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Clerk of the Board
P.O. Box 827
Florence AZ 85132

ORDINANCE NO. 2024-PZ-C-001-24

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS AMENDING PORTIONS OF SECTION 2.10.010 AND SECTION 2.150.240 OF TITLE 2 OF THE PINAL COUNTY DEVELOPMENT SERVICES CODE RELATING TO GUEST HOUSES AND CASITAS; ESTABLISHING AN EFFECTIVE DATE AND DIRECTING ITS PUBLICATION.

WHEREAS, pursuant to A.R.S. § 11-251.05(A)(1), the Pinal County Board of Supervisors (the “**Board**”) is authorized to “adopt, amend and repeal all ordinances necessary or proper to carry out the duties, responsibilities and functions of the [C]ounty”; and,

WHEREAS, pursuant to A.R.S. § 11-811(A), the Board “may adopt a zoning ordinance in order to conserve and promote the public health, safety, convenience and general welfare” and,

WHEREAS, the Board has previously adopted by way of ordinance zoning regulations as codified at Title 2 of the Pinal County Development Services Code (the “**PCDSC**”), as amended, which includes provisions relating to guest houses and casitas—specifically section 2.10.010, which in relevant part defines the term “guest house/casita” and section 2.150.240, which sets forth certain requirements for guest houses and casitas (the “**Guest House/Casita Regulations**”); and,

WHEREAS, the Board initiated the process to amend the Guest House/Casita Regulations resulting in certain text amendment proposals to portions of the Guest House/Casita Regulations as set forth at **Exhibit “A”** hereof (the “**Proposed Amended Guest House/Casita Regulations**”); and,

WHEREAS, pursuant to PCDSC § 2.165.010, “The supervisors may from time to time after receiving a report thereupon by the county planning and zoning commission and after public hearings as required by law, amend, supplement or change the zoning regulations”; and,

WHEREAS, on July 11, 2024, the Planning and Zoning Commission held a work session to discuss the Proposed Amended Guest House/Casita Regulations; and,

WHEREAS, on August 14, 2024, the Board held a work session to discuss the Proposed Amended Guest House/Casita Regulations; and,

WHEREAS, on August 15, 2024, the Pinal County Planning and Zoning Commission held a public hearing with respect to the Proposed Amended Guest House/Casita Regulations and recommended approval of the same to the Board (8-2); and,

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WHEREAS, on September 04, 2024, the Board held a public hearing on the Proposed Amended Guest House/Casita Regulations, giving no less than 15 days' notice of the same by way of publication in a newspaper of general circulation in the County seat, in compliance with A.R.S. §§ 11-813(F) and 11-251.05(C); and,

WHEREAS, the Board believes that the Proposed Amended Guest House/Casita Regulations are in the best interest of Pinal County and will promote the public health, safety and general welfare, and is consistent with and conforms to the adopted comprehensive plan.

NOW, THEREFORE, BE IT ORDAINED by the Board as follows:

Section 1: The Proposed Amended Guest House/Casita Regulations as set forth at **Exhibit "A"** are hereby adopted and the Guest House/Casita Regulations are accordingly amended as reflected thereby as of the effective date of this Ordinance.

Section 2: This Ordinance shall take effect 30 days after the date of its adoption.

Section 3: This Ordinance shall be published at least once in a newspaper of general circulation in the County seat after its adoption.

PASSED AND ADOPTED this 4th day of September, 2024, by the PINAL COUNTY BOARD OF SUPERVISORS.


Chairman of the Board

ATTEST:

Clerk/Deputy Clerk of the Board



APPROVED AS TO FORM:

Deputy County Attorney

EXHIBIT “A”

[Amended Pinal County Guest House/Casita Regulations]

2.10.010. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

When not inconsistent with the context, words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular; the word "structure" includes the word "building" and the word "shall" is mandatory and not directory. The term "supervisors" shall mean the board of supervisors of Pinal County, Arizona; the term "commission" shall mean the county planning and zoning commission of Pinal County; the term "board" shall mean one of the boards of adjustment appointed under the authority of this title, and the term "county" shall mean Pinal County, Arizona. The term "PCDSC" means Pinal County Development Services Code.

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Guest house/casita means an attached or detached accessory building, used to house guests of the occupants of the principal building.

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2.150.240. Guest house/casita.

In addition to the requirements of a specific zone, guest houses/casitas are subject to the following additional requirements:

- A. Minimum development standards:
 - 1. Shall meet the front and side setbacks of the main building;
 - 2. Minimum rear setback shall be ten feet;
 - 3. Height restriction shall be the same as the main building; and
 - 4. Minimum distance from the main building shall be seven feet or as specified by the building code.
- B. Shall be no larger than 45 percent of the gross livable area of the main dwelling.
- C. Only one guest house/casita per lot shall be allowed.
- D. Shall use the same street access which serves the main dwelling.
- E. The guest house/casita and the main dwelling shall not be served by separate utility meters.