



Accessory Dwelling Units (ADU)

Instructions for Owner Occupancy and Prohibition of Subdivision and Separate Sale Affidavits

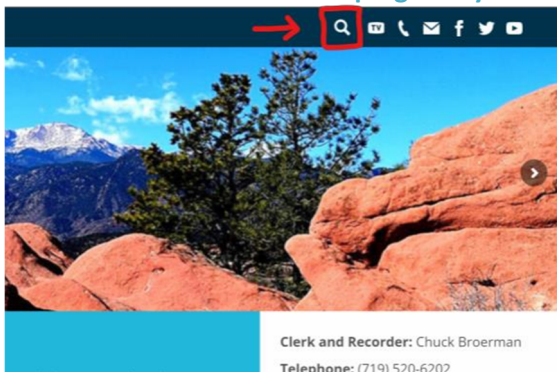
When should these documents be used?

When a single-family property has a separate living space that is intended to be rented or functionally separate from the main living space – meeting the definition of an ADU – these documents shall be required. The ADU can be utilized if all requirements in City Code Subsection 7.3.304 E are met. For more information on these requirements, please view the applicable City Code section at <https://codelibrary.amlegal.com/codes/coloradospringsco/>.

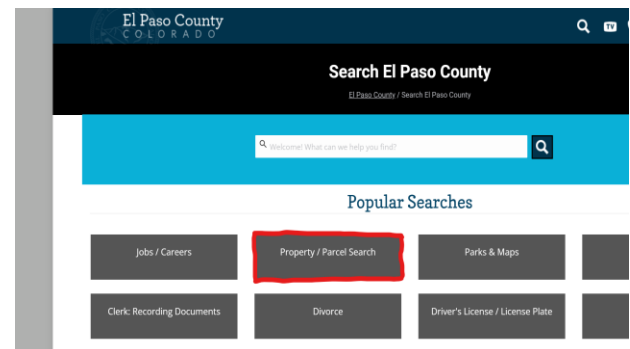
What is the process to submit the documents into a building permit application?

1. Confirm that the documents are needed for the building permit submittal. If you have question about what documents are required, contact the Development Review Enterprise at **719-385-5982** or DREPlanningInfo@coloradosprings.gov.
2. Fill out the **Owner Occupancy and Prohibition of Subdivision and Separate Sale Affidavits** included in this packet. The property’s legal description can be found online through the El Paso County Clerk and Recorder at <https://clerkandrecorder.elpasoco.com/> by following the steps below –

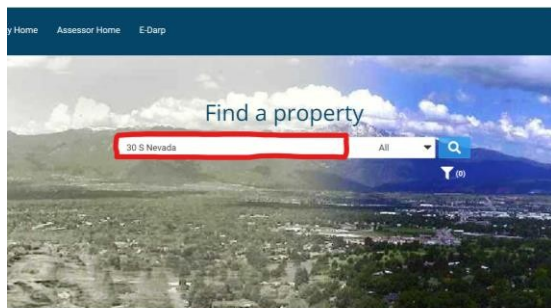
1. Click on the search icon at the top right of your screen.



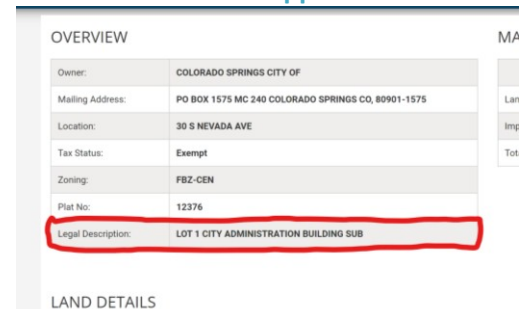
2. Click “Property / Parcel Search”.



3. Enter the address in the search bar.



4. The legal description should be entered exactly as it appears.



3. Sign the document in the presence of a notary.
4. Record the documents at the El Paso County Clerk and Recorders Office located at 1675 W. Garden of the Gods Road, Suite 2201, Colorado Springs, CO 80907. **Please call ahead to check for availability at 719-520-6202.**
5. Include the recorded documents as part of the building permit submittal.

What happens if a property is used as an ADU without proper affidavits?

A code enforcement case may be opened on the property. If a case is opened, the site will be required to come into compliance with current code.

