



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 11/21/2023

*= Mandatory, information must be provided

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

***Title:**

P23TA00003 GUEST HOUSE TEXT AMENDMENT

***Introduction/Background:**

This text amendment revises development standards for guest houses on residential property in Pima County.

***Discussion:**

The guest house text amendment modifies Pima County Zoning Code section 18.09.020.G to reduce the barriers to build a guesthouse for Pima County residents. Also, the text amendment aims to increase housing availability in Pima County through the creation of multi-generational housing. Specifically, this text amendment eliminates guest house-specific development standards such as the lot coverage and setbacks and aligns the development standards with those found in the applicable section of the zoning code. The amendment also reduces the lot size requirement to build a guest house and eliminates the need to add off-street parking.

***Conclusion:**

This text amendment reduces the development standards for building a guest house in Pima County.

***Recommendation:**

Staff and the Planning and Zoning Commission recommend APPROVAL of the request.

***Fiscal Impact:**

N/A

***Board of Supervisor District:**

1 2 3 4 5 All

Department: Development Services, Planning Division Telephone: 520-724-6675

Contact: Spencer Hickman, Senior Planner Telephone: 520-724-6498

Department Director Signature:  Date: 10/16/23

Deputy County Administrator Signature:  Date: 11/31/2023

County Administrator Signature:  Date: 11/1/2023



TO: Honorable Board of Supervisors

FROM: Chris Poirier, Deputy Director
Public Works-Development Services Department-Planning Division

DATE: October 10, 2023

SUBJECT: **P23TA00003 GUEST HOUSE**
(Zoning Code Text Amendment)

The above referenced Zoning Code Text Amendment is scheduled for the Board of Supervisors **TUESDAY, November 21, 2023** hearing.

REQUEST: Proposal to amend by ordinance, the Pima County Zoning Code by revising development standards for Guest Houses.

OWNER: N/A

APPLICANT: Pima County Development Services Department

DISTRICT: ALL

STAFF CONTACT: Spencer Hickman, Senior Planner

PUBLIC COMMENT TO DATE: As of October 10, 2023, staff has written public comments in support.

PLANNING AND ZONING RECOMMENDATION: **APPROVAL** (8-0; Commissioners Hook, Truitt were absent).

STAFF RECOMMENDATION: **APPROVAL.**

TD/SH/ds
Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: P23TA00003

Page 1 of 2

FOR NOVEMBER 21, 2023 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Deputy Director
Public Works-Development Services Department-Planning Division

DATE: October 10, 2023

ADVERTISED ITEM FOR PUBLIC HEARING

ZONING CODE TEXT AMENDMENT

P23TA00003 GUEST HOUSE

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ZONING (TITLE 18); AMENDING THE PIMA COUNTY CODE CHAPTER 18.09 (GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS) BY REVISING DEVELOPMENT STANDARDS FOR GUEST HOUSES. On motion, the Planning and Zoning Commission voted to recommend **APPROVAL** 8-0 (Commissioners Hook and Truitt were absent). Staff recommends **APPROVAL**.
(ALL DISTRICTS)

Summary of the Planning and Zoning Commission Hearing (September 27, 2023)

Staff presented the staff report highlighting the zoning code text amendment to amend Section 18.09.020.G. The guest house text amendment aims to revise the development standards and increase the ease at which Pima County residents can build guest houses on residential property. The standards revised include reductions in minimum lot area, removing guest house-specific standards regarding lot coverage requirements and lot line setbacks, and removing parking requirements for guest houses. Staff stated justification for the text amendment, including increasing housing availability, creating affordable housing, allowing for multi-generational housing types and environments, clarifying regulations for the public, and reducing regulatory barriers for guest house development.

A commissioner asked if the lot coverage requirement created by the text amendment would be 4,000 square feet or 8,000 square feet, as an 8,000 square-foot lot size requirement was referenced in parts of the commissioner packet. Staff replied that the lot size requirement will be 4,000 square feet. The initial text amendment proposed an 8,000 square-foot lot size requirement, however the number was later changed to 4,000 square feet.

A commissioner asked what the limit on the number of vehicles on a lot was. Staff replied that there is no limit on the number of vehicles on a lot, and that the vehicles that are for the personal

use of the people living on a lot are allowed. Staff further stated that there are limits on inoperable or junk vehicles as well as commercial vehicles, but there is no limit in Pima County on personal vehicles on a lot.

A commissioner inquired into the enforcement of the prohibitions around renting a guest house. Staff replied that all zoning violations in Pima County are complaint based. Staff stated that the number of complaints about rental of guesthouses has been very limited, and the majority of enforcement issues center around vacation rentals (AirBNB, VRBO, etc) or parties and events. Staff also reiterated that enforcement of guest house regulations had been successfully enforced in the past.

Staff restated strong support of the text amendment changes, stating that it allowed for the advancement of multi-generational housing and provided further clarity to both the public and staff reviewers as to the regulations surrounding guest houses. Staff also stated support for the amendment as a way to encourage and further legitimize a housing type that had previously been treated differently from other existing housing types.

A commissioner stated their support for the text amendment. Another commissioner agreed with the first commissioner stating that the amendment was a positive step forward for Pima County.

A commissioner asked how the creation of a guest house would work on properties at the smallest range of properties allowed in the text amendment. Staff responded that smaller lots are different in nature to large lots but still have the ability to create the additional housing provided by development of a guest house.

The chairman opened the public hearing and asked if there was anyone who wished to speak. No one responded and the commission voted to close the public hearing.

Commissioner Becker made a motion to recommend APPROVAL of Zoning Code Text Amendment P23TA00003; Commissioner Maese gave second.

Upon a voice vote, the motion to recommend **APPROVAL** passed (8-0; Commissioners Hook and Truitt were absent).

TD/SH/ds
Attachments

C: Tom Drzazgowski, Chief Zoning Inspector

ORDINANCE 2023-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ZONING (TITLE 18); AMENDING THE PIMA COUNTY CODE CHAPTER 18.09 (GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS) BY AMENDING REQUIREMENTS FOR GUEST HOUSES.

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA FINDS THAT:

1. The Planning and Zoning Commission, at its April 26, 2023 hearing, initiated and authorized staff to amend the Pima County Zoning Code to address permitting issues with guest houses.
2. The amendments to this ordinance will provide revisions to existing requirements for guest houses.
3. This ordinance does not create new restrictions on the use of property, and this ordinance is not intended to, nor should it be construed to, reduce any existing rights to use, divide, sell or possess private real property.

IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1. Pima County Code Chapter 18.09 (GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS), Section 18.09.020 (General requirements and exceptions), is amended to increase the area and change setbacks of guest houses as follows:

Chapter 18.09

GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS

18.09.010 Purpose.

Reserved.

18.09.020 General requirements and exceptions.

...

G. Guest House.

1. Shall be permitted on any residential or rural lot which has a minimum lot size of ~~sixteen~~ four thousand square feet;

- 2. ~~Shall be no larger than forty five percent of the floor area of the main dwelling;~~
Permitted coverage: In accordance with accessory building standards of the appropriate zone;
- 3. Only one guest house per lot shall be allowed;
- 4. Minimum yard requirements:
 - a. ~~Front, side and rear:~~ In accordance with accessory building standards of the appropriate zone;
 - b. ~~Side and rear: Twenty feet;~~
 - c. ~~Distance to main structures: Three feet~~
- 5. ~~One additional on-site parking space shall be required for each bedroom within the guest house;~~
- 6. Shall use the same access which serves the main dwelling;
- 7. The guest house and the main dwelling shall not be served by separate utility meters; and

...

Section 6. This ordinance is effective 31 days after its adoption.

PASSED AND ADOPTED by the Board of Supervisors of Pima County, Arizona, this _____ day of _____, 2023.

ATTEST:

BOARD OF SUPERVISORS

 Clerk, Board of Supervisors


 Chairman, Board of Supervisors

APPROVED AS TO FORM:

APPROVED:



 Deputy County Attorney



 Executive Secretary
 Planning and Zoning Commission

ORDINANCE 2023-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ZONING (TITLE 18); AMENDING THE PIMA COUNTY CODE CHAPTER 18.09 (GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS) BY AMENDING REQUIREMENTS FOR GUEST HOUSES.

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA FINDS THAT:

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2. The amendments to this ordinance will provide revisions to existing requirements for guest houses.
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Chapter 18.09

GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS

18.09.010 Purpose.

Reserved.

18.09.020 General requirements and exceptions.

...

G. Guest House.

1. Shall be permitted on any residential or rural lot which has a minimum lot size of four thousand square feet;

2. Permitted coverage: In accordance with accessory building standards
3. Only one guest house per lot shall be allowed;
4. Minimum yard requirements:
 - a. Front, side and rear: In accordance with accessory building standards of the appropriate zone;
 - b. Distance to main structures: Three feet
5. Shall use the same access which serves the main dwelling;
6. The guest house and the main dwelling shall not be served by separate utility meters; and

...

Section 6. This ordinance is effective 31 days after its adoption.

PASSED AND ADOPTED by the Board of Supervisors of Pima County, Arizona, this _____ day of _____, 2023.

ATTEST:

BOARD OF SUPERVISORS

Clerk, Board of Supervisors


Chairman, Board of Supervisors

APPROVED AS TO FORM:

APPROVED:



Deputy County Attorney



Executive Secretary
Planning and Zoning Commission

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

**PUBLIC HEARING
SEPTEMBER 27, 2023**

P23TA00003

GUEST HOUSE TEXT AMENDMENT

STATUS / AGENDA ITEMS

Planning and Zoning Commission Public Hearing
Zoning Code Text Amendment

REQUEST

An Ordinance of The Board of Supervisors of Pima County, Arizona, Relating to Zoning (Title 18); Amending the Pima County Code Chapter 18.09 (General Residential and Rural Zoning Provisions) by Revising Development Standards for Guest Houses. (Districts 1, 2, 3, 4 and 5)

INITIATION

Planning and Zoning Commission, April 26, 2023

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the proposed Guest House Zoning Code Text Amendment.

This proposed amendment to 18.09.020.G will revise development standards for guest houses. The Planning and Zoning Commission, at its April 26, 2023, hearing, initiated and authorized staff to amend the Pima County Zoning Code for guest houses.

Specifically, this amendment reduces the requirements for an owner of a single-family residential property to build a guest house, and specifically proposes to update 18.09.020G. The changes include changing Section 18.09.020G.1 reduce the lot size requirement to build a guest house from sixteen thousand square feet to four thousand square feet; removing Section 18.09.020G.2 which requires a guesthouse be limited to a maximum of 45% of the floor area of the main dwelling and instead requiring the guest house to adhere to the accessory structure lot coverage standards of the applicable zone; changing Section 18.09.020G.4 so that a guest house need only to adhere to the accessory structure setbacks of the applicable zone (removing Section 18.09.020G.4.b); and removing Section 18.09.020G.5, which requires that one parking space shall be required for each bedroom within the guest house.

BACKGROUND

Pima County Zoning Code (18.03) defines a guest house as "A detached structure consisting of a minimum of two rooms and a bathroom, which may have a kitchen, used primarily by members of the family occupying the main dwelling and their non paying guests."

This zoning code text amendment was intended to reduce the requirements for Pima County landowners to build guest houses, reducing the number of variances and modifications of setback requirements (MSR) that are applied for in relation to guest house development. This change will also help simplify the code requirements surrounding the development of a guest house, as property owners often are required to adhere to similar and overlapping code requirements found both in the applicable zoning code chapter and in the guest house-specific code requirements of Section 18.09. This amendment also provides an increase in housing availability for Pima County residents. While this amendment does not allow for guest houses to become accessory dwelling

units (ADU's), a guest house can still provide an affordable means of housing to a relative or guest of the property owner.

Pima Prospers, the 2015 update of the Pima County Comprehensive Plan, identifies several policies and goals applicable to the proposed amendment:

- Supports a balance of uses including housing, employment, shopping, recreation and civic uses, economic development, integrated and efficient use of infrastructure and conserves, protects and maintains culturally and biologically significant lands. (Pima Prospers 3.1(1), Policy 2)
- Ensures safe, diverse, and quality housing supply for all income ranges for existing and future populations. (Pima Prospers 3.5(1), Policy 1)
- Preserves affordable housing stock. (Pima Prospers 3.5(3), Policy 2)
- Work with stakeholders to reduce regulatory barriers, examine existing regulations for opportunities to consolidate requirements, and provide incentives where possible to increase efficiency of resources as well as support healthy communities. (Pima Prospers 4.3(3), Policy 2)

Text Amendment

The amendment reduces the requirements for an owner of a single-family residential property to build a guest house, and specifically proposes to update the following sections from 18.09.020G:

- Amending Section 18.09.020G.1 to reduce the lot size requirement to build a guest house from sixteen thousand square feet to four thousand square feet;
- Removing Section 18.09.020G.2 which requires a guesthouse be limited to a maximum of 45% of the floor area of the main dwelling and instead requiring the guest house to adhere to the accessory structure lot coverage standards of the applicable zone;
- Changing Section 18.09.020G.4 so that a guest house need only to adhere to the accessory structure setbacks of the applicable zone (removing Section 18.09.020G.4.b);
- Removing Section 18.09.020G.5, which requires that one parking space shall be required for each bedroom within the guest house.

Departmental and Stakeholder Review and Comment

Staff sent the draft text amendment to county departments and other local development and stakeholder groups for review and comment. County departments had no comments. The list of the contacted departments and stakeholder groups is attached. One stakeholder had comments.

Public Comment

As of submittal of the text amendment for the Planning & Zoning Commission public hearing, staff has not received additional public comment. Published and mailed notice of the amendment along with the website posting of staff's report will occur a minimum of fifteen days prior to the public hearing. The website will be updated to include public comment throughout the process to the Planning and Zoning Commission and the Board of Supervisors.

Respectfully Submitted,

Spencer Hickman

Spencer Hickman
Senior Planner

Spencer Hickman

From: Jennifer Barroso <Jennifer@sahba.org>
Sent: Wednesday, July 5, 2023 2:18 PM
To: Spencer Hickman
Subject: RE: Pima County Guesthouse Text Amendment - Request for Comments

Follow Up Flag: Flag for follow up
Flag Status: Flagged

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Hi Spencer,

Thank you for sending over this information and discussing it with our group last week. We appreciate the collaboration and always enjoy working with the County on proposed changes like these.

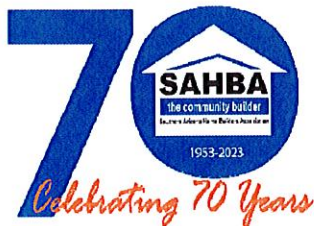
We find great value in the County's efforts to loosen regulations regarding guesthouses to streamline the process of building a guesthouse via the proposed changes to the zoning code regulations surrounding guesthouses. It is a positive step in the right direction.

SAHBA would like to offer the comments below:

- The minimum lot size decrease from 16,000 square feet to 8,000 square feet is a positive change. We recommend the minimum lot size be decreased even further to 6,500 square feet so smaller lots in the region, closer to the city, could also benefit from this incentive.
- The increase in permitted coverage percentage from 45% to 70% is also a positive change. This increase will be beneficial, especially in instances where there is already a detached garage utilizing that percentage on the property leaving little room for a guest house.

Again, thank you for the opportunity to comment and for meeting with our group last week to answer questions and provide clarity to the proposed changes. Please reach out to me if you have any questions or would like to discuss the comments further.

Best,



JENNIFER BARROSO, Government Affairs

Southern Arizona Home Builders Association

2840 N. Country Club Road | Tucson, AZ 85716

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From: Spencer Hickman <Spencer.Hickman@pima.gov>
Sent: Wednesday, June 21, 2023 8:34 AM
Subject: FW: Pima County Guesthouse Text Amendment - Request for Comments

Spencer Hickman
Senior Planner
Pima County Development Services
201 N. Stone Av, 1st Floor
Tucson, AZ 85701
Spencer.Hickman@pima.gov
(520)724-6498

From: Spencer Hickman
Sent: Wednesday, June 21, 2023 8:31 AM
Subject: Pima County Guesthouse Text Amendment - Request for Comments

Good Morning,

Pima County Planning is initiating a text amendment to make changes to the zoning code regulations surrounding guesthouses (Section 18.09.020.G). These changes include eliminating the guesthouse-specific lot coverage in favor of the existing accessory structure lot coverage requirements, adjusting the setback requirements to correspond with the applicable zoning code requirements, and reducing the lot size threshold for guesthouses from 16,000 square feet to 8,000 square feet. Please respond with any comments about this proposal by end of business July 5, 2023.

Thank you, and feel free to contact me with any additional questions you may have.

Spencer Hickman
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Pima County Development Services
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Tucson, AZ 85701
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