



MEMORANDUM

Date: November 10, 2025

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: Jan Lesser 
County Administrator

Re: **Accessory Dwelling Unit Zoning Code Text Amendment**

The attached Memorandum from Development Services Director Chris Poirier delineates the efforts taken by Pima County following the passage of House Bill 2928 by the State of Arizona earlier this year, which requires counties to adopt zoning code text amendments to allow accessory dwelling units on lots/parcels that allow single-family residences. Provisions of the legislation require that counties adopt code amendments before January 1, 2026.

Staff have worked with stakeholders and the Planning and Zoning Commission to develop the proposed zoning code text amendment. Director Poirier's Memorandum provides the rationale behind the following proposed amendments:

- **Short-term Rentals** - 18.09.020U.10. The owner of a vacation rental or short-term rental of 30 days or less must reside on the property if the property contains an accessory dwelling unit.
- **Side and Rear Yard Setback** - 18.09.020U.6b. Side and Rear: 5 feet
- **Separation from Main Residence** - 18.09.020U.6ci, 20 feet will be changed to 10 feet.
- **Pima County Code Regulations** - 18.09.020U.13 will state: All Pima County Code regulations still apply, including, but not limited to, Protected Peaks (18.61), Hillside Development Zone (18.61), Historic Preservation (18.63), Grading Limits (18.61), Native Plant Preservation (18.72), Buffer Overlay Zone (18.67), Pima County Flood Control District requirements, and Scenic Routes.

I recommend approval of the amendments to the Pima County Zoning Code required by the State of Arizona as developed by Staff, reviewed by stakeholders and recommended by the Planning and Zoning Commission.

JKL/anc

Attachment

c: Carmine DeBonis, Jr., Deputy County Administrator
Steve Holmes, Deputy County Administrator
Chris Poirier, Director, Development Services
Tom Drzazgowski, Deputy Director, Development Services

NOV 10 25 AM 11:55 PC CLK OF ED



DATE: November 6, 2025

TO: Jan Leshner, County Administrator

FROM: Chris Poirier, Development Services Director

SUBJECT: P25TA00002 Accessory Dwelling Units (ADUs) Zoning Code Text Amendment Ordinance

A handwritten signature in black ink, appearing to be "CP" followed by a flourish.

In May of 2025, the Arizona state legislature passed House Bill 2928 requiring counties to adopt zoning code text amendments to allow accessory dwelling units on lots/parcels that allow single-family residences. HB 2928 provided limited time for development of these amendments, requiring counties to adopt code amendments before January 1, 2026.

On September 24, 2025, the Planning and Zoning Commission voted 6 to 0 to recommend approval of the zoning code text amendment. The Planning and Zoning Commission made minor changes to the amendment. The most substantial being to include manufactured homes to be allowed as ADUs, in zones where manufactured homes are a permitted use. Staff was supportive of the changes made by the Planning and Zoning Commission.

Since the Planning and Zoning Commission meeting, staff has worked with affected stakeholders to ensure that concerns are addressed. During these discussions, staff received suggested changes from area neighborhood groups, summarized below:

Short-term Rentals

Concerns were raised about properties being used for short-term rentals. Staff proposes requiring property owners who use ADUs as short-term rentals to live on-site. This requirement will prevent absentee ownership and should limit adverse impacts on short-term rentals. This has been captured by adding 18.09.020U.10 which states;

"10. The owner of a vacation rental or short-term rental of 30 days or less must reside on the property if the property contains an accessory dwelling unit."

Side and Rear Yard Setback

Neighborhood groups have requested that the original staff proposed three-foot ADU setbacks for side and rear yards be increased to five feet to better protect adjacent properties. Please note that increasing the ADU setbacks to more than five feet is not permitted by state law. This has been captured by changing 3 feet to 5 feet in Section 18.09.020U.6b;

“b. Side and Rear: 5 feet”

Separation from Main Residence

Staff heard concerns regarding the proposed 20-foot minimum separation from the main residence. Based on these concerns staff proposed that the minimum distance be reduced. By reducing the distance between ADUs and the Main residence, ADUs will be permitted to be placed closer to the main structure, generally reducing the amount of grading needed and increasing the distance from adjacent properties. In Section 18.09.020U.6ci, 20 feet will be changed to 10 feet.

“ i. Lots one acre and greater: 10 feet.”

Pima County Code Regulations

Neighborhood groups sought assurance that all Pima County development standards will apply to ADUs. Staff clarified and have memorialized in the proposed zoning code amendments that all Pima County regulations apply, including:

- Protected Peaks,
- Hillside Development Zone,
- Historic Preservation,
- Grading Limits,
- Native Plant Preservation,
- Buffer Overlay Zone,
- Pima County Flood Control District requirements
- and Scenic Routes.

The adding of these requirements has been accomplished by adding 18.09.020U.13 which states;

“13. All Pima County Code regulations still apply, including, but not limited to, Protected Peaks (18.61), Hillside Development Zone (18.61), Historic Preservation (18.63), Grading Limits (18.61), Native Plant Preservation (18.72), Buffer Overlay Zone (18.67), Pima County Flood Control District requirements, and Scenic Routes.”

The proposed changes by staff do not require the zoning code text amendment to be returned to the Planning and Zoning Commission for their consideration. These changes are refinements and minor adjustments to standards that were considered at the Planning and Zoning Commission hearing. These zoning code changes balance the need for increased housing supply with protecting community character and ensuring ADUs do not adversely impact neighboring residents' quality of life. Staff recommends approval of the above requested changes.

cc: Carmine DeBonis Jr., Deputy County Administrator