

ACCESSORY DWELLING UNITS

Accessory Dwelling Units

An Accessory Dwelling Unit (ADU) is an independent residential dwelling unit located on the same lot as a single family detached dwelling unit. ADUs may be located within the principal dwelling unit; attached to the principal dwelling unit; or separate from, but on the same lot as the principal dwelling unit.

Background Information

On November 18, 2024, City Council approved the Accessory Dwelling Unit regulations, to take effect January 1, 2025. The intent of regulating Accessory Dwelling Units is to reduce the environmental impact of residential construction by using existing land and resources more efficiently; to be used as an avenue to address the housing needs of residents; and to increase housing and provide an option for the City's changing demographics.

What is an Accessory Dwelling Unit?

An Accessory Dwelling Unit is an attached or detached residential dwelling unit on the same lot as an existing single-family dwelling unit that provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, all on the same parcel as the primary, single-family dwelling.

An Accessory Dwelling Unit is not house sharing; room for rent; new structure on its own lot; 2 units attached with a lot line through the structure; nor does it involve the use of an RV, mobile home, trailer, tiny home on wheels, etc.

An Accessory Dwelling unit is any accessory structure that contains habitable space. The International Residential Code defines habitable space as a space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

NON-HABITABLE = bathroom, hallways, closets & storage only, (may be an Accessory Structure rather than an ADU).

HABITABLE = includes any other building elements such as cooking/dining facilities, bedrooms, living spaces, etc., (may ONLY be an Accessory Dwelling Unit, and not an Accessory Structure).

Accessory Dwelling Unit (ADU) Info Sheet	
Provision	Allowance
ADUs Allowed	<ul style="list-style-type: none"> • 1 ADU per primary dwelling unit on same lot. • Within principal dwelling unit (such as a basement or finished attic); unit must have its own private entrance. • Attached to principal dwelling unit as an addition. • Separate building on same lot (detached ADUs only).
Comp Plan and Zoning	<ul style="list-style-type: none"> • Allowed with any single family <i>detached</i> property. • Permitted in zones that allow single-family detached dwelling units as a permitted use.
Codes/ Permitting	<ul style="list-style-type: none"> • Must be on a permanent foundation. • All codes that would apply to residential construction apply including IRC, Fire (<i>inc. fire sprinklers</i>), utility connections, etc. • Full kitchen facilities and full bathroom required. • Principal dwelling unit must have Certificate of Occupancy, ADU needs separate Certificate of Occupancy.
Address	<ul style="list-style-type: none"> • Must have its own address (an address will be assigned during the review process); when applying for the permit apply under the principal dwelling unit's address. • Construction plans should reflect all addressing for the site.
Size	<ul style="list-style-type: none"> • Minimum: 190 sq ft. • Maximum: 1200 sq ft or 50% of Gross Floor Area of principal dwelling unit ground level footprint, whichever is less. • <i>Gross floor area</i> shall mean the sum of the gross horizontal areas of the several floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings, excluding the following areas: attic areas with head room of less than seven feet; unenclosed building exterior walks, stairs, or fire escapes; elevator structures on the roof; areas devoted exclusively to air conditioning, ventilating, and other building machinery and equipment; and parking structures and enclosed pedestrian walks of over 30 feet in width and 100 feet in length. (WMC 11-2-1).
Setbacks	<ul style="list-style-type: none"> • Front and side: same as those required for principal dwelling unit (i.e. those on a PDP or ODP). • Rear: same as required for accessory structures or 5 feet, whichever is greater. • Check for easements; ADUs may not be built over an easement.
Design/ Architecture	<ul style="list-style-type: none"> • When located within the principal dwelling unit, the ADU must have its own separate entrance from the exterior (<i>we will not limit interior access if desired, but the ADU must still have its own exterior entrance</i>). • Lot coverage cannot exceed what is allowed for the principal dwelling unit if specified by zoning, or by PDP/ODP documents.

	<ul style="list-style-type: none"> • If zoning docs (PUD zoned properties) are silent there is no max lot coverage. • Lot coverage is measured by the footprint of the main floor of the home as a ratio to the total area of the property. • Maximum 2 bedrooms. • For additions to the primary structure, or stand-alone structures, ADUs must match principal dwelling unit design through 3 of the following 7 elements: roof pitch and form; soffit and fascia style; exterior materials; window style, trim, and orientation; exterior door style; architectural features such as projections, dormers, balconies, porches, columns, and prominent entry features; or color palette. Applicant shall list the elements that match between the ADU and the principal dwelling as part of the application.
Parking	<ul style="list-style-type: none"> • Not required in most cases, principal dwelling unit must still meet minimum parking (<i>placement of ADU cannot reduce on-site parking below minimum for principal dwelling unit</i>). • One new space required only if <u>both</u> of following conditions: 1) There is no existing off-street parking for the lot; and 2) On-street parking is prohibited.
Short Term Rental	<ul style="list-style-type: none"> • Allowed, subject to provisions for WMC Title V, Ch 24 and 11-4-18.
Fees	<ul style="list-style-type: none"> • Building Permit fees, as determined by Building. • Building Review fees, as determined by Building. • Use Tax fees, as determined by Building. • Utility tap fees apply, as determined by PWU. • Note, this is not an extensive list of fees, other fees may apply. • No Public Land Dedication, School Land Dedication, Park Development Fees, or similar exactions/impact fees are attached to ADUs.
Not for Sale	<ul style="list-style-type: none"> • Units are considered an accessory use to a principal dwelling unit and may not be sold separately, or subdivided on to a separate lot.
Approval	<ul style="list-style-type: none"> • Building permit approved by staff, no ODP amendment required. • HOA approval not required. • Variance option, same as single family residential. • Simplified variance option solely for relief from architectural design provisions, only has to meet WMC 2-2-8(B)(6).



(Only permissible if minimum off-street parking requirements are still met.)



Applying for an Accessory Dwelling Unit Permit

Step 1

Read the Accessory Dwelling Unit requirements and collect the information/documentation needed for application submittal.

Step 2

Apply for an Accessory Dwelling Unit permit by visiting the [eTRAKiT](#) portal. Make sure to have all electronic documentation ready for upload. Complete and submit the Accessory Dwelling Unit permit application via [eTRAKiT](#). Please visit our [eTRAKiT help page](#) for more eTRAKiT information.

Step 3

City staff will be notified of the Accessory Dwelling Unit permit submittal and will review for completeness. An email with further information regarding the permit will be sent after reviews take place.

Please note, it can take staff up to 4 weeks to review Accessory Dwelling Unit permits.

Additional Information

eTRAKiT portal: <https://develop.cityofwestminster.us/etrakit/>

Accessory Dwelling Unit Westminster Code:

https://library.municode.com/co/westminster/ordinances/code_of_ordinances?nodeId=1332081

Contacts

Building Division	permits@westminsterco.gov	303.658.2075	Building Website
Fire Department	fire@westminsterco.gov	303.658.4500	Fire Website
Planning Division	planning@westminsterco.gov	303.658.2092	Planning Website
Public Works	utilops@westminsterco.gov	303.658.2500	Public Works Website

FAQs

What is an Accessory Dwelling Unit?

An Accessory Dwelling Unit is an independent residential dwelling unit located on the same lot as a single family detached dwelling unit. Accessory Dwelling Units may be located within the principal dwelling unit; attached to the principal dwelling unit; or separate from, but on the same lot as the principal dwelling unit.

Can I list my Accessory Dwelling Unit as a short-term rental?

Yes, the Accessory Dwelling Unit can be rented as a short-term rental subject to provisions for WMC [Title V, Ch 24](#) and [11-4-18](#).

Can I rent my Accessory Dwelling Unit?

Yes, the Accessory Dwelling Unit can either be rented long term or short-term (subject to provisions for WMC [Title V, Ch 24](#) and [11-4-18](#)).

Can I live in the Accessory Dwelling Unit and rent the principal dwelling unit?

Yes.

Can I sell the Accessory Dwelling Unit?

No, the Accessory Dwelling Unit cannot be sold separately from the primary dwelling unit unless the applicant goes through the City's subdivision process.

Can I have more than one Accessory Dwelling Unit on the property?

No, only one Accessory Dwelling Unit is allowed per property.

Does the Accessory Dwelling Unit need to go to hearing to be approved?

No, if all criteria for the Accessory Dwelling Unit are met then only a Building Permit is required.

Will a mobile home, trailer, RV, or tiny home be allowed as an Accessory Dwelling Unit?

No, the Accessory Dwelling Unit must be on a permanent foundation and meet all applicable codes and requirements.

Do I need to provide engineered plans to apply for an Accessory Dwelling Unit?

Yes, plans must be prepared by a licensed professional, drawn to scale, specific to your property, and meet all applicable codes and requirements.

Are there restrictions on how much money I can rent my Accessory Dwelling Unit for?

No, the City does not regulate rental amounts for Accessory Dwelling Units.

Can the City recommend licensed professionals to help me with the Accessory Dwelling Unit process?

No, the City cannot provide recommendations for licensed professionals.