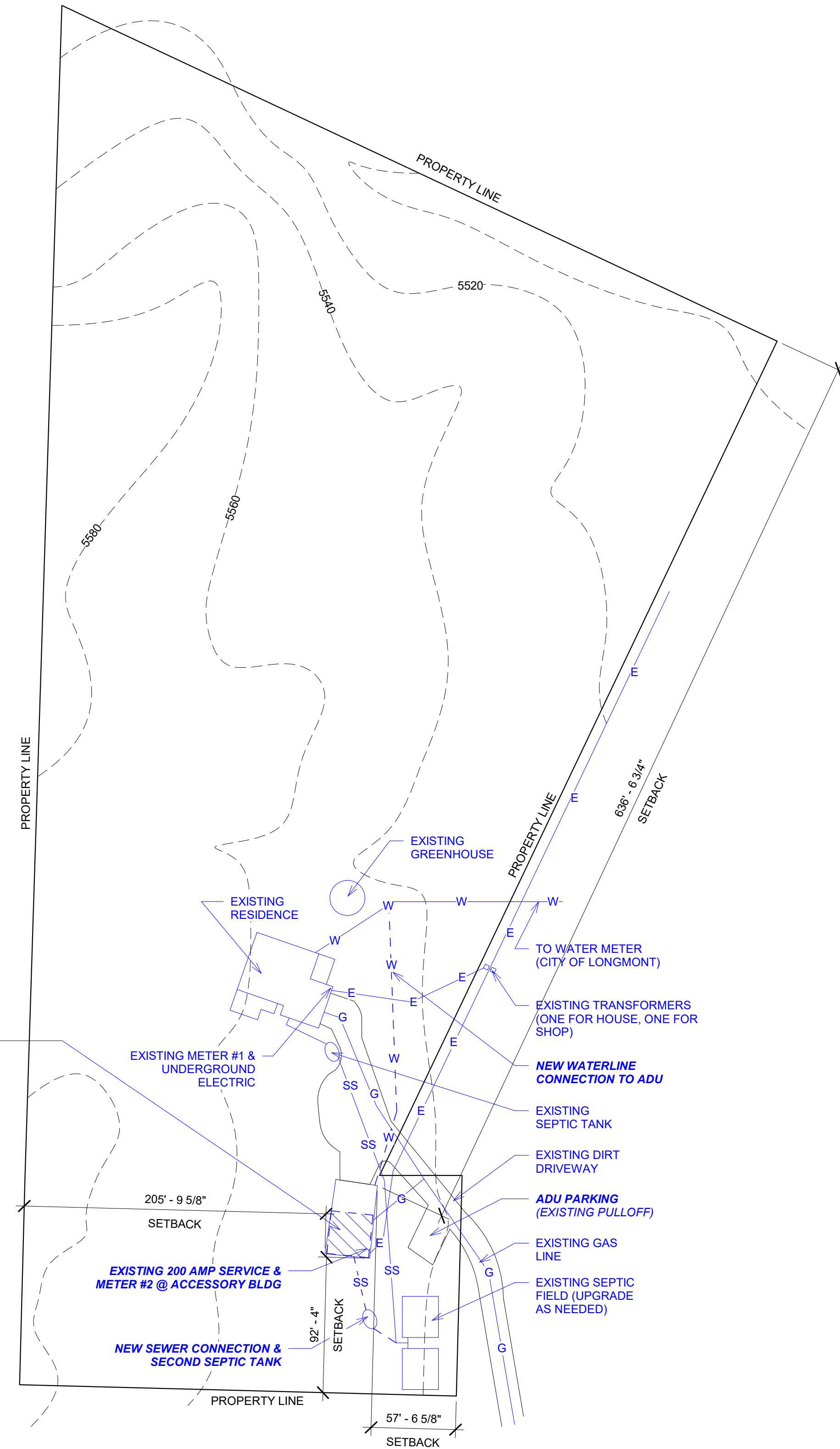
I certify that the information submitted is complete and correct. I agree to clearly identify the property (if not already addressed) and stake the location of the improvements on the site within four days of submitting this application. I understand that the intent of the Site Plan Review process is to address the impacts of location and type of structures, and that modifications may be required. Site work will not be done prior to issuance of a Grading or Building Permit.

| | |
|---|-----------------|
| Signature  | Date 9.12.25 |
|---|-----------------|



376 JJ KELLY RD, LYONS, CO 80540

| ZONING INFO: | FLOOR AREAS: | SCOPE OF WORK: | CONTACT INFO: |
|---------------------------|---|--|--|
| PROPERTY SIZE: 7.87 ACRES | BASEMENT: 812 SF | CONVERSION OF A PORTION OF AN EXISTING AGRICULTURAL ACCESSORY BUILDING TO A 700 SF CARETAKERS UNIT | OWNER: McDonald Skye Family Trust skye@stringsummit.com |
| ZONING: A - AGRICULTURAL | 1ST FLOOR: 2,014 SF | | ARCHITECT: Danielle Lynn Danielle@Context-Architect.com 303.947.2497 |
| WILDFIRE ZONE 1 | GREENHOUSE: 150 SF | | |
| | EQUIPMENT SHED: 1,200 SF | | |
| | PROPOSED MOD'S: 700 SF CARETAKER UNIT 500 SF AG. SHOP/STORAGE | | |



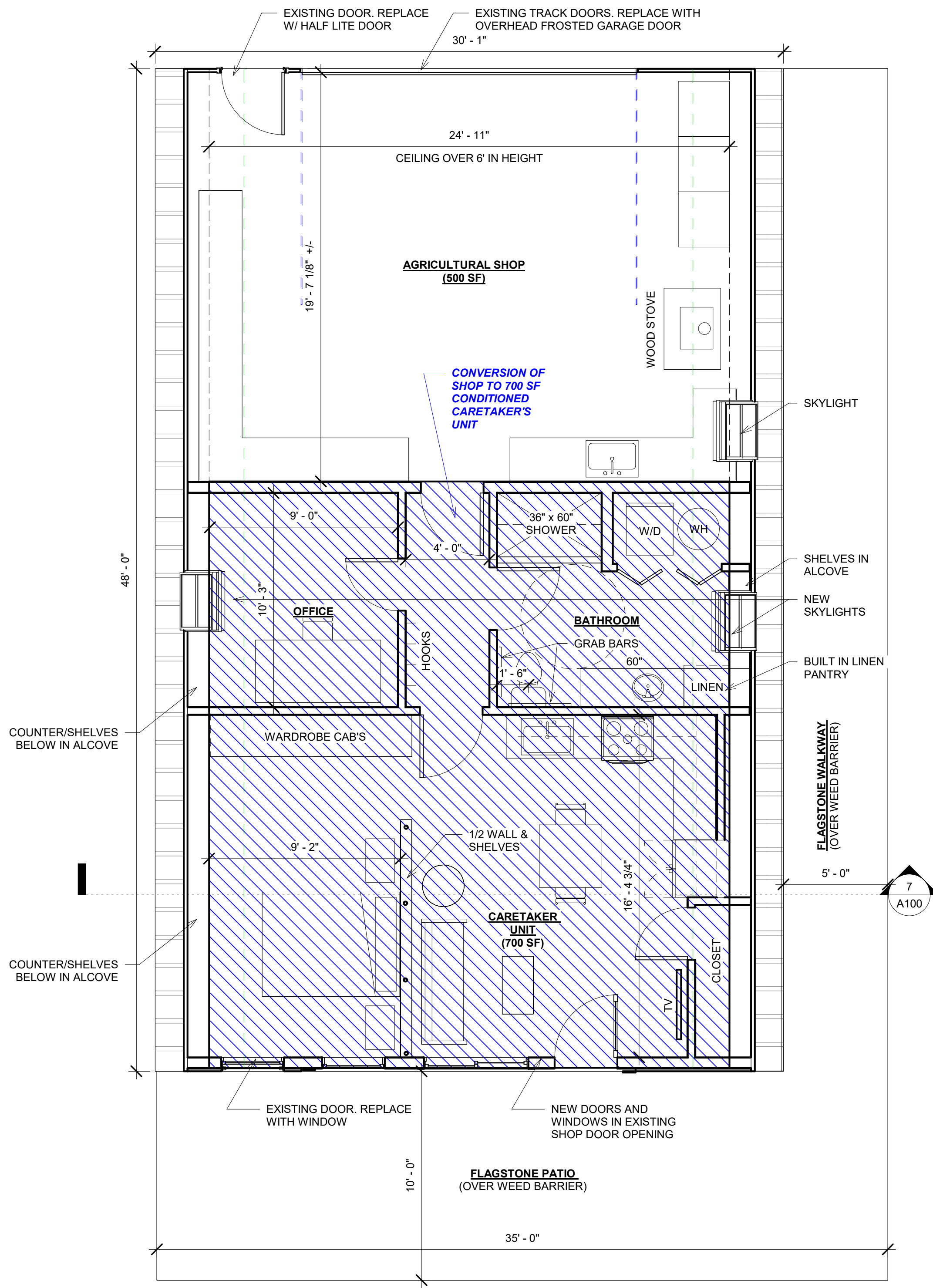
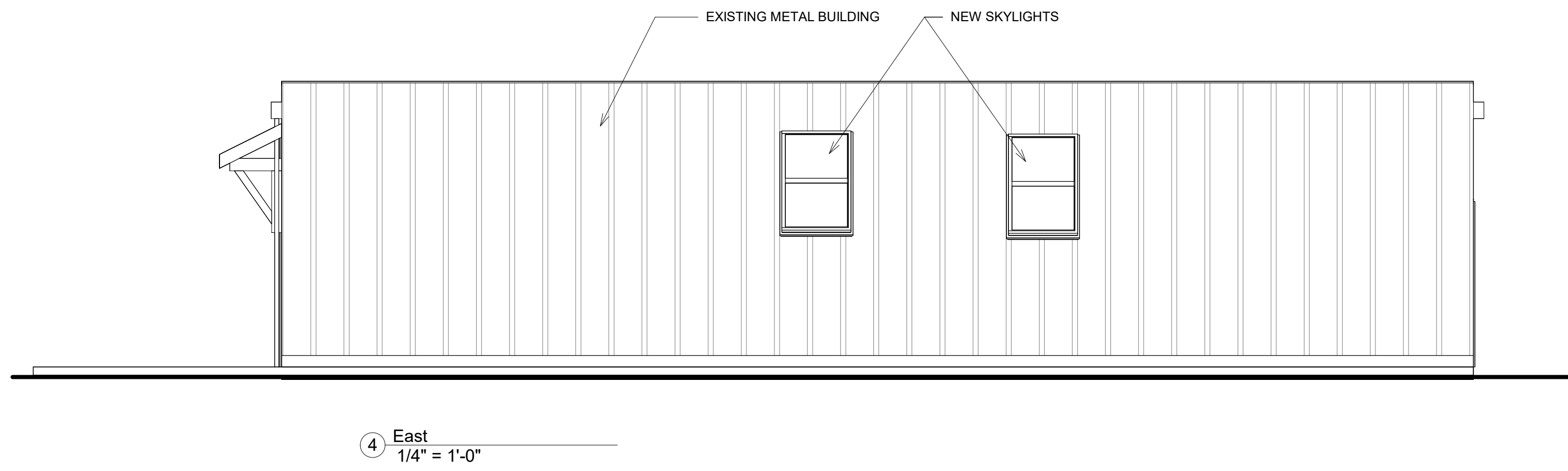
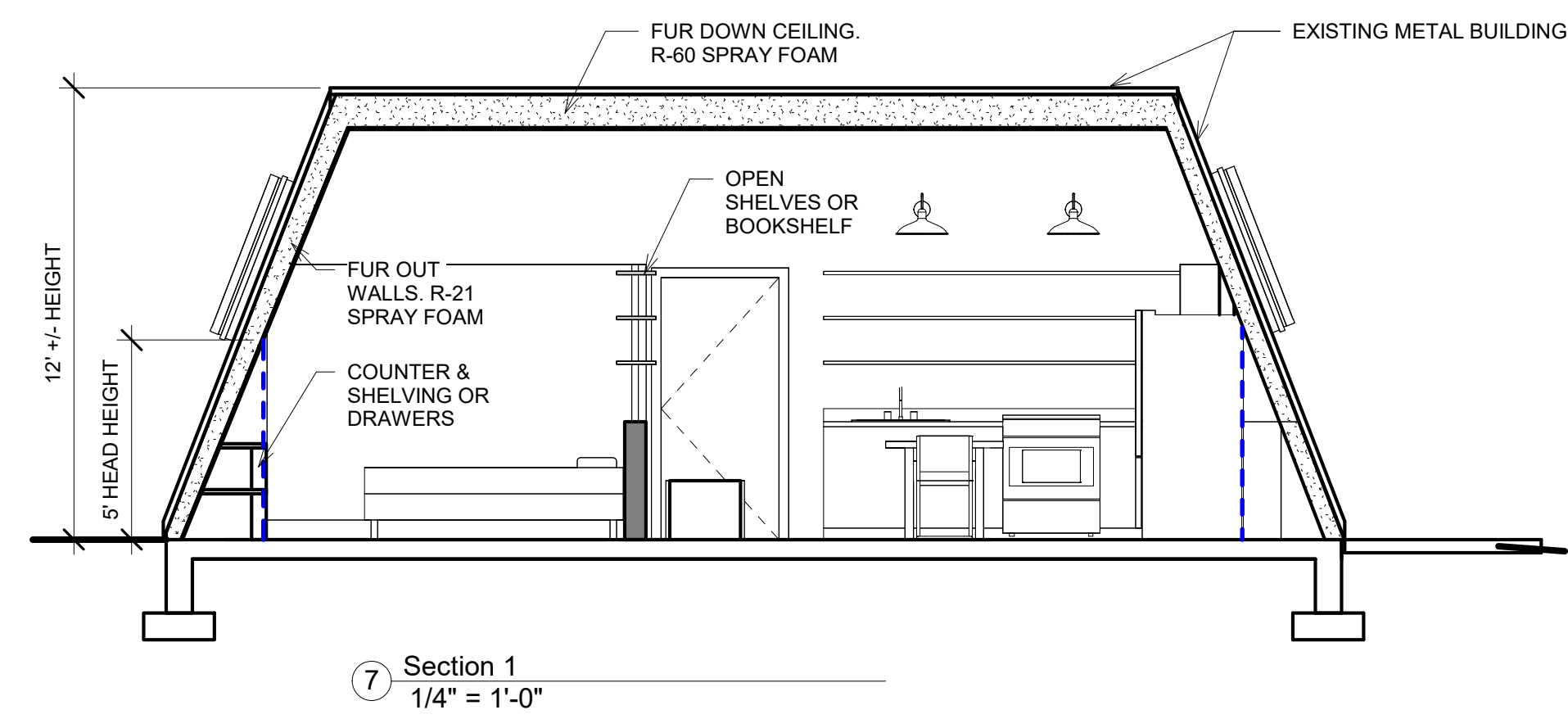
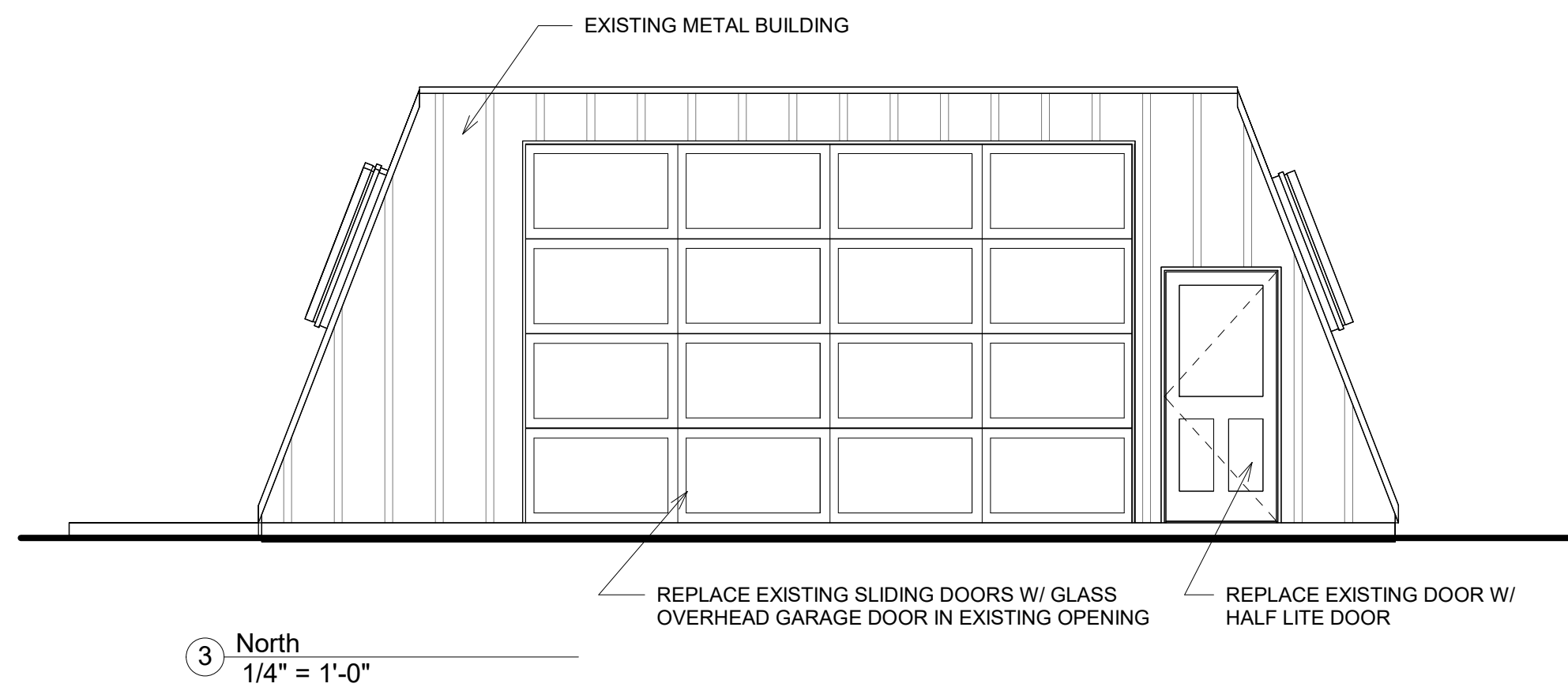
enContext Architecture, llc
 Integrate. Iterate. Generate.
 www.Context-Architect.com

THESE DOCUMENTS ARE PROVIDED FOR THE DESIGN INTENT OF THIS SPECIFIC PROJECT AND ONLY THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION COORDINATION, METHODS AND PROCEDURES TO BE USED IN THE CONSTRUCTION AND COMPLETION OF THE PROJECT. THIS INCLUDES BUT IS NOT LIMITED TO THE QUALITY OF WORKMANSHIP AND MATERIALS REQUIRED FOR EXECUTION OF THESE DOCUMENTS AND WORK OR MATERIALS SUPPLIED BY ANY SUBCONTRACTORS. ALL WORK SHALL COMPLY WITH GOVERNING CODES AND ORDINANCES. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES IN THE DRAWINGS, FIELD CONDITIONS OR DIMENSIONS.

**376 J J KELLY RD.,
 LYONS, CO 80540
 CARETAKER UNIT - LUR**

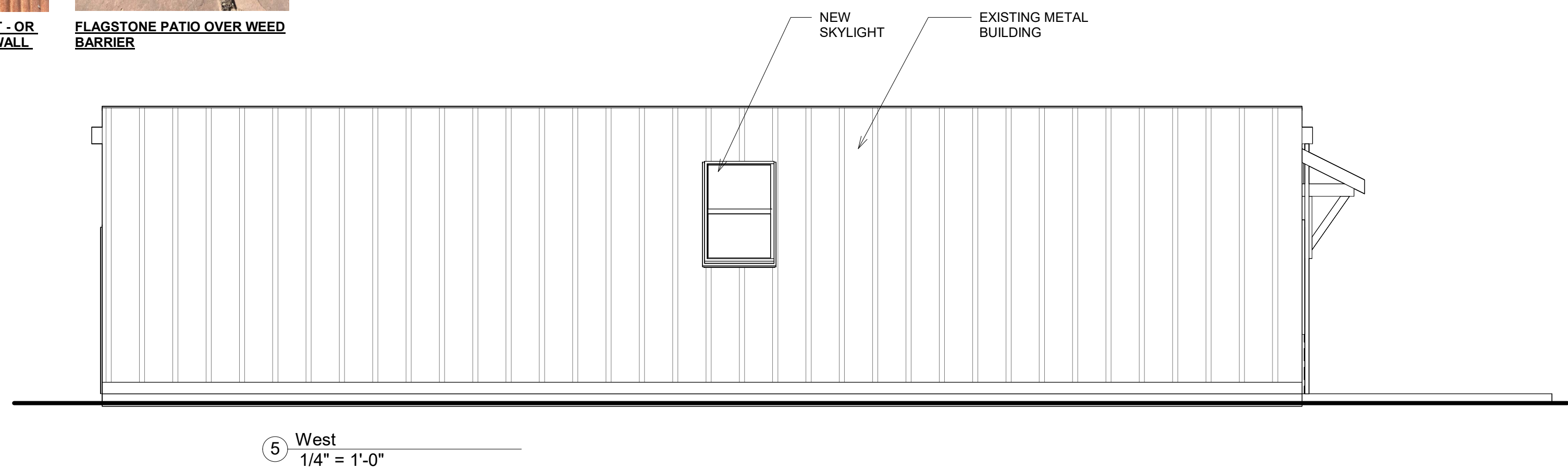
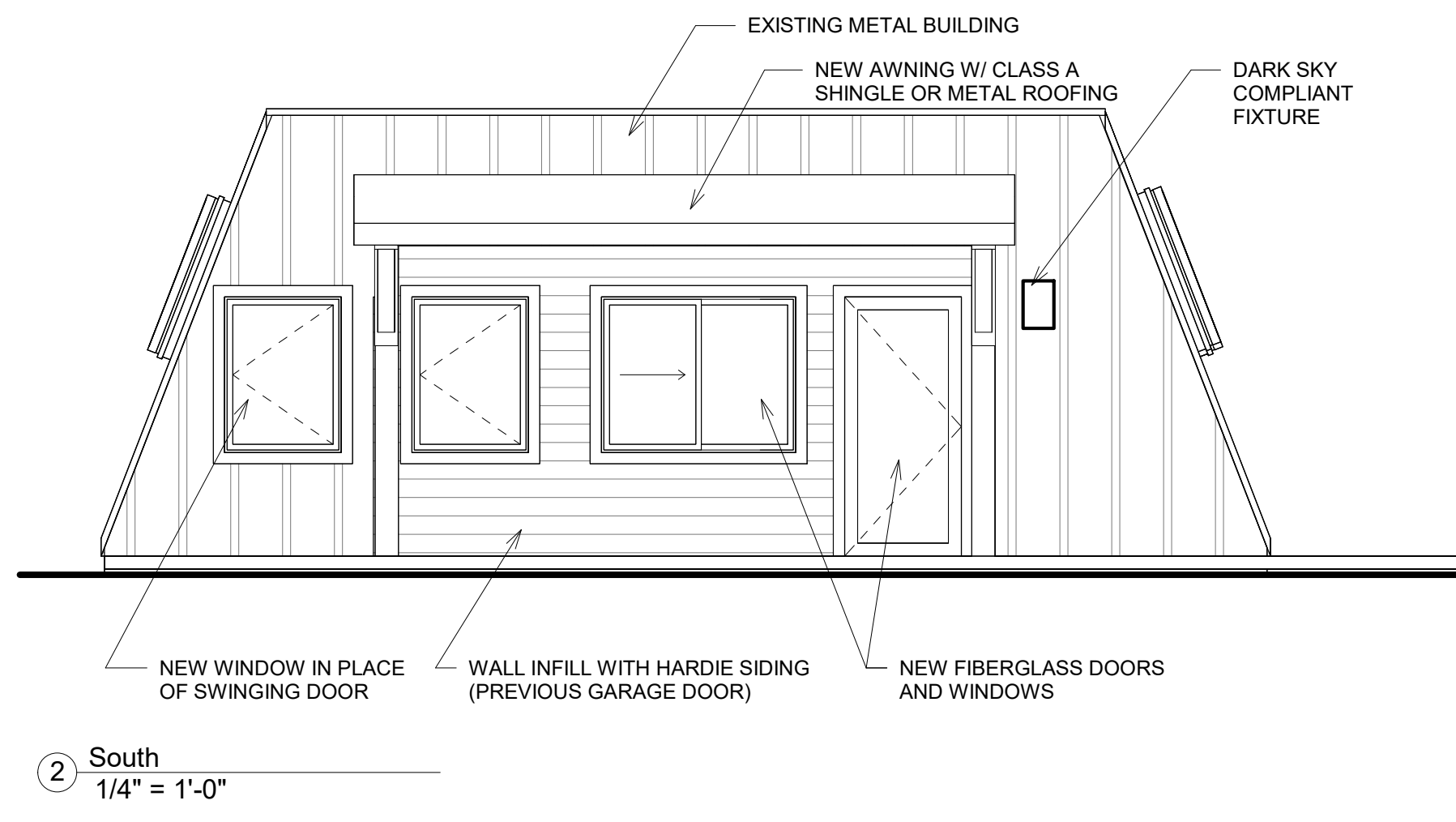
**LIMITED IMPACT
 SPECIAL USE REVIEW &
 SPR**
 09/18/25

SHEET No.
A000
 Site Plan



PLAN NOTES:

- CONTRACTOR TO ENSURE CONSTRUCTION MEETS 2021 IRC + LOCAL AMENDMENTS
- DIMENSIONS SHOWN TO FRAMING
- AS-BUILT DIMENSIONS SHOULD BE VERIFIED BY CONTRACTOR PRIOR TO ORDERING ANY AND ALL MATERIALS, FIXTURES, APPLIANCES ETC.



THESE DOCUMENTS ARE PROVIDED FOR THE DESIGN INTENT OF THIS SPECIFIC PROJECT AND ONLY THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION COORDINATION, METHODS AND MATERIALS TO BE USED FOR THE COMPLETION OF THE PROJECT. THIS INCLUDES BUT IS NOT LIMITED TO THE QUALITY OF WORKMANSHIP AND MATERIALS REQUIRED FOR EXECUTION OF THESE DOCUMENTS AND WORK OR MATERIALS SUPPLIED BY ANY SUBCONTRACTORS. ALL WORK SHALL COMPLY WITH GOVERNING CODES AND ORDINANCES. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES IN THE DRAWINGS, FIELD CONDITIONS OR DIMENSIONS.

**376 J J KELLY RD.,
LYONS, CO 80540
CARETAKER UNIT - LUR**

**LIMITED IMPACT
SPECIAL USE REVIEW &
SPR
09/18/25**



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.gov

Building Safety & Inspection Services Team

MEMO

TO: Pete L’Orange, Senior Planner
FROM: Michelle Huebner, Plans Examiner Supervisor
DATE: October 16, 2025

RE: Referral Response, LU-25-0008: McDonald Family Care ADU: Limited Impact Special Use review for a Family Care Accessory Dwelling Unit on an approximately 7.7-acre parcel.

Location: 376 J J Kelly Road

Thank you for the referral. We have the following comments for the applicants:

Building Permit. A building permit, plan review, inspection approvals, and a Certificate of Occupancy (“C.O.”) are required for the proposed residence.

Mixed-use building. This partial change of use to residential from barn will create a mixed-use building, with both agriculture U occupancy and residential IRC. A complete code analysis is required, from a Colorado licensed design professional, an architect for example. The building occupancy must be classified by each space.

Gas was installed in this building without the benefit of a building permit. The work will need to be addressed when the building permit is applied for the change of use.

2021 Building Code Adoption & Amendments at [Boulder County Building Code Amendments](#)

Note – Stairs are not permitted or approvable in crawlspaces, see the code below and the new building permit amendment limits crawlspaces to a less than 5’-0.”

AREA, FLOOR. The area of the building, existing or new, under consideration including basements and attached garages calculated **without deduction** for corridors, stairways, closets, the thickness of interior walls, columns, or other features as measured from the exterior face of the exterior walls. This includes framed wall braced and unbraced wall sheathing.

Claire Levy County Commissioner Marta Loachamin County Commissioner Ashley Stolzmann County Commissioner

CRAWL SPACE (New Building Code Amendment). An under floor space below the first story floor of the building that does not meet the definition of story above grade plane, that has a ceiling height measured from the crawlspace grade or floor to the bottom of the floor joists above of **less than 5-feet**, and that does not contain interior stairs, fixed-in-place ladder systems, windows, wall and ceiling finish materials, trim or finished flooring. Exception: In newly constructed areas, an area of under floor space below the first story, not larger than 200 square feet, may have a ceiling height as measured from the crawlspace grade or floor to the bottom of the joists above of less than 6-feet 8- inches for the installation of mechanical equipment and automatic fire sprinkler installations. This area shall not contain interior stairs, fixed-in-place ladder systems, windows, wall and ceiling finish materials, trim or finished flooring.

1. **Automatic Fire Sprinkler System.** Under the 2021 International Residential Code (“IRC”) as adopted by Boulder County, all new one- and two-family dwellings and townhouses are required to be equipped with an automatic fire sprinkler system that is designed and installed in accordance with NFPA 13D or IRC Section P2904.
2. **BuildSmart.** Please refer to the county’s adoption and amendments to Chapter 11 of the IRC, the county’s “BuildSmart” program, for the applicable requirements for energy conservation and sustainability for residential additions and new residential buildings. Please be aware that there are energy related requirements of this code that may require the use of renewable energy systems (such as rooftop solar systems) that will also need to be approved by your electric utility provider. In some cases, there may be limitations on the size of on-site systems allowed by your utility provider that could constrain the project design. We strongly encourage discussions between the design team and the utility company as early in the process as possible in order to identify these constraints.
3. **Colorado Model Electric Ready and Solar Ready Code.**
See requirements in the Colorado Model Electric Ready and Solar Ready Code, as adopted with these amendments.
4. **Design Wind and Snow Loads.** The design wind and ground snow loads for the property are 165 mph (Vult) and 45 psf, respectively.
5. **Ignition-Resistant Construction and Defensible Space.** Please refer to Section R390 of the Boulder County Building Code for wildfire hazard mitigation requirements, including ignition-resistant construction and defensible space.
6. **Plan Review.** The items listed above are a general summary of some of the county’s building code requirements. A much more detailed plan review will be performed at the time of building permit application, when full details are available for review, to assure that all applicable minimum building codes requirements are to be met. Our Residential Plan Check List and other [Building Publications, Applications and Forms - Boulder County](#)

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum building code requirements. Please call us at (720) 564-2640.



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
303-441-3930 • www.BoulderCounty.gov

October 29, 2025

TO: Pete L'Orange, Senior Planner; Community Planning & Permitting,
Development Review Team - Zoning

FROM: Tim Oliver, Planner II; Community Planning & Permitting, Development
Review Team – Access & Engineering

SUBJECT: Docket # LU-25-0008: McDonald Family Care ADU at 376 J J Kelly
Road

The Development Review Team – Access & Engineering staff have reviewed the above referenced docket and have the following comments:

1. The subject property is accessed via from Antelope Drive, an unpaved Boulder County owned and maintained right-of-way (ROW) with a Functional Classification of Local Secondary, via J J Kelly Road, an unpaved private road. Legal access has been demonstrated via a Quit Claim Deed for a non-exclusive ROW easement that is generally 60 feet wide recorded on August 5, 2020, at reception #03804353.
2. The existing driveway design generally complies with the Multimodal Transportation Standards (the Standards) for residential development.
3. **At building permit**, submit information regarding the following stormwater control measures: stockpiling locations, concrete washout location, port-a-potty location and staking, and perimeter control around the limits of disturbance.
4. During construction, all vehicles must be staged on the subject property or to one side of J J Kelly Road to not impede the travel way. Materials, machinery, dumpsters, and other items must be staged on the subject property.

This concludes our comments at this time.



Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503
303-678-6200 • POSinfo@bouldercounty.org
www.BoulderCountyOpenSpace.org

TO: Pete L'Orange, Community Planning & Permitting Department
FROM: Ron West, Natural Resource Planner
DATE: October 21, 2025
SUBJECT: Docket LU-25-0008, McDonald, 376 JJ Kelly Road

Staff has reviewed the submitted materials, and no significant natural resource impacts are expected from the proposal. The remodel will be within an existing structure. The High Biodiversity Area would not be further impacted. Standard revegetation should be required.



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Wildfire Mitigation Team Referral Response

TO: Pete L'Orange, Senior Planner
FROM: Kyle McCatty, Senior Wildfire Mitigation Specialist
DATE: October 29, 2025
RE: Referral Packet for Docket LU-25-0008: McDonald Family Care ADU at 376 J J Kelly Road

Thank you for the referral. We have the following comments for the applicants:

Decades of catastrophic wildfires, research, and case studies have shown that extreme wildfires are inevitable in the forests of Boulder County and across the Western US. Still, the loss of life and homes does not have to be inevitable. The conditions that principally determine if a house ignites occur within 100 feet of the house, including the house itself. That is why Boulder County has such strong wildfire mitigation requirements in our Land Use and Building Code. Boulder County encourages all homeowners to voluntarily take responsibility to mitigate their own home's risk of igniting in a wildfire through Wildfire Partners.

Because a new habitable space will be created, wildfire mitigation is required to reduce the risk of loss of life and property; the proposed project is in [Wildfire Zone 1](#) (the foothills or mountains—approximately west of highways 7, 36, or 93) of the unincorporated portion of Boulder County. The Boulder County Wildfire Mitigation requirements are composed of site location, ignition-resistant materials and construction, defensible space, emergency water supply, and emergency vehicle access.

Site Location

Because the structure already exists, site location is not a consideration in this wildfire mitigation review.

Ignition-Resistant Materials and Construction

Since the proposed development is located within a potentially hazardous area, all exterior building materials (including any proposed decking) must be ignition-resistant construction or better.

For additional ignition-resistant construction information, please contact the Building Safety & Inspection Services Team at 303-441-3926. Refer to the Boulder County publication: [Building with Ignition Resistant Materials](#) for specific requirements. All exterior materials must be clearly noted on the building plans and must be reviewed and approved as “ignition resistant” by the Building Safety & Inspection Services Team.

Defensible Space

Adequate defensible space is required around all existing and new structures to prevent the spread of fire to and from structures. This requires limbing and/or removal of trees and shrubs to provide necessary vertical and horizontal fuel separation within a minimum of 100 ft. from the home and within 30 ft. along both sides of a driveway. Where the property boundary limits Zone 2 (at least 100 feet from structures), Zone 1 (a buffer of at least 30 feet free of conifer trees and other highly combustible vegetation immediately surrounding the home, including all attachments and accessory structures within 30 feet) may need to begin at the home’s dripline. More information can be found by referring to the Colorado State Forest Service publication [Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones – 2012 Quick Guide](#).

Follow the Colorado State University [Low-Flammability Landscape Plants](#) and Colorado State Forest Service [Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones – 2012 Quick Guide](#) publications when choosing plants and designing revegetation and landscaping.

Emergency Water Supply

Emergency water supply is currently only required when building a new residence. No emergency water supply will be required for this application.

Emergency Vehicle Clearance

Emergency vehicle clearance is required to allow for safe ingress and egress of emergency vehicles. Emergency personnel try their best to respond to calls in a timely manner, often while negotiating difficult terrain. Planning for access by emergency vehicles improves

safety for homeowners and their families by providing for a more efficient response by firefighters and other emergency personnel arriving on the scene. This is especially important in rural and mountainous areas where response times may be considerably longer than in cities, where emergency services are closer by. Refer to the Boulder County publication: [Driveway Access for Emergency Vehicles](#) for specific clearance-related requirements.

Timeline

After applying for, but prior to issuance of any permits, a Boulder County Wildfire Mitigation Specialist will contact you to schedule a Wildfire Partners or Regulatory Wildfire Mitigation assessment and defensible space marking. Based upon the compliance path selected, either a Wildfire Partners Assessment report or a Wildfire Mitigation Plan will be created to describe the wildfire mitigation requirements.

Before scheduling rough framing inspections, the plan's defensible space portion must be implemented and inspected by the Community Planning & Permitting Department. All trees marked for removal must be cut, and all slash, cuttings, and debris must be removed and/or properly disposed of.

At the time of final inspection, all remaining required items in the Wildfire Partners Assessment report or the Wildfire Mitigation Plan are to be fully implemented and inspected. Ground surfaces within five feet of both existing and new structures, and at least 2 feet beyond the driplines of decks, bay windows, and other eaves and overhangs, must be covered with an allowable non-combustible ground cover over a weed barrier material. The driveway vertical and horizontal vegetation clearance must be in place and conform to the Parcel Access Design Standards in the [Boulder County Multimodal Transportation Standards](#).

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum land use and building code requirements. I can be reached at 720-564-2625 or via email at kmccatty@bouldercounty.gov.



Public Health

Environmental Health Division

October 14, 2025

TO: Staff Planner, Community Planning and Permitting

FROM: Jessica Cannon, Environmental Health Specialist

SUBJECT: LU-25-0008: McDonald Family Care ADU

OWNER: McDonald

PROPERTY ADDRESS: 376 J J Kelly Road

SEC-TOWN-RANGE: 13 3N 71

The Boulder County Public Health (BCPH) – Environmental Health division has reviewed the submittals for the above referenced docket and has the following comments.

OWTS:

1. Boulder County Public Health issued a repair permit for the installation of an absorption bed system on 10/15/01. The permit was issued for an onsite wastewater treatment system (OWTS) adequate for a 3-bedroom house. Boulder County Public Health approved the installation of the OWTS on 11/14/01. This OWTS serves the main home and is not big enough to incorporate the proposed 1-bedroom ADU.
2. For the ADU, the owner or their agent (e.g., contractor) must apply for an OWTS Major Repair Permit Associated with a Property Improvement. permit. This permit has a fee of \$3023. This permit type is used when upgrading a system as a result of work done to a property under previous, current, or future Building Permits or another Community Planning & Permitting process. Examples include but are not limited to rebuilding or adding a dwelling, adding bedrooms, finishing a basement, etc.
3. The OWTS permit must be issued prior to installation and before a building permit can be obtained. The OWTS components must be installed, inspected and approved before a Certificate of Occupancy or Final Building Inspection approval will be issued by Community Planning and Permitting (CP&P). To apply online, go to: <https://bouldercounty.gov/environment/water/septicmart/submit-an-application-for-a-septic-certificate/>
4. Setbacks between all buildings and the OWTS serving this property and OWTS serving neighboring properties, must be in accordance with the Boulder County OWTS Regulations, Table 7-1. <https://assets.bouldercounty.gov/wp-content/uploads/2017/05/boulder-county-ows-regulations.pdf>. A house with a basement, crawlspace or footing drains must be at least 20 feet from an absorption field.

Avoid Damage to OWTS:

1. Heavy equipment should be restricted from the surface of the absorption field during construction to avoid soil compaction, which could cause premature absorption field malfunction. Caution should be used in conducting trenching and excavation activities so that sewer lines and other OWTS components are not damaged.

This concludes comments from the Public Health – Environmental Health division at this time. For additional information on OWTS, refer to the following website: www.SepticSmart.org. If you have additional questions about OWTS, please do not hesitate to contact HealthOWS@bouldercounty.org.

Cc: OWTS file, owner, Community Planning and Permitting



Community Planning & Permitting

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MEMO TO: Agencies and Adjacent Property Owners
FROM: Pete L'Orange, Senior Planner
DATE: October 14, 2025
RE: Docket **LU-25-0008**

Docket LU-25-0008: McDonald Family Care ADU

Request: Limited Impact Special Use review for a Family Care Accessory Dwelling Unit on an approximately 7.7-acre parcel.
Location: 376 J J Kelly Road, an approximately 7.7-acre parcel, located approximately 1,900 feet west and 850 feet north of the intersection of Antelope Drive and Apply Valley Road in Section 13, Township 3N, Range 71W.
Zoning: Agricultural (A) Zoning District
Property Owner: McDonald Skye Family Trust
Agent: enContext Architecture

Limited Impact Special Review is required of proposed uses that may have greater impacts on services, neighborhoods, or the environment than those allowed by right under the Boulder County Land Use Code. This process will review conformance of the proposed use with the Boulder County Comprehensive Plan and the Land Use Code.

This process includes a public hearing before the Board of County Commissioners. Adjacent property owners and holders of liens, mortgages, easements or other rights in the subject property are notified of this hearing.

The Community Planning & Permitting staff and County Commissioners value comments from individuals and referral agencies. Please check the appropriate response below or send a letter to the Community Planning & Permitting Department at P.O. Box 471, Boulder, Colorado 80306 or via email to planner@bouldercounty.gov. All comments will be made part of the public record and given to the applicant. Only a portion of the submitted documents may have been enclosed; you are welcome to call the Community Planning & Permitting Department at 303-441-3930 or email planner@bouldercounty.gov to request more information. If you have any questions regarding this application, please contact me at 303-441-1418 or plorange@bouldercounty.gov.

Please return responses by **October 29, 2025.**

We have reviewed the proposal and have no conflicts.

Letter is enclosed.

Signed *Barry Eppler* PRINTED Name Barry Eppler

Agency or Address Lyons Fire Protection District

Date 14 October 2025



251 Broadway / P.O. Box 695
Lyons, CO 80540
(303) 823-6611

14 October 2025

Community Planning & Permitting Department
P.O. Box 471
Boulder, Colorado 80306
(planner@bouldercounty.gov)

attn:Pete L'Orange

RE: Comments on LU-25-0008: McDonald Family Care ADU *(copy sent via email 16 October 2025)*

Greetings,

This letter contains comments on the request to construct an ADU at 376 JJ Kelley Road in Lyons, CO.

Summary

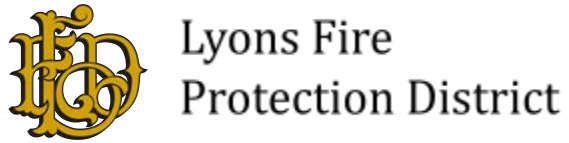
- 1) The stakeholders are advised that the fire code of the Lyons Fire Protection District (Lyons Fire Code) applies to this project.
- 2) Because this is new construction and Group R occupancy, a residential fire sprinkler system is required per the Lyons Fire Code. See additional comments below.
- 3) Because this is an existing building, a fire fighting water cistern is not required if not already installed (but is highly recommended). See additional comments below.
- 4) For purposes of determining sprinklered area only, the remaining agricultural shop portion of the building may be treated as a non-egress attached garage and thus it is not required to be (but may be) sprinklered.
- 5) A code-compliant and fire-rated wall assembly is required between the dwelling space and the agricultural workshop space. This wall must have no penetrations.

Additional Comments

Highlights of sprinkler system design and installation include:

- The design must be done by a certified professional (NICET level III or higher, or a registered PE). State requirements for certified installers apply.
- A dedicated in-home tank and pump are required. An alternative (backup) power source is required.
- An external horn, strobe, and FDC are required.
- Plans review, rough-in, and final inspections by Lyons Fire are required. Fees \$200.

A firefighting cistern is recommended to provide a water supply for structure and wildland firefighting.. A cistern provides ready access to water to suppress structure fires to allow time to establish tender relays, to prevent wildland fires from involving structures, and to prevent structure fires from spreading to adjacent properties via the wildland interface. Before installation, consult Lyons Fire for proper location and installation.



251 Broadway / P.O. Box 695
Lyons, CO 80540
(303) 823-6611

Design should consider the presence of hazards in the agricultural shop portion of the building including the wood burning stove, storage of motor vehicles and motor fuels, and agricultural chemicals. Design (including accessibility and emergency egress) should consider the stated mobility and other limitations of the occupant.

Barry Eppler
Fire Prevention Specialist
beppler@lyonsfire.org (preferred contact method)
303-823-6611 Office
970-412-0459 Cell



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303.571.3284
Donna.L.George@xcelenergy.com

October 29, 2025

Boulder County Community Planning and Permitting
PO Box 471
Boulder, CO 80306

Attn: Pete L'Orange

Re: McDonald Family Care ADU, Case # LU-25-0008

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the limited impact special use for **McDonald Family Care ADU**. Please be aware PSCo owns and operates existing natural gas service to the existing residence. The property owner/developer/contractor must complete the application process for any new natural gas service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Xcel Designer assigned to the project for approval of design details.

If additional easements need to be acquired by separate PSCo document, a Right-of-Way Agent will need to be contacted by the Designer.

As a safety precaution, PSCo would like to remind the developer to contact Colorado 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

Although "branded" as Xcel Energy, the legal owner and operator of the utility facilities in Colorado is Public Service Company of Colorado. All utility facilities and related land rights, including fee property, easements, permits, etc., are owned by, operated by and held in the name of Public Service Company of Colorado, a Colorado Corporation.