

SECTION 102 DEFINITIONS

Accessory Dwelling Unit (ADU): An ADU is a small self-contained dwelling, typically with its own entrance, cooking, and bathing facilities, that shares the site of a larger, single-unit dwelling. ADUs may be attached, as in the case of a basement apartment, or detached, as in the case of a backyard cottage. An ADU is not a separate property; it has the same owner as the primary dwelling.

SECTION 104 ESTABLISHMENT OF ZONES (USE AND DENSITY DISTRICTS)

In conformity with the intent and purpose of this Zoning Ordinance, “Use” and “Density” districts are hereby adopted in order to classify, regulate, restrict and separate uses of land and structures, lot dimensions and areas, yard widths and depths, percent of lot coverage and open spaces, lot area required for dwelling units and other structures, spacing of buildings, and the height and bulk of structures. The following general regulations apply to all Single Family Districts:

A. INTENT AND PURPOSE

To promote the development of areas primarily of single family dwellings, intending that all other uses be installed, operated and maintained in a manner so as to either complement, or at least be of a minimum disruption to such single family uses. Any use not in accordance with the Intent and Purpose, District Stipulations and Provisions, and Permitted Uses as set forth in this section shall be deemed a nuisance.

B. DISTRICT STIPULATIONS AND PROVISIONS

1. LIVESTOCK

The keeping of domestic livestock shall be permitted with the following stipulations:

- a. Buildings for the housing of livestock shall be confined to the rear half of the property and shall be located no closer than thirty (30) feet from a front or side street property line or thirty (30) feet from a rear or interior property line.
- b. It shall be the responsibility of the livestock owner to ensure that all livestock is kept confined within the property boundaries.
- c. The keeping of dangerous wild, exotic or non-domestic animals shall be prohibited.
- d. All domestic animals shall be kept and maintained in such a manner as to conform with all applicable State and County health requirements and to cause a minimum of disruption to neighboring property owners in terms of noise, and/or insect and vermin infestation.

2. OBJECTIVES OF ACCESSORY DWELLING UNIT REGULATIONS:

- a. **Increase the number of rental units available; and**
- b. **Expand housing choice; and**

- c. Provide housing options for low to moderate income households; and
- d. Encourage energy efficiency
- e. No more than one accessory dwelling unit is permitted on a single lot.
- f. There shall be a minimum lot area of 5,000 square feet.

3. ACCESSORY DWELLING UNIT LOCATED WITHIN OR ATTACHED TO A PRIMARY BUILDING AND THE DEVELOPMENT REGULATIONS

- a. In all single family residential districts, one accessory dwelling unit shall be permitted by right in or attached to the principal dwelling, subject to the following provisions:
 - i) The principal building shall have at least eight hundred square feet (800 sq. ft.) of gross floor area, exclusive of private garage space;
 - ii) The accessory dwelling unit shall not occupy more than twenty five (25) percent of the gross floor area of the principal dwelling;
 - iii) No more than one entrance per story shall be located in each building façade that faces a street;
 - iv) The total number of unrelated persons that may occupy the building, including the principal and accessory dwelling units combined, shall not exceed four (4);
 - v) The property owner must reside in the primary or accessory unit.
 - vi) The Planning & Zoning Commission may grant, through a conditional use permit, approval to locate an accessory dwelling unit within or attached to a principal dwelling that does not meet one or more of the conditions of this section provided the applicant demonstrates that the application complies with the general purposes and intent of this chapter.
 - vii) A deck or balcony is permitted as a portion of any story of the accessory building; provided:
 - a) The deck or balcony is oriented so as to not face a principal building on an adjoining property in a single family residential district.

4. ACCESSORY DWELLING UNIT NOT WITHIN OR ATTACHED TO THE PRIMARY DWELLING UNIT

- a. In all single family residential districts, one accessory dwelling unit shall be permitted by right that is not attached to the primary dwelling unit, subject to the following conditions:
 - i) Primary use must be established
 - ii) The property owner must reside in either the primary or accessory unit.
 - iii) The accessory building shall conform to all applicable setback and lot occupancy regulations;
 - iv) The total floor area of the accessory dwelling building may not exceed 800 square feet.

- v) **The closest façade of the accessory building shall be separated from the closest façade of the principal building by a distance of ten (10) feet minimum;**
- vi) **An accessory building that houses an accessory dwelling unit may not be used at the same time for any other accessory use, other than as a private vehicle garage for either occupant of the property.**
- vii) **The Planning & Zoning Commission may grant, through a conditional use permit, approval to locate an accessory dwelling unit within an accessory building that does not meet one or more of the conditions of this section provided the applicant shall demonstrate that the proposal complies with the general purposes and intent of this chapter.**

5. DEVELOPMENT STANDARDS FOR ALL ADUs

- a. **Height. The maximum height for a detached ADU is 30 feet.**
- b. **Building coverage. The building coverage shall not exceed the maximum percentage allowed in the zoning district.**
- c. **Set back. ADUs must be set back the same distance as enumerated for the district located.**
- d. **Parking. One parking space shall be provided on-site for each studio and one bedroom accessory unit. Two parking spaces shall be provided on site for each two bedroom accessory unit.**
- e. **Access/easement must be established for any detached accessory dwelling unit.**
- f. **Must have adequate facilities for the discharge of wastewater.**

6. DESIGN STANDARDS FOR ALL ADUs

- a. **Location of entrances. Only one main entrance may be located on the street-facing facade of the house, unless the house contained additional entrances before the ADU was created. An exception to this regulation is an entrance that does not have access from the ground, such as an entrance from a balcony or deck.**
- b. **Exterior design details. Exterior finish materials, roof pitch, trim, eaves, window orientation and dimension must be the same or visually match those of the primary dwelling unit.**

C. USES PERMITTED SUBJECT TO A USE PERMIT

- ~~1. A detached guest house accessory to the main dwelling only, subject to the following conditions:

 - ~~a. The guest house shall be confined to the rear one-half of the property, shall be separated from the main dwelling by at least ten (10) feet and shall be located at least ten (10) feet from the rear property line.~~
 - ~~b. The total square footage of the guest house shall not exceed 800 square feet.~~
 - ~~c. A deed restriction shall be recorded for the subject property which prohibits the rental, lease or sale of the guest house.~~~~

104.7

USE DISTRICTS (SPECIAL)

A. GU -- GENERAL UNCLASSIFIED DISTRICT

- a. **Intent and Purpose:** To provide for all the unincorporated areas of Gila County not otherwise designated for some other specific zone to be included in the “General Unclassified District” by this Ordinance.

- b. **District Stipulations and Provisions:**
 - i. No subdivision of land for sale, rent, or lease, for residential, commercial, or industrial use, shall be conducted or approved in the GU District without prior rezoning of the land so intended.
 - ii. Off-site signs (Billboards) are not permitted in this Zoning District
 - iii. Sexually oriented businesses are not permitted in this Zoning District.
 - iv. ~~The minimum density requirements shall be that for D40 density district.~~