

**ORDINANCE NO. O2023-035**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA,  
AMENDING CHAPTER 154 OF THE YUMA CITY CODE, AS AMENDED, RELATING  
TO ZONING REGULATIONS TO UPDATE THE PLACEMENT, SIZE AND HEIGHT  
REQUIREMENTS FOR ACCESSORY DWELLING UNITS**

WHEREAS, from time to time, it may be desirable to modify the zoning code within the context of a dynamic and growing community; and,

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on September 25, 2023 in Case No: ZONE-41689-2023 in the manner prescribed by law for the purpose of amending the City of Yuma Zoning Code; and,

WHEREAS, due and proper notice of the public hearing was given in the time, form, substance and manner provided by law, including publication of notice of the hearing in the Yuma Sun on September 1, 2023; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the zoning code text amendment in Case No: ZONE-41689-2023 and the probable impact on the cost to construct housing for sale or rent that may occur as a result of this text amendment, and finds that the recommendation complies with and conforms to the goals and objectives of the Yuma General Plan, as amended, and is in basic harmony with the goals and objectives of the City of Yuma Zoning Code.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: Yuma City Code, Title 15, Chapter 154, Article 15, Section 16 Accessory Dwellings, Carriage Houses and Garage Apartments in Residential Districts is amended to insert the bolded text and delete the strike through text as follows:

- (A) *Applicability.* One accessory dwelling is permitted as a subordinate to an existing or planned single-family dwelling unit (**primary residence**), provided that the provisions below are met.
- (B) *Accessory uses.* Accessory dwellings may be used for home occupations in compliance with § 154-15.08.
- (C) *Accessory dwellings.* Accessory dwellings are subject to the following standards:
  - (1) *Use.* Permitted on certain residentially zoned properties which currently have or will have a single-family residence. ~~The construction of an accessory dwelling will require consent from all adjacent property owners.~~ Only one unit will be permitted for each property; the accessory dwelling ~~must~~ **may** be **attached to or** detached from the primary residence.
  - (2) *Lot size.* Accessory dwellings are permitted on lots that meet the minimum lot size requirement for the zoning district they are located.
  - (3) *Lot coverage.* Accessory dwellings are permitted to increase the lot coverage of the applicable zoning district by 5%.
  - (4) *Setback.*
    - (a) Accessory dwellings shall be located **behind the midpoint of the primary residence** ~~60 feet from the front property line~~, in addition to complying with the side and rear yard setbacks of the applicable zoning district.
    - (b) If the accessory dwelling is being accessed from an alley, the rear yard setback may be reduced to five feet.

(5) *Unit size.*

- (a) Each accessory dwelling shall have a minimum size of **100** ~~200~~-square feet.
- (b) The maximum permitted size of an accessory dwelling **shall not exceed 50% of the total square footage of the entire structure of the primary residence to include all covered area.** based upon lots measuring ~~6,000—15,000~~ square feet in size is:
  - 1. ~~Lot size measuring between 6,000 square feet to 7,500 square feet allows for a maximum size unit of 600 square feet.~~
  - 2. ~~Lot size measuring between 7,501 square feet to 10,000 square feet allows for a maximum size unit of 800 square feet.~~
  - 3. ~~Lot size measuring 10,001 square feet to 15,000 square feet allows for a maximum size unit of 1,000 square feet.~~
  - 4. ~~Accessory dwellings on lots measuring between 6,000—15,000 square feet shall meet unit sizes noted above and shall not exceed 50% of the total square footage of the primary residence, whichever is less.~~
- (c) ~~Accessory dwellings on lots measuring greater than 15,000 square feet allow for a maximum size unit of 1,200 square feet or a unit size not exceeding 50% of the total square footage of the primary residence, whichever is greater.~~

(6) *Height.* The maximum allowable building height shall be **no higher than the single-family dwelling unit on site** ~~15 feet for a single story unit.~~ **The maximum height of an accessory dwelling unit cannot exceed the height restrictions of the applicable zoning district.** Dwelling units which are located above a detached garage (carriage house or garage apartment) shall not exceed a total building height of 25 feet. See illustration at the end of this section.

**SECTION 2:** It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of this ordinance. Any person, firm or corporation violating any of the provisions in this ordinance shall be guilty of a class 1 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$1,000 or by imprisonment for not more than ten days or both fine and imprisonment. Each separate day or part thereof during which any violation of said sections occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

APPROVED:

\_\_\_\_\_  
Douglas J. Nicholls  
Mayor

ATTESTED:

\_\_\_\_\_  
Lynda L. Bushong  
City Clerk

APPROVED AS TO FORM:

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Richard W. Files  
City Attorney