

The Yuma County Planning and Zoning Commission met in a regular session on September 23, 2025. The meeting was held in Aldrich Auditorium at 2351 West 26th Street, Yuma, Arizona.

CALL TO ORDER: At 5:40 p.m. Chairman Danny Bryant convened the Planning and Zoning Commission meeting. Commissioners present were: Jim Allen, Danny Bryant, Matias Rosales, Schott Mulhern, Bobbi McDermott and Ron Van Why. Commissioners A-J Mosqueda, Ron Rice, Tim Bowers and Hugo Garcia were absent. Others present were: Planning Director Maggie Castro, AICP; Deputy County Attorney Minda Davy; Senior Planner Javier Barraza; and PZ Commission Administrative Specialist Heidi Ramirez.

PLEDGE OF ALLEGIANCE: Chairman Bryant led the Pledge of Allegiance.

ITEM No. 3: Approval of Planning and Zoning Commission regular meeting minutes of August 26, 2025.

MOTION (MCDERMOTT/ VAN WHY): Approve as presented.

VOICE VOTE: Allen-AYE; Bryant-AYE; Rosales-AYE; Van Why-AYE; Mulhern-AYE; McDermott-AYE;

The motion carried 6-0.

ITEM No. 4: 5. Request to initiate a text amendment to the Yuma County Zoning Ordinance to adopt regulations for accessory dwelling units: The proposed language is intended to revise Sections 202.00—Definitions and 310.00—Accessory Dwelling Unit; add Accessory Dwelling Units as permitted uses in Sections 601.02, 602.02, 603.02, and 604.02, 605.02, 606.02, 607.02, 608.02, 609.02, 610.02, 622.02, and 624.02; and remove Accessory Dwelling Units from Sections 601.03(W), 602.03(E), 603.03(E), 604.03(E), and 607.03(E).

Senior Planner Javier Barraza presented the staff report recommending to initiate a text amendment to the Yuma County Zoning Ordinance, Section 1106.01- Cargo Containers, as presented.

The purpose of this text amendment is to revise the Yuma County Zoning Ordinance, Section 1106.01—Cargo Containers. Some Yuma County residents and industry stakeholders have indicated that they feel that the current regulations are outdated and no longer reflect modern usage trends. Specifically, they raised concerns regarding:

- The limited allowance of cargo containers in certain zoning districts;
- The need to permit cargo containers in additional zoning districts;
- Allowing the stacking of cargo containers under specific conditions;
- Permitting cargo containers for human occupancy; and
- Removing the requirements for a Special Use Permit for certain cargo container uses.

On September 3, 2025, the Board of Supervisors directed Planning and Zoning staff to start a text amendment to amend the Zoning Ordinance, Section 1106.01-Cargo Containers

The proposed changes are shown below. Text that is in ~~strikethrough~~ format is intended to be deleted and text in **bold** font is proposed new text to be added.

1106.01--Cargo Containers

Cargo containers ~~are not allowed as accessory uses in any zoning district, except~~ **permitted** as provided below:

- A. A. Cargo Containers are permitted as accessory uses in the Suburban Ranch (SR), Suburban Site Built (SSB), and Suburban Homestead (SH) ~~Districts for lots of two acres or greater in size,~~ **Low Density Residential (R-1), Medium Density Residential (R-2), High Density Residential (R-3), Manufactured Home Park (MHP), Manufactured Home Subdivision (MHS), Recreational Vehicle Park (RVP), Recreational Vehicle Subdivision (RVS), Planned Development (PD),** Local Commercial (C-1) ~~lots greater than 20,000 square feet in size,~~ Rural Area (RA), General Commercial (C-2), and Industrial Districts subject to the following conditions:
1. Cargo containers **as accessory uses** shall **meet the requirements of Section 1106.02 setback rear yard coverage, and height** requirements for the applicable zoning district and shall be subject to compliance with International Building Code (IBC) and International Residential Code (IRC), as well as obtaining applicable building permits and inspections.
 2. Cargo containers may not occupy any required off-street parking spaces.
 3. Outdoor cargo containers **intended for storage purposes on lots of one acre or more in size** may ~~not~~ be stacked ~~except when used for cargo purposes in the industrial districts.~~
 4. ~~Cargo containers are not allowed for human occupancy.~~ **Each cargo container shall be painted entirely in mono-color earth tones, or match the color of the principal residence within 15 days of placement, and shall not be used for advertisements.**
 5. Licensed contractors may use cargo containers in any zoning district for temporary storage of equipment and/or materials at a construction site during construction that is authorized by a County building permit.
 6. In the Suburban Ranch (SR), Suburban Site Built (SSB), and Suburban Homestead (SH), and ~~Local Commercial (C-1)~~ districts:
 - a. **On lots or parcels less than two acres in size, cargo containers shall be limited to a combined maximum area of 800 square feet.**
 - b. **On lots or parcels of two or more acres in size, cargo containers shall be limited to one (1) per parcel a combined maximum area of 1,600 square feet.** ~~Shall not be larger than four hundred square feet in size, shall be painted in a mono-color, and shall not be used for advertisements.~~
 7. In the **Low Density Residential (R-1), Medium Density Residential (R-2), High Density Residential (R-3), Manufactured Home Park (MHP), Manufactured Home Subdivision (MHS), Recreational Vehicle Subdivision (RVS), Recreational Vehicle Park (RVP), and Planned Development (PD)** zoning districts, cargo containers shall be limited to a combined maximum area of 400 square feet.

8. **In the Local Commercial (C-1) and General Commercial (C-2) district:**
 - a. **On lots/parcels less than 20,000 square feet in size, cargo containers shall be limited to a combined maximum area of 400 square feet.**
 - b. **On lots /parcels 20,000 square feet or larger in size, cargo containers shall be limited to a combined maximum area of 800 square feet.**

9. **In the General commercial (C-2) district:**
 - a. **On lots/parcels less than 20,000 square feet in size, cargo containers shall be limited to a combined maximum area of 800 square feet.**
 - b. **On lots/parcels 20,000 square feet or larger in size, cargo containers shall be limited to a combined maximum area of 1,600 square feet.**

10. **In the Light Industrial (LI), Heavy Industrial (HI) and Intensive Industrial (II) zoning districts, there shall be no maximum limit on the number of cargo containers.**

11. **In the Rural Area zoning district, there shall be no maximum limit on the number of cargo containers.**

- B. **Cargo containers are not allowed intended for human occupancy may be stacked and shall be subject to compliance with the International Building Code (IBC) and International Residential Code (IRC), as well as obtaining applicable building permits and inspections. Additionally, cargo containers shall meet principal buildings setback, lot coverage, and height requirements for the applicable zoning district.**

- C. **Cargo containers may be used in conjunction with moving and transport purposes incidental to residential and commercial districts.**

- D. **Cargo containers intended to be used as a permanent accessory use in residential and commercial zoning districts, except as provided in 1106.01 (A), may be considered as a Special Use Permit in accordance with Section 402.00. Cargo containers used as a permanent accessory buildings must meet principal building development standards including setbacks, lot coverage and height regulations for the zoning district in which it lies. Containers that are designed to be used for storage and appear to be cargo containers, yet do not meet the specifications for commercial shipping, packing, or transportation of freight, shall comply with the requirements of this section.**

Chairman Bryant opened the discussion to the public.

There being no one to come forward, Chairman Bryant closed the discussion to the public.

MOTION (VAN WHY/ MCDERMOTT): Approve as presented.

VOICE VOTE: Allen-AYE; Bryant-AYE; Rosales-AYE; Van Why-AYE; Mulhern-AYE; McDermott-AYE;

The motion carried 6-0

ITEM No. 5: Request to initiate a text amendment to the Yuma County Zoning Ordinance to adopt regulations for accessory dwelling units: The proposed language is intended to revise Sections 202.00—Definitions and 310.00—Accessory Dwelling Unit; add Accessory Dwelling Units as permitted uses in Sections 601.02, 602.02, 603.02, and 604.02, 605.02, 606.02, 607.02, 608.02, 609.02, 610.02, 622.02, and 624.02; and remove Accessory Dwelling Units from Sections 601.03(W), 602.03(E), 603.03(E), 604.03(E), and 607.03(E).

Senior Planner Javier Barraza presented the staff report recommending to initiate a text amendment to the Yuma County Zoning Ordinance, to revise Sections 202.00—Definitions and 310.00—Accessory Dwelling Unit; add Accessory Dwelling Units as permitted uses in Sections 601.02, 602.02, 603.02, and 604.02, 605.02, 606.02, 607.02, 608.02, 609.02, 610.02, 622.02, and 624.02; and remove Accessory Dwelling Units from Sections 601.03(W), 602.03(E), 603.03(E), 604.03(E), and 607.03(E) as presented.

The intent of the proposed text amendment is to comply with the changes to Arizona Revised Statutes approved with House Bill 2928 (HB2928) adding § 11-810.01. The bill was signed by the Governor on May 23, 2025, and will become effective from and after December 31, 2025.

Arizona Revised Statutes § 11-810.01(G) states: If a county fails to adopt development regulations as required by this section on or before January 1, 2026, accessory dwelling units shall be allowed on all lots or parcels zoned for residential use in the County without limits.

On September 3, 2025, the Board of Supervisors directed Planning and Zoning staff to start a text amendment to amend the Zoning Ordinance to address Accessory Dwelling Units. The proposed changes are below. Text in strikethrough format is intended to be deleted and text in bold font is proposed to be added.

Section 202.00 – Definitions

Accessory dwelling unit: ~~A habitable space that contains independent sanitary and cooking facilities on the same parcel as an existing primary dwelling intended to house family or guests of the occupants of the principal dwelling without compensation~~ **self-contained living unit that is on the same lot or parcel as a single family dwelling of greater square footage than the accessory dwelling unit, that includes its own sleeping and sanitation facilities and that may include its own kitchen facilities.**

Gross floor area: The interior habitable area of a single-family dwelling or an accessory dwelling unit.

~~Section 310.00--Accessory Dwelling Units (ADU)~~

~~When an a~~Accessory dwelling units ~~is are~~ permitted by a Special Use Permit allowed on any lot or parcel where a single-family dwelling is allowed in zoning districts that only permit one single family residence per parcel, ~~t~~The following conditions shall apply in order to ensure that the nature and character of the permitted use remains as a single family parcel.

- A. The accessory dwelling unit shall meet principal building development standards and setback requirements. **comply with all applicable development standards in the zoning district in which they are located, except as follows:**

1. **The minimum side and rear setbacks for an accessory dwelling unit shall not be less than five (5) feet from the property line.**
- B. ~~The total number of dwelling units, principal and accessory dwelling unit, shall not exceed two dwelling units per parcel.~~ **One attached and one detached accessory dwelling unit is permitted per parcel and one additional detached accessory dwelling unit is allowed if the parcel is one acre or larger.**
- C. ~~The accessory dwelling unit may be used intermittently or year-around.~~ **as a full-time residence and may be rented separately from the primary dwelling as long-term rental housing.**
- D. ~~The accessory dwelling unit and principal dwelling shall not be rented or leased as separate units~~ **Separate leasing of the accessory dwelling unit and primary dwelling is permitted.**
- E. ~~All utilities delivered to the accessory dwelling unit and principal dwelling shall be from a shared meter.~~ **may be delivered via separate or shared meters. If an accessory dwelling unit will use a septic system, the system shall be adequately sized prior to permit issuance.**
- F. ~~The accessory dwelling unit and principal dwelling shall share a common driveway used for ingress and egress.~~ **Driveways may be shared or separate.**
- G. **Maximum allowable size of accessory dwelling units shall be at least seventy-five percent (75%) of the gross floor area of the existing or proposed single-family dwelling on the same lot or parcel or one thousand (1,000) square feet, whichever is less. An accessory dwelling unit can exceed the maximum size set forth above provided such increase complies with applicable zoning regulations.**
- H. **An accessory dwelling unit may not be built on top of a current or planned public utility easement unless the property owner receives written consent from any utility that is currently using the public utility easement or that may use the public utility easement in the future.**
- I. **The above provisions do not apply to parcels that have a noise level of greater than sixty-five decibels (65 dB).**

601.02--Permitted Uses

M. Accessory dwelling units (See Section 310.00)

601.03--Special Uses

W. Accessory Dwelling Units

XW. Wireless Communication Facilities. (See Section 1115.00)

YX. Biofuel Production Facilities. (See Section 302.06)

ZY. Biomass Power Generating Facility.

AAZ. Solid Waste Facility.

602.02--Permitted Uses

F. Accessory dwelling units (See Section 310.00).

602.03--Special Uses

F. Accessory dwelling units (See Section 310.00).

603.03--Special Uses

~~E. Accessory Dwelling Units~~

~~FE. Wireless Communication Facilities (See Section 1115.00)~~

604.02--Permitted Uses

E. Accessory dwelling units (See Section 310.00).

604.03--Special Uses

~~M. Accessory Dwelling Units.~~

~~NM. Utility Installations.~~

~~ON. Wireless Communication Facilities. (See Section 1115.00)~~

605.02--Permitted Uses

E. Accessory dwelling units (See Section 310.00).

606.02--Permitted Uses

E. Accessory dwelling units (See Section 310.00).

607.02--Permitted Uses

D. Accessory dwelling units (See Section 310.00).

607.03--Special Uses

~~E. Accessory Dwelling Units~~

~~FE. Wireless Communication Facilities (See Section 1115.00)~~

608.02--Permitted Uses

D. Accessory dwelling units (See Section 310.00).

609.02--Permitted Uses

D. Accessory dwelling units (See Section 310.00).

610.02--Permitted Uses

D. Accessory dwelling units (See Section 310.00).

622.02--Permitted Uses

X. Accessory dwelling units (See Section 310.00).

624.02--Permitted Uses

E. Accessory dwelling units (See Section 310.00).

Staff Recommendation:

To initiate a text amendment to the Yuma County Zoning Ordinance, amending the Sections 202.00—Definitions and 310.00—Accessory Dwelling Unit; adding Accessory Dwelling Units as permitted uses in Sections 601.02, 602.02, 603.02, and 604.02, 605.02, 606.02, 607.02, 608.02, 609.02, 610.02, 622.02, and 624.02; removing Accessory Dwelling Units from Sections 601.03(W), 602.03(E), 603.03(E), 604.03(E), and 607.03(E). as presented.

Chairman Bryant inquired if the new code they would be adopting was to allow accessory dwelling units on all residential parcels.

Senior Planner Javier Barraza corroborated the inquiry, stating Chairman Bryant was correct.

Chairman Bryant commented that by state law, three dwelling units are allowed per parcel. If the county does not adopt its own ordinance, there would be no limit on dwelling units. The county is therefore considering adopting a local rule to maintain the three-unit cap and add county-specific conditions to address community needs.

Chairman Bryant asked staff how it would impact the areas that are within a mile of the military facilities, the buffer and the dwelling unit per five acres and one dwelling per two acres.

Senior Planner Javier Barraza stated MCAS did not submit comments or objects.

Chairman Bryant asked if it's in the 65 decibels or higher noise zones, and close to the bombing range, it couldn't be done.

Senior Planner Javier Barraza stated that he was correct.

Chairman Bryant opened the discussion to the public.

Aaron Salyi, APRN 728-07-001, Yuma Arizona, member of the public, noted that state law allows up to three dwelling units per parcel, and without a county ordinance, there would be no limit. While the county may adopt the three-unit cap with local conditions, the most significant change is that Accessory Dwelling Units (ADUs) can now be rented separately. He emphasized that this separate rental option could have major impacts on the county and suggested it would be in the county's best interest to limit rentals so that only one unit may be rented per parcel, rather than permitting a primary residence with two additional rental units.

Chairman Bryant explained that it was unlikely they could do that since state law does not allow them to limit that, and it was clear in the state law that it had to be able to have its own electric panel, it's own utility panel, which are the changes taking place. For a change to take place, it would have to be at the state legislature and the governor would have to change her mind which was unlikely.

There being no one to come forward, Chairman Bryant closed the discussion to the public.

MOTION (VAN WHY/ ALLEN): Approve as presented.

VOICE VOTE: Allen-AYE; Bryant-AYE; Rosales-AYE; Van Why-AYE; Mulhern-AYE; McDermott-AYE;

The motion carried 6-0.

Planning Director Maggie Castro, AICP, reported that staff was coordinating with YPG to schedule a tour and inquired whether any P&Z commissioners would be interested in attending. She noted that no date has been set yet, but she needed a headcount to plan accordingly. If several commissioners wished to attend, the tour may need to be split into two groups to avoid creating a quorum of the commission. Tentative dates would be sent out.

There being no further business to come before the Commission, Chairman Bryant adjourned the meeting at 7:35 p.m.

Approved and accepted on this 28th day of October 2025.



Ron Van Why, Vice-Chairman

ATTEST:

Maggie Castro, AICP, Planning Director


