WHAT IS A SECONDARY SUITE?

The City of Golden allows secondary suites in all single household zone districts, provided that the homeowner meets the requirements of Chapter 18.28.240 and all other applicable requirements found in the Municipal Code. Also known as Accessory Dwelling Units (ADUs), these additional units on single household lots allow homeowners more flexibility to create living situations to fit their needs. Though smaller than the principal home on the lot, secondary suites have their own kitchen, bathroom and other living spaces that are separate from the main house.

WHAT DO THEY LOOK LIKE?

Secondary Suites can take on many forms, and here are just a few:

- An attached addition to the principal home
- A new unit created within the existing home
- Cottage in the backyard (Image 1)
- Basement unit (Image 2)
- Garage conversion or over a garage (Image 3)
- Cottage off the alley (Image 4)

ELIGIBILITY

All single household lots are eligible.

What if my lot is undersized? Many of these parcels were created prior to zoning limits established in the 1950’s. For these parcels, the maximum use is one single household dwelling and an ADU, if all other requirements are met and the lot is at least 5,000 square feet in area. For parcels less than 5,000 square feet, no dwellings may be constructed unless a variance is granted. This is further outlined in Chapter 18.20 of the Municipal Code. In the event of a recently created undersized lot or parcel, contact the Planning Department to identify the areas of violation to be addressed.

WHO WOULD BENEFIT?

- Families with special needs, such as those caring for a senior parent or a disabled family member who also desires some independence.
- Seniors who wish to “age in place” or anyone who wishes to use rental income for living expenses or to offset the cost of a mortgage payment.
- Parents of adult children who want or need to remain at the family home.
- Homeowners who just want an office, studio or guest quarters with more autonomy from the main home.
There are a number of regulations in place regarding Secondary Suites in order to protect Golden’s neighborhoods. The most important factor is that the property owner must remain living on the lot, either in the principal home or the secondary suite. The zoning requirements can be found in Chapter 18.28.240 of the Municipal Code, which is reprinted below.

Accessory dwelling units are allowed in conjunction with all single-household detached dwellings in residential zone districts, including R-E, R-1, R-1A, R-2, R-3 and PUD, subject to the following conditions:

1. Conformance to Development Standards. Any accessory dwelling unit must meet the same development standards required for the principal dwelling unit structure.
2. Existing or New Development on Lot. An accessory dwelling unit is allowed only on lots with a single-household dwelling, regardless of the number of units allowed by zoning. A certificate of occupancy will only be granted to an accessory dwelling unit after it has been granted to the principal dwelling unit.
3. Parking. One on-site parking space shall be required for an accessory dwelling unit. Parking for the accessory dwelling unit is in addition to the required parking for the principal dwelling unit, as set forth in Section 18.36. The required parking space may be in tandem with other required spaces, but must be identified on a site plan.
4. Unit Size and Configuration. Except as modified in subsection 5 herein, for a principal dwelling unit of 1000 square feet or more of living space, the accessory dwelling unit shall be no larger than 50% of the living space of such principal dwelling unit, or 800 square feet, whichever is smaller. For a principal dwelling unit of less than 1000 square feet of living space, the accessory dwelling unit shall be no larger than 500 square feet.
5. Unit Size Exception. The Director may approve an accessory dwelling unit that is up to 20% larger than otherwise allowed if it is located within the principal structure, provided that all other requirements of section 18.28.240 have been met and it does not conflict with any other requirement of this title.

6. Unit Occupancy. No more than three persons shall occupy an accessory dwelling unit.
7. Number of Accessory Dwelling Units per Lot. Only one accessory dwelling unit shall be allowed for each lot. Accessory Dwelling Units shall be included as separate dwelling units for the purpose of calculating the minimum lot area required by Section 18.28.200 for the R-2, R-3 and RM Zone Districts only.
8. Owner Occupancy. The property owner, as reflected in the title records and evidenced by voter registration, vehicle registration or other similar means, must occupy either the principal dwelling unit or accessory dwelling unit. The Director may waive this requirement for temporary absences provided that the owner has occupied the principal or accessory dwelling unit for a minimum of two years and submits proof of the temporary absence.
9. Design. To preserve the appearance of the single-household dwelling, accessory dwelling units built as additions or separate structures shall be designed in the following manner:
   a. The design of the accessory dwelling unit shall be similar to the design of the principal dwelling unit by use of similar exterior wall materials, window types, door and window trims, roofing materials and roof pitch;
   b. If the entrance to the accessory dwelling unit is visible from an adjacent street, it shall be designed in a manner as to be clearly subordinate to the entrance of the principal dwelling;
   c. Windows which face an adjoining residential property shall be designed to protect the privacy of neighbors unless fencing or landscaping is provided which adequately accomplishes the same purpose.
10. Outdoor Areas. The site plan shall provide accessible outdoor space and landscaping for both the accessory dwelling and the principal unit.
11. Utility Service Requirements. Accessory dwelling units must be connected to the water and wastewater utilities of the principal dwelling unit and may not have separate services, unless the Director determines such to be infeasible.
12. Mobile homes not meeting the definition of Manufactured Homes, campers, camper buses, travel trailers and recreational vehicles shall be prohibited for use as an accessory dwelling unit.
13. Deed Restriction. Before obtaining a building permit for an accessory dwelling unit, the property owner shall file with the County Clerk and Recorder, in a form acceptable to the Director, a declaration of restrictions in reference to the deed under which the property was acquired by the present owner stating that:
   a. The accessory dwelling unit shall not be sold separately from the principal dwelling unit, nor shall the lot on which it is situated be subdivided unless such subdivision is permissible in accordance with all provisions of Titles 17 and 18 of the Code;
   b. The accessory dwelling unit shall be restricted to the approved size;
   c. The Certificate of Occupancy for the accessory dwelling unit shall be in effect only so long as either the principal dwelling unit, or the accessory dwelling unit, is occupied by the owner of record;
   d. The above restrictions run with the land and are binding upon any successor in ownership of the property;
   e. It shall be unlawful for any property owner not to comply with the deed restrictions;
   f. The deed restrictions shall lapse upon removal of the accessory dwelling unit. To effect this intent, and upon verification of such removal, the City shall record appropriate documentation releasing such encumbrance. The property owner shall pay all required recording fees, and it shall be the property owner’s responsibility to ensure that such recording is successfully completed.