

PCD QUICK TIPS – ACCESSORY LIVING QUARTERS

An accessory living quarters (“ALQ”) is defined by the Land Development Code as “lodging, which may include a kitchen, that is accessory to the principal dwelling which may be occupied only by occasions, non-paying guests of the family residing in the principal dwelling. Accessory living quarters are not considered dwelling units”.

WHAT ZONING DISTRICTS ALLOW FOR AN ALQ?

ALQs are allowed in the following zoning districts:

- F-5 (Forestry)
- A-35 and A-5 (Agricultural)
- RR-5, RR-2.5, and RR-0.5 (Residential Rural)
- RS-20000, RS-6000, and RS-5000 (Residential Suburban)
- RT (Rural Topographic)

USE STANDARDS

The following standards apply to ALQs:

- Only one ALQ is allowed per lot, parcel, or tract and shall only be utilized for temporary occupancy, non-paying guests or visitors, and may not be leased or rented, including short-term rentals.
- ALQs may be attached or detached to the principal structure, in a garage, or in an accessory structure, or as a tiny house meeting the use specific standards for tiny homes.

- An affidavit is required as part of the approval of an ALQ. The affidavit must be signed and notarized by all property owners on title and be recorded with the Clerk and Records office acknowledging that the ALQ may not be leased or rented.
- ALQs shall not be larger than the total square footage of the primary residence, up to a maximum of 1500 square feet of finished habitable floor area, as measured to the outside of the walls.
- A separate meter for utilities is prohibited.

ADDITIONAL PROVISIONS

Attached ALQs for permanent occupancy may be utilized if the following standards are met:

- Exterior appearance must be single-family in character.
- An interior connection is required.
- The ALQ is used exclusively for family members or an employee employed onsite by a person residing in the main dwelling unit.

Detached ALQs for permanent occupancy require a special use process. Approval shall be based upon finding that the following standards and conditions are met:

- There is a family hardship that justifies the request for extended family housing, and the use standards of Chapter 5 of the Land Development Code are complied with. Expiration shall be removed within 3 months after the need no longer exists.

RESOURCES

For more information:

- Visit the El Paso County Land Development Code at www.library.municode.com/co/el_paso_county
- Call us at 719-520-6300