



**WORKSESSION NOTICE
OF A
TOWN OF CAREFREE
PLANNING AND ZONING COMMISSION**

WHEN: MONDAY, MAY 10, 2021

WHERE: ZOOM WEB*

TIME: 5:30 P.M.

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Carefree Planning and Zoning Commission and to the general public that the members of the Planning and Zoning Commission will hold a work session on Monday, May 10, 2021 at 5:30 p.m..

Members of the Planning and Zoning Commission are participating by technological means or methods pursuant to A.R.S. §38-431(4).

THE AGENDA FOR THE MEETING IS AS FOLLOWS:

CALL TO ORDER, SILENT ROLL CALL and PLEDGE OF ALLEGIANCE.

ITEM #1 A **WORK SESSION** REGARDING AMENDING THE ZONING ORDINANCE RELATED TO THE DEFINITIONS AND REGULATION OF ACCESSORY STRUCTURES/GUEST HOUSES.

ITEM #2 ANNOUNCEMENTS

ITEM #3 ADJOURNMENT

PLANNING AND ZONING COMMISSION

Samantha Gesell

SAMANTHA GESELL, PLANNING CLERK
POSTED MAY 05, 2021

NOTE: **Due to the risks to public health caused by the possible spread of the COVID-19 virus at public gatherings, the Town of Carefree has determined that public meetings will be indefinitely held through technological means. Meetings will be also open to the public through technological means. In reliance on, and compliance with, the March 13, 2020 Opinion issued by Attorney General Mark Brnovich, the Town of Carefree Planning and Zoning Commission provides this special advance notice of the technological means through which public meetings may be accessed. While this special notice is in effect, public comment at meetings will only be accepted through written submissions, which may or may not be read aloud during meetings.*

On your computer:

Join Zoom Meeting:

<https://us06web.zoom.us/j/2338819248>

Meeting ID: 233 881 9248

CALL IN:

1-253-215-8782



FOR SPECIAL ACCOMMODATIONS

Please contact the Planning Clerk, 8 Sundial Circle (PO Box 740), Carefree, AZ 85377; (480) 488-3686, at least three working days prior to the meeting if you require special accommodations due to a disability.

STAFF REPORT – PLANNING & ZONING COMMISSION



MEETING DATE: May 10, 2021

Agenda Item #: 1

SUBJECT:

Planning and Zoning Commission Work Session: Meeting to discuss a possible text amendment to the Zoning Ordinance regarding large guest quarters (casitas) and the number of accessory structures permitted on a property.

ATTACHMENTS:

- Exhibit "A": Town of Carefree and Other Municipalities Zoning Information

SUMMARY:

The intent of this work session is to update the Zoning Ordinance as it pertains to guest quarters (casitas) as regulated under the Carefree Zoning Ordinance. A recent phenomenon as discovered by the Planning/Zoning and Building Divisions is that casitas are being constructed with full kitchens, more than 1 bedroom, and also attached garages sometimes for recreational vehicles. Staff is concerned that these "stand alone" living units are creating a two-family lot in single-family zoning districts. And, while the sole rental of such units is prohibited in Carefree (including as vacation rentals), it is very hard for the Town to regulate this from occurring.

Furthermore, while the Town allows only one guest home (a unit with livable area) per lot, it does not regulate the total number of accessory structures permitted per lot. For example, a garage is not considered to have livable area (habitable space). Therefore, more than one detached garage is possible, particularly on large lots, so long as no livable area included.

Also in this report are examples of how other communities define guest quarters and accessory structures. Staff would like to solicit feedback for discussion and possible inclusion into a final draft to be presented at a follow-up text amendment public hearing.

Members from the public in attendance who have a question related to the discussion are requested to allow the Commission to discuss the topics first and then be recognized by the Chairman prior to asking their question.

PUBLIC PROCESS:

The above items are for Commission discussion only, and no action is required at this time.

EXHIBIT A

Town of Carefree Guest Quarters/Accessory Structures Definitions and Regulations:

Article II. RULES AND DEFINITIONS

Section 2.02 Definitions

- (14) BUILDING, ACCESSORY: A detached structure which is subordinate to and incidental to the main use of the principal structure on a lot.
- (49) GUEST HOUSE: Living quarters in an accessory building or attached to the principal residence, which may include cooking facilities, for guests or servants on the premises.

Article IX. General Provisions

Section 9.02 Accessory Buildings and Uses

- (1) Accessory buildings shall not be constructed upon a lot until after the construction of the principal building has begun.
- (2) Accessory buildings in Single-Family Residential zoning districts shall not be rented for any purpose.
- (3) The total square footage of the livable area in a guest house shall not exceed one-third (1/3) of the total square footage of the livable area of the principal structure.
- (4) No more than one (1) guest house is permitted per lot or parcel.
- (5) An accessory building shall not be used or occupied until the certificate of occupancy for the principal building has been issued by the Building Official.
- (6) No accessory building shall be built in any required yard (building setback).

City of Scottsdale:

Guest house is an accessory building or portion of a main building used to house guests of the occupants of the main building.

In addition to the above, *guest houses* are subject to the following criteria:

- The cumulative square footage of the guest house(s) shall be no greater than one-half (1/2) the livable square footage of the main dwelling.
- The guest house shall be connected to the water meter for the main dwelling. It shall not be separately metered.
- The guest house shall not be rented or offered for rent independent of the main dwelling.
- Dwelling units, single-family, including Vacation rental or Short-term rental, limited to one main dwelling per lot.

- A guest house that is architecturally connected to the main building shall comply with the yard requirements of the main building.

Town of Gilbert:

Guest Quarters shall comply with the following regulations:

1. Establishment. Guest Quarters shall not be constructed prior to construction of the dwelling unit.
2. Number. One Guest Quarters is permitted on a lot or parcel.
3. Location. Guest Quarters shall be located within the building envelope.
4. Additional Standards.
 - a. Guest Quarters may be attached to the principal dwelling;
 - b. Guest Quarters shall use utility service provided to the principal dwelling;
 - c. Ranges, ovens, and built-in cooking facilities are prohibited;
 - d. Separate renting or leasing from the principal dwelling is prohibited;
 - e. Guest Quarters shall be a single floor and not exceed the principal structure maximum height requirement of the base zoning district, and may be located above an attached or detached garage; and
 - f. Design of Guest Quarters shall be compatible with the design of the principal dwelling in materials, colors and architectural style.

Town of Cave Creek:

ACCESSORY BUILDING is an incidental subordinate building, not used as living quarters, customarily incidental to and located on the same parcel occupied by the principal use or building. Accessory buildings must meet side, rear and front setbacks and shall comply with the applicable chapters of this Ordinance.

ACCESSORY LIVING QUARTERS is attached or detached quarters, containing a combination of amenities commonly associated with living including kitchen facilities, a defined area with a closet and containing a bathroom with a tub and/or shower. Accessory living quarters, as allowed in the Zoning Ordinance, Chapter 2 Residential Zone, must meet side, rear and front setbacks and shall comply with the following:

- a. Both the principal residence and accessory living quarters, shall be served by common single electric and water meters (if applicable).
- b. Both the principal residence and the accessory living quarters shall be served by a single common driveway.
- c. The maximum gross floor area for accessory living quarters (including garage and/or covered carport) shall not exceed fifty percent (50%) of the gross floor area of the principal residence (including garage and/or covered carport).
- d. One (1) accessory living quarter per lot is allowed.