

STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – TEXT AMENDMENT
CASE PLANNER: ALYSSA LINVILLE

Hearing Date April 14, 2025

Case Number: ZONE-43748-2025

Project Description: This is a request by The City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, to update development regulations and expand the residential zoning districts which permit accessory dwelling units.

Staff recommendation: Staff recommends **APPROVAL** of the text amendment to amend Title 15, Chapter 154, to update development regulations and expand the residential zoning districts which permit accessory dwelling units.

Suggested Motion: Move to **APPROVE** the text amendment ZONE-43748-2025 as presented in the staff report.

Effect of the Approval: By approving the text amendment, the Planning and Zoning Commission is recommending approval to City Council for the request to amend Title 15, Chapter 154, to update development regulations and expand the residential zoning districts which permit accessory dwelling units.

Staff Analysis: An Accessory Dwelling Unit (ADU) is a secondary, self-contained living space located on the same property as a primary residence. These units can be attached to the main home, or constructed as a separate, stand-alone structure. ADUs provide a flexible and cost-effective solution to address growing housing demands, particularly in urban areas where space is limited. They offer homeowners an efficient way to add living space without the need for large-scale development. Additionally, ADUs are ideal for accommodating aging family members, offering proximity and independence while supporting intergenerational living. Beyond personal use, adding an ADU can also increase a property's value, providing homeowners with both greater living options and future financial flexibility.

The benefits of ADUs are numerous, starting with their ability to create affordable housing options. By offering rental opportunities, ADUs contribute to more affordable living in high-demand areas, while homeowners can generate rental income to help offset housing costs. They are also highly adaptable, serving purposes such as guest accommodations, home offices, or spaces for young adults transitioning into independence. ADUs promote sustainability by utilizing existing land and infrastructure, reducing urban sprawl and supporting environmentally conscious design choices. With their ability to diversify neighborhood demographics and foster a sense of community, ADUs help maintain the character of residential areas while increasing housing diversity. In summary, ADUs provide a sustainable, flexible, and innovative solution for addressing housing needs, benefiting both homeowners and communities alike.

The City is proposing an update to its zoning code to expand the availability of ADUs in the city. Originally adopted in 2017, the updated regulations aim to increase flexibility and accessibility for homeowners. The proposed changes include expanding the zoning districts where ADUs are permitted, while allowing

the construction of second ADUs on lots of a certain size. Additionally, the update removes the previous owner occupancy requirement, meaning that homeowners will no longer need to live on the property to rent out the ADUs. The update also seeks to streamline design standards, making it easier for homeowners to develop ADUs while maintaining consistency with the character of residential areas. These changes are designed to increase housing options, promote sustainable development, and provide greater opportunities for affordable living in Yuma.

Below is an expanded analysis of the amendment language and its potential impact:

1. **Expanding Districts:** In an effort to support the development of ADUs, the proposed amendment will add ADUs as a permitted accessory use within five additional zoning districts.
2. **Density:** The proposed amendment seeks to allow a second accessory dwelling unit on those lots which measure 10,000 square feet or larger. If a second unit is desired, one unit must be attached while the second unit may be detached; the amendment will not permit for two attached or two detached units.
3. **Setbacks:** The proposed amendment also aims to modify the setback requirements for attached units, allowing attached units to be located in line with the front of the primary residence. Detached units will still need to be located behind the midpoint of the primary residence.
4. **Parking:** An amendment is being suggested, that when a second accessory dwelling unit is constructed, an additional parking space will be required. Such parking space may be located within the front setback.
5. **Owner Occupancy:** Currently, the code requires that the property owner(s) reside on-site within one of the units. This was intended to ensure that the property was maintained at a higher level, not to negatively impact the surrounding neighborhood. Based on the ability to monitor and enforce this requirement, it has been recommended to remove the owner occupancy requirement.
6. **Design:** In an attempt to improve the flexibility of design, the proposed amendment will expand opportunities for property owners to utilize design elements from area properties. Currently, the code limits design ability to the subject property. The intent of the design criteria is to ensure that these units do not detract from or negatively impact the surrounding neighborhood.

In conclusion, the proposed update to Yuma's zoning code represents a significant step toward enhancing housing options and fostering sustainable growth within the city. By expanding the areas where ADUs are permitted, allowing for additional units on larger lots, and removing the owner occupancy requirement, the city is creating more opportunities for affordable housing and greater flexibility for homeowners. These changes, along with streamlined design standards and updated setback and parking requirements, are designed to ensure that ADUs continue to contribute positively to the community while maintaining the character of residential neighborhoods. This update not only addresses the growing demand for housing but also promotes a more inclusive and adaptable housing environment for Yuma residents.

1. Does the proposed amendment implement the goals, objectives and policies of the General Plan?

Yes.

2. Does the proposed amendment fit the overall purpose and intent of the zoning ordinance?

Yes. The proposed amendment fits the overall purpose and intent of the zoning ordinance.

3. Will the proposed amendment change the range of uses identified in the zoning code? If so, how?

Yes. The proposed amendment will allow ADUs in additional zoning districts while also allowing second units on lots which measure 10,000 square feet or larger in size.

4. Will the proposed text amendment change the development standards of the zoning or subdivision ordinances? If so, how?

Yes. The proposed amendment will modify certain development requirements within the zoning code.

5. What are the potential impacts of the proposed amendment?

No negative impacts have been identified with the proposed text amendment.

Potential positive impacts include:

- Increased housing options
- Greater flexibility for property owners
- Enhance neighborhood compatibility

6. Does the proposed amendment fit the overall purpose and intent of the subdivision ordinance?

Yes.

7. Does the proposed amendment conform to prior City Council actions regarding this issue?

Yes.

Public Comments Received: None Received.

External Agency Comments: None Received.

Neighborhood Meeting Comments: No Meeting Required.

Attachments:

A	B
Draft Text	Agency Notification

Prepared By: *Alyssa Linville*

Date: March 31, 2025

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and Neighborhood Services

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3037

Approved By: *Jennifer L. Albers*

Date: *3/31/25*

Jennifer Albers,
Assistant Director of Planning

ATTACHMENT A
DRAFT TEXT

SECTION 1: That the Yuma City Code, Title 15, Chapter 154, Article 5, Section 5 Low Density Single-Family Residential District (R-1-5), Subsection D, be amended to insert the bolded text:

(4) Accessory dwelling units.

SECTION 2: That the Yuma City Code, Title 15, Chapter 154, Article 6, Section 1 Residence-Manufactured Housing District (R-MH), Subsection D, be amended to insert the bolded text:

(2) Accessory dwelling units.

SECTION 3: That the Yuma City Code, Title 15, Chapter 154, Article 6, Section 2 Recreation Vehicle Subdivision District (RVS), Subsection D, be amended to insert the bolded text and renumber the following subsections:

(D) Permitted accessory uses.

(1) Accessory dwelling units.

SECTION 4: That the Yuma City Code, Title 15, Chapter 154, Article 6, Section 3 Manufactured Housing Subdivision District (MHS), Subsection C, be amended to insert the bolded text:

(5) Accessory dwelling units.

SECTION 5: That the Yuma City Code, Title 15, Chapter 154, Article 7, Section 2 Medium Density Single-Family Residential District (R-2-5), Subsection D, be amended to insert the bolded text:

(4) Accessory dwelling units.

SECTION 6: That the Yuma City Code, Title 15, Chapter 154, Article 15, Section 16 Accessory Dwellings, Carriage Houses and Garage Apartments in Residential Districts, be amended to insert the bolded text and delete the strike through text and graphic examples:

(A) *Applicability.* ~~An 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. Only one unit will be permitted for each property, **unless the subject property measures 10,000 square feet or greater in size in which case a second unit may be permitted.**; ~~The first permitted~~ accessory dwelling may be attached to or detached from the primary residence; **while the second permitted accessory dwelling unit may be developed in the opposite manner. Meaning that when two accessory dwelling units re permitted, one shall be attached while the second shall be detached.**
- (2) *Lot size.* Accessory dwellings are permitted on lots that meet the minimum lot size requirement for the zoning district they are located.

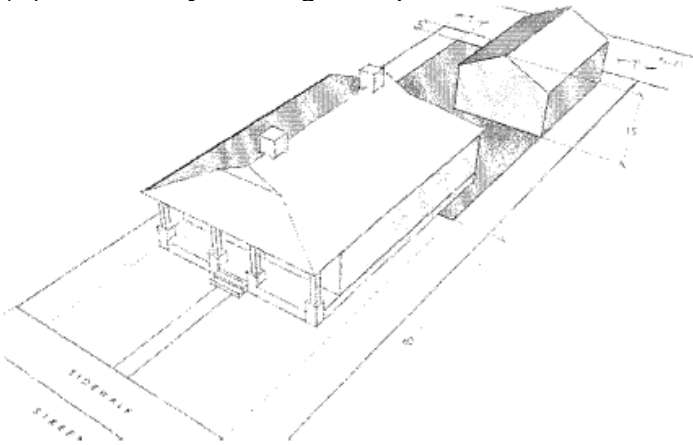
- (3) *Lot coverage.* Accessory dwellings are permitted to increase the lot coverage of the applicable zoning district by 5%.
- (4) *Setback.*
(a) **Detached** Accessory dwellings shall be located behind the midpoint of the primary residence, **while attached accessory dwellings can utilize the required front yard setback. This is** 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 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.
- (6) *Height.* The maximum allowable building height shall be no higher than the single-family dwelling unit on site. 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.~~
- (7) *Parking.* Required off-street parking for the principal dwelling unit must be maintained or established. **An additional parking space shall be provided with the development of a secondary accessory dwelling unit; such parking space may be located within the front setback.**
- ~~(8) *Owner occupancy.* It is required that the property owner reside on the property, whether it be in the principal or accessory dwelling unit. Owner occupancy is intended to help protect the stability and character of a neighborhood. A deed restriction shall be recorded against the property requiring owner occupancy of one of the units on the site.~~

~~The property owner shall sign and the City shall record a deed restriction for the accessory dwelling unit pursuant to the City of Yuma Code.~~

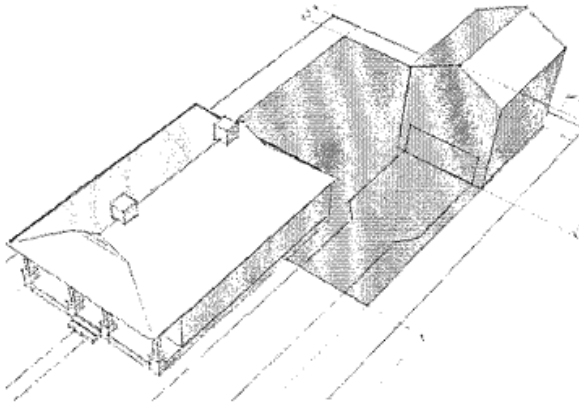
- (89) *Design.* Accessory dwellings shall be required to incorporate the same or similar colors, architectural detailing, and exterior materials, ~~including window style,~~ as the principal residences **along the adjacent roadway or within the same block.** The design of all accessory dwellings or carriage houses shall be reviewed by staff upon the submittal of an application. Any accessory dwelling located in a historic district will require approval from the Design and Historic Review Commission. An appeal, heard and decided by the Planning and Zoning Commission, is required when a proposed accessory dwelling unit does not meet these design requirements.
- (910) *Pre-existing units.* An accessory dwelling that existed prior to the adoption of this ordinance, may be legally established and continue to be utilized as a dwelling unit if the following conditions are met:
(a) The property owner must file an application for the accessory dwelling. The Zoning Administrator may waive certain requirements, if said requirements are unfeasible to achieve in bringing a pre-existing unit into compliance.
(b) Prior to the establishment of a conforming pre-existing dwelling unit, the property owner shall allow inspection of the unit by the City of Yuma in order to ensure the minimum requirements relating to fire, life safety, and public health are met.
(c) A pre-existing unit shall remain non-conforming until an application has been applied for and approved legalizing the existing accessory dwelling.

~~(d) The property owner shall obtain a deed restriction for the accessory dwelling pursuant to the City of Yuma Code.~~

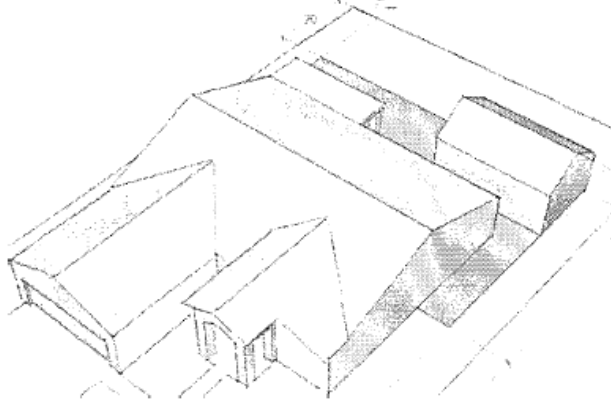
~~(D) Accessory dwelling examples:~~



~~—Accessory Dwelling (Alley Access)~~



~~—Accessory Dwelling (Garage Apartment w/ Alley Access)~~



~~—Accessory Dwelling (Modern Suburban Subdivision)~~

ATTACHMENT B AGENCY NOTIFICATION

- Legal Ad Published: The Sun 03/21/25
- 34 Commenting/Reviewing Agencies noticed: 02/27/25
- Neighborhood Meeting: N/A
- Hearing Date: 04/14/25
- Comments due: 03/10/25

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	03/11/25	X		
Yuma County Engineering	NR				
Yuma County Public Works	Yes	02/28/25	X		
Yuma County Water Users' Assoc.	NR				
Yuma County Planning & Zoning	NR				
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	Yes	03/03/25	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineering	NR				
Fire	Yes	03/03/25	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	02/28/25	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

Neighborhood Meeting	Comments Available
NONE REQUIRED	N/A

PUBLIC COMMENTS RECEIVED: NONE RECEIVED.