

# **CITY PROPOSED DRAFT LEGISLATIVE TEXT**

**ACCESSORY DWELLING UNIT (ADU) TEXT AMENDMENT**

**Section 1.** That the Zoning Ordinance of the City of Scottsdale, ARTICLE III. – DEFINITIONS, Section 3.100. is amended as follows with all new language depicted in grey shading and deleted language in strike-through:

*Accessory Dwelling Unit (Restricted-Affordable Detached)* shall mean a Detached Accessory Dwelling Unit that, through a private deed restriction, ~~shall only be~~ **is only** rented to households earning up to eighty percent (80%) of area median income.

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**Section 2.** That the Zoning Ordinance of the City of Scottsdale, ARTICLE VII. – GENERAL PROVISIONS, Section 7.902. is amended as follows with all new language depicted in grey shading and deleted language in strike-through:

**Sec. 7.900. Accessory Dwelling Units.**

**Sec. 7.901. Purpose.**

- A. These provisions describe the qualifications, application requirements, and property development standards for the development of an Accessory Dwelling Unit to ensure that an Accessory Dwelling Unit is consistent with the character of single-family residential neighborhoods, and to minimize impacts of the development. The qualifications, requirements, and regulations in these provisions are in addition to the other codes and requirements of the City of Scottsdale.

**Sec. 7.902. Qualifications.**

- A. An Accessory Dwelling Unit shall only be established upon demonstration of all of the following requirements:
1. *Location.*
    - a. An Accessory Dwelling Unit shall only be permitted on a single-family residential lot as permitted by the underlying zoning district. No Accessory Dwelling Unit shall be constructed upon a single-family residential lot unless the main single-family residential dwelling has been constructed and received a Certificate of Occupancy on the same lot. No Accessory Dwelling Unit shall be issued a Certificate of Occupancy unless a Certificate of Occupancy has been issued for the main single-family residential dwelling on the same lot.
    - b. An Accessory Dwelling Unit shall not be located in any of the following areas:
      - i. Land **that is** in the territory in the vicinity of a military airport or ancillary military facility as defined in A.R.S. § 28-8461, or
      - ii. Land **that is** in the territory in the vicinity of a federal aviation administration commercially licensed airport or a general aviation **airport** or **land that is in the**

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Exhibit A

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territory in the vicinity of a public airport as defined in A.R.S. § 28-8486 and that has a noise level of greater than sixty-five decibels.

2. *Utility services.*

- a. The property owner shall provide separately metered utilities (electrical, gas, water, and sanitary sewer) connections to the Accessory Dwelling Unit, unless otherwise determined by the utility provider.
- b. The property owner shall be responsible to repair any public street or other public property that is disturbed as a result of the construction of an Accessory Dwelling Unit to the requirements and standards of the City.

3. *Ownership, renting, and subdivision.*

- a. Any Accessory Dwelling Unit on a single-family residential lot shall not be sold separately from the main single-family residential dwelling on the same lot.
- b. Any Accessory Dwelling Unit that is rented, leased, offered for rent or lease, or occupied as a Vacation Rental or Short-term Rental shall be subject to the requirements of Sec. 7.203.
- c. A Restricted-Affordable Detached Accessory Dwelling Unit shall only be rented to households earning up to eighty percent (80%) of area median income and shall not be offered as a Vacation Rental or Short-term Rental. Rent shall be established based on the household size and income in accordance with the rent and income limits published by the Arizona Department of Housing at the time of the lease agreement. Prior to issuance of any permit for a Restricted-Affordable Detached Accessory Dwelling Unit, the property owner shall enter into a private deed restriction to meet the requirements of this section, to the satisfaction of the City.
- d. A lot or parcel shall not be subdivided, including through a condominium plat, in a manner that would create a separate lot, parcel, or ownership boundaries exclusively for the main single-family residential dwelling or for an Accessory Dwelling Unit.

**Sec. 7.903. Application requirements.**

- A. Prior to issuance of any permit for an Accessory Dwelling Unit, the property owner shall submit a development application for review, subject to the requirements of Sec. 1.300. The Zoning Administrator or designee shall review a development application for an Accessory Dwelling Unit. The Zoning Administrator or designee shall have the authority to approve, approve with stipulations, or deny a development application for an Accessory Dwelling Unit and that decision shall not be appealable. The property owner must receive approval of the development application before any permit for an Accessory Dwelling Unit will be issued.
- B. In addition to the standard requirements of a development application, any development application for an Accessory Dwelling Unit shall demonstrate the following application requirements, to the satisfaction of the Zoning Administrator or designee:
  1. A site plan in conformance with City of Scottsdale rules, regulations, and guidelines for development. The site plan shall also demonstrate, amongst other requirements, that

the proposed Accessory Dwelling Unit is located on a single-family residential lot with an existing main single-family residential dwelling on the same lot and demonstrate compliance with the requirements Sec. 7.904.

2. The gross floor area of the existing main single-family residential dwelling on the same lot, and plans of the proposed Accessory Dwelling Unit that are in compliance with the requirements of this section.
  3. Separately metered utilities (electrical, gas, water, and sanitary sewer) and connections to the Accessory Dwelling Unit, unless otherwise determined by the utility provider.
  4. Compliance with all applicable building code and fire code requirements, as adopted by the City of Scottsdale, unless otherwise exempted by state statutes.
  5. That, prior to the issuance of any permit for the Restricted-Affordable Detached Accessory Dwelling Unit, the property owner has recorded a private deed restriction acknowledging that the Restricted-Affordable Detached Accessory Dwelling Unit will only be rented to households earning up to eighty percent (80%) of the area median income and will not be offered as a Vacation Rental or Short-term Rental, in a form satisfactory to the City.
- C. Conversion of existing building to an Accessory Dwelling Unit.
1. In order to convert an existing building, or portion of an existing building, to an Accessory Dwelling Unit, the property owner shall comply with the requirements of Sec. 7.900., including but not limited to, provision of sleeping facilities, kitchen facilities, and sanitary facilities, and compliance with all applicable building code and fire code requirements.

#### **Sec. 7.904. Property Development Standards.**

- A. An Accessory Dwelling Unit shall be subject to the property development standards of the zoning district for which the proposed Accessory Dwelling Unit is located within, except as modified by this section. If there is a conflict between the property development standards of the underlying zoning district and the property development standards outlined in this section, the property development standards of this section shall control.
1. *Density.*
    - a. Attached Accessory Dwelling Unit.
      - i. There shall be no more than one (1) Attached Accessory Dwelling Unit on any one (1) single-family residential lot.
    - b. Detached Accessory Dwelling Unit.
      - i. There shall be no more than one (1) Detached Accessory Dwelling Unit on any one (1) single-family residential lot.
    - c. Restricted-Affordable Detached Accessory Dwelling Unit.
      - i. Single-family residential lots that are one (1) acre or larger in size are permitted one (1) Restricted-Affordable Detached Accessory Dwelling Unit on any one (1) single-family residential lot in addition to any existing Accessory Dwelling Unit(s) constructed on the lot.

- d. For any single-family residential lot less than one (1) acre in size, there shall be no more than two (2) total Accessory Dwelling Units on any one (1) lot. For any single-family residential lot that is one (1) acre or larger in size, there shall be no more than three (3) total Accessory Dwelling Units on any one (1) lot, one of which must be a Restricted-Affordable Detached Accessory Dwelling Unit.
- 2. *Size.*
    - a. Only one Accessory Dwelling Unit constructed on a single-family residential lot shall be allowed to have a gross floor area that is up seventy-five percent (75%) gross floor area of the main single-family residential dwelling on the same lot, or one thousand (1,000) gross square feet, whichever is less. All other Accessory Dwelling Units constructed on the same lot shall be five hundred (500) gross square feet or less in size.
- 3. *Occupancy.*
    - a. The cumulative occupancy of the main single-family residential dwelling in combination with any Accessory Dwelling Units on the same single-family residential lot shall not exceed six (6) adults. A familial, marital, employment, or other preexisting relationship between the owner or occupant of the main single-family residential dwelling and the occupant of an Accessory Dwelling Unit located on the same lot is not required.
- 4. *Building height.*
    - a. No Accessory Dwelling Unit shall exceed the building height permitted in the zoning district for which the Accessory Dwelling Unit is located.
- 5. *Building setbacks.*
    - a. Attached Accessory Dwelling Unit.
      - i. The building setbacks for an Attached Accessory Dwelling Unit shall be that which apply to a main single-family residential dwelling of the zoning district for which the Attached Accessory Dwelling Unit is located.
    - b. Detached Accessory Dwelling Unit or Restricted-Affordable Detached Accessory Dwelling Unit.
      - i. A Detached Accessory Dwelling Unit or Restricted-Affordable Detached Accessory Dwelling Unit shall not be permitted in a required front yard, including the front yard on the longer street frontage of a corner lot.
      - ii. A Detached Accessory Dwelling Unit or Restricted-Affordable Detached Accessory Dwelling Unit shall not be permitted in a required side yard.
      - iii. A Detached Accessory Dwelling Unit or Restricted-Affordable Detached Accessory Dwelling Unit that is located within a rear yard may be constructed five (5) feet from a side or rear property line.
- 6. *Distance between buildings.*

- a. There shall not be less than ten (10) feet between an Accessory Dwelling Unit and the main single-family residential dwelling on the same lot, or between an Accessory Dwelling Unit and another Accessory Dwelling Unit on the same lot.
7. *Private outdoor living space.*
  - a. Each Accessory Dwelling Unit shall provide private outdoor living space located adjacent to the Accessory Dwelling Unit.
  - b. Each private outdoor living space shall be at least five (5) feet deep and fifty (50) square feet in area.
8. *Parking.*
  - a. The addition of an Accessory Dwelling Unit to a single-family residential lot shall not reduce or eliminate any required parking for the main single-family residential dwelling on the lot. The minimum parking requirements for the main single-family residential dwelling on the lot shall be provided at all times. If an Accessory Dwelling Unit removes or modifies existing required vehicle parking spaces for the main single-family residential dwelling on the lot, the minimum required parking spaces for the main single-family residential dwelling on the lot shall be replaced on the same lot in a location approved by the Zoning Administrator or designee.
9. *Access.*
  - a. Each Accessory Dwelling Unit shall provide a separate exterior entrance from that serving the main single-family residential dwelling on the same lot.
  - b. The path of ingress and egress travel from an Accessory Dwelling Unit to the main street frontage of the lot, or to a yard that opens to the main street frontage of the lot, shall be independent of, and not pass through, the main single-family residential dwelling.
10. *Addressing.*
  - a. Each Accessory Dwelling Unit shall provide a unique address that follows the City's addressing requirements, policies, and assignment process. The address of an Accessory Dwelling Unit shall be placed near the primary entrance of the Accessory Dwelling Unit, clearly visible from the main street frontage of the lot, and meet the requirements of Sec. 8.401.

# CHAPTERED BILL HB2928

Senate Engrossed House Bill

accessory dwelling units; requirements

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
First Regular Session  
2025

**CHAPTER 217**

**HOUSE BILL 2928**

AN ACT

AMENDING SECTIONS 9-461.18 AND 9-500.39, ARIZONA REVISED STATUTES;  
AMENDING SECTION 9-500.49, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS  
2025, CHAPTER 31, SECTION 1; AMENDING SECTION 11-269.17, ARIZONA REVISED  
STATUTES; AMENDING TITLE 11, CHAPTER 6, ARTICLE 1, ARIZONA REVISED  
STATUTES, BY ADDING SECTION 11-810.01; RELATING TO COUNTY PLANNING.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 9-461.18, Arizona Revised Statutes, is amended  
3 to read:

4 9-461.18. Accessory dwelling units; regulation;  
5 applicability; definitions

6 A. A municipality ~~with a population of more than seventy-five~~  
7 ~~thousand persons~~ shall adopt regulations that allow on any lot or parcel  
8 where a single-family dwelling is allowed all of the following:

9 1. At least one attached and one detached accessory dwelling unit  
10 as a permitted use.

11 2. A minimum of one additional detached accessory dwelling unit as  
12 a permitted use on a lot or parcel that is one acre or more in size if at  
13 least one accessory dwelling unit on the lot or parcel is a  
14 restricted-affordable dwelling unit.

15 3. An accessory dwelling unit that is seventy-five percent of the  
16 gross floor area of the single-family dwelling on the same lot or parcel  
17 or one thousand square feet, whichever is less.

18 B. A municipality may not do any of the following:

19 1. Prohibit the use or advertisement of either the single-family  
20 dwelling or any accessory dwelling unit located on the same lot or parcel  
21 as separately leased long-term rental housing.

22 2. Require a familial, marital, employment or other preexisting  
23 relationship between the owner or occupant of a single-family dwelling and  
24 the occupant of an accessory dwelling unit located on the same lot or  
25 parcel.

26 3. Require that a lot or parcel have additional parking to  
27 accommodate an accessory dwelling unit or require payment of fees instead  
28 of additional parking.

29 4. Require that an accessory dwelling unit match the exterior  
30 design, roof pitch or finishing materials of the single-family dwelling  
31 that is located on the same lot as the accessory dwelling unit.

32 5. Set restrictions for accessory dwelling units that are more  
33 restrictive than those for single-family dwellings within the same zoning  
34 area with regard to height, setbacks, lot size or coverage or building  
35 frontage.

36 6. Set rear or side setbacks for accessory dwelling units that are  
37 more than five feet from the property line.

38 7. Require improvements to public streets as a condition of  
39 allowing an accessory dwelling unit, except as necessary to reconstruct or  
40 repair a public street that is disturbed as a result of the construction  
41 of the accessory dwelling unit.

42 8. Require a restrictive covenant concerning an accessory dwelling  
43 unit on a lot or parcel zoned for residential use by a single-family  
44 dwelling.

1 C. This section does not prohibit restrictive covenants concerning  
2 accessory dwelling units entered into between private parties. The  
3 municipality may not condition a permit, license or use of an accessory  
4 dwelling unit on adopting or implementing a restrictive covenant between  
5 private parties.

6 D. This section does not supersede applicable building codes, fire  
7 codes or public health and safety regulations, except that a municipality  
8 may not require an accessory dwelling unit to comply with a commercial  
9 building code or contain a fire sprinkler.

10 E. An accessory dwelling unit may not be built on top of a current  
11 or planned public utility easement unless the property owner receives  
12 written consent from any utility that is currently using the public  
13 utility easement or that may use the public utility easement in the  
14 future.

15 F. If a municipality fails to adopt development regulations as  
16 required by this section on or before January 1, 2025, accessory dwelling  
17 units shall be allowed on all lots or parcels zoned for residential use in  
18 the municipality without limits.

19 G. This section does not apply to lots or parcels that are located  
20 on:

21 1. Tribal land. ~~on~~

22 2. Land THAT IS in the territory in the vicinity of a military  
23 airport or ancillary military facility as defined in section 28-8461. ~~on~~

24 3. Land THAT IS in the territory in the vicinity of a federal  
25 aviation administration commercially licensed airport or a general  
26 aviation airport or ~~on~~ land THAT IS in the territory in the vicinity of a  
27 public airport as defined in section 28-8486 AND THAT HAS A NOISE LEVEL OF  
28 GREATER THAN SIXTY-FIVE DECIBELS.

29 H. THIS SECTION APPLIES TO A MUNICIPALITY WITH A POPULATION OF MORE  
30 THAN SEVENTY-FIVE THOUSAND PERSONS.

31 ~~H.~~ I. For the purposes of this section:

32 1. "Accessory dwelling unit" means a self-contained living unit  
33 that is on the same lot or parcel as a single-family dwelling of greater  
34 square footage than the accessory dwelling unit, that includes its own  
35 sleeping and sanitation facilities and that may include its own kitchen  
36 facilities.

37 2. "Gross floor area" means the interior habitable area of a  
38 single-family dwelling or an accessory dwelling unit.

39 3. "Long-term rental" means rental use in which the tenant holds a  
40 lease of ninety days or longer or on a month-by-month basis.

41 4. "Municipality" means a city or town that exercises zoning powers  
42 under this title.

43 5. "Permitted use" means the ability for a development to be  
44 approved without requiring a public hearing, variance, conditional use  
45 permit, special permit or special exception, other than a discretionary

1 zoning action to ~~determination~~ DETERMINE that a site plan conforms with  
2 applicable zoning regulations.

3 6. "Restricted-affordable dwelling unit" means a dwelling unit  
4 that, either through a deed restriction or a development agreement with  
5 the municipality, ~~shall be~~ IS rented to households earning up to eighty  
6 percent of area median income.

7 Sec. 2. Section 9-500.39, Arizona Revised Statutes, is amended to  
8 read:

9 9-500.39. Limits on regulation of vacation rentals and  
10 short-term rentals: state preemption: civil  
11 penalties; transaction privilege tax license  
12 suspension; definitions

13 A. A city or town may not prohibit vacation rentals or short-term  
14 rentals.

15 B. A city or town may not restrict the use of or regulate vacation  
16 rentals or short-term rentals based on their classification, use or  
17 occupancy except as provided in this section. A city or town may regulate  
18 vacation rentals or short-term rentals as follows:

19 1. To protect the public's health and safety, including rules and  
20 regulations related to fire and building codes, health and sanitation,  
21 transportation or traffic control and solid or hazardous waste and  
22 pollution control, if the city or town demonstrates that the rule or  
23 regulation is for the primary purpose of protecting the public's health  
24 and safety.

25 2. To adopt and enforce use and zoning ordinances, including  
26 ordinances related to noise, protection of welfare, property maintenance  
27 and other nuisance issues, if the ordinance is applied in the same manner  
28 as other property classified under sections 42-12003 and 42-12004.

29 3. To limit or prohibit the use of a vacation rental or short-term  
30 rental for the purposes of housing sex offenders, operating or maintaining  
31 a sober living home, selling illegal drugs, liquor control or pornography,  
32 obscenity, nude or topless dancing and other adult-oriented businesses.

33 4. To require the owner of a vacation rental or short-term rental  
34 to provide the city or town with emergency contact information for the  
35 owner or the owner's designee who is responsible for responding to  
36 complaints or emergencies in a timely manner in person if required by  
37 public safety personnel, over the phone or by email at any time of day  
38 before offering for rent or renting the vacation rental or short-term  
39 rental. In addition to any other penalty imposed pursuant to this  
40 section, the city or town may impose a civil penalty of up to \$1,000  
41 against the owner for every thirty days the owner fails to provide contact  
42 information as prescribed by this paragraph. The city or town shall  
43 provide thirty days' notice to the owner before imposing the initial civil  
44 penalty.

1        5. To require the owner of a vacation rental or short-term rental  
2 to obtain and maintain a local regulatory permit or license. As a  
3 condition of issuance of a permit or license, the application for the  
4 permit or license may require an applicant to provide only the following:

5        (a) The name, address, telephone number and email address for the  
6 owner or owner's agent.

7        (b) The address of the vacation rental or short-term rental.

8        (c) Proof of compliance with section 42-5005.

9        (d) Contact information required pursuant to paragraph 4 of this  
10 subsection.

11        (e) Acknowledgment of an agreement to comply with all applicable  
12 laws, regulations and ordinances.

13        (f) A fee not to exceed the actual cost of issuing the permit or  
14 license or \$250, whichever is less.

15        6. To require, before offering a vacation rental or short-term  
16 rental for rent for the first time, the owner or the owner's designee of a  
17 vacation rental or short-term rental to notify all single-family  
18 residential properties adjacent to and directly and diagonally across the  
19 street from the vacation rental or short-term rental. Notice shall be  
20 deemed sufficient in a multifamily residential building if given to  
21 residents on the same building floor. A city or town may require  
22 additional notification pursuant to this paragraph if the contact  
23 information previously provided changes. Notification provided in  
24 compliance with this paragraph shall include the permit or license number  
25 if required by the city or town, the address of the vacation rental or  
26 short-term rental and the information required pursuant to paragraph 4 of  
27 this subsection. The owner or the owner's designee shall demonstrate  
28 compliance with this paragraph by providing the city or town with an  
29 attestation of notification compliance that consists of the following  
30 information:

31        (a) The permit or license number of the vacation rental or  
32 short-term rental, if required by the city or town.

33        (b) The address of each property notified.

34        (c) A description of the manner in which the owner or owner's  
35 designee chose to provide notification to each property subject to  
36 notification.

37        (d) The name and contact information of the person attesting to  
38 compliance with this paragraph.

39        7. To require the owner or owner's designee of a vacation rental or  
40 short-term rental to display the local regulatory permit number or license  
41 number, if any, on each advertisement for a vacation rental or short-term  
42 rental that the owner or owner's designee maintains. A city or town that  
43 does not require a local regulatory permit or license may require the  
44 owner or owner's designee of a vacation rental or short-term rental to  
45 display the transaction privilege tax license number required by section

1 42-5042 on each advertisement for a vacation rental or short-term rental  
2 that the owner or owner's designee maintains.

3 8. To require the vacation rental or short-term rental to maintain  
4 liability insurance appropriate to cover the vacation rental or short-term  
5 rental in the aggregate of at least \$500,000 or to advertise and offer  
6 each vacation rental or short-term rental through an online lodging  
7 marketplace that provides equal or greater coverage.

8 9. To require the owner of a vacation rental or short-term rental  
9 to reside on the property if the property contains an accessory dwelling  
10 unit ~~that was constructed on or after September 14, 2024 and that is being~~  
11 ~~used as a vacation rental or short-term rental. Unless the time period~~  
12 ~~specified in section 12-1134, subsection G has expired, this paragraph~~  
13 ~~does not apply to a property owner who has the right to build an accessory~~  
14 ~~dwelling unit on the property owner's property before September 14, 2024~~  
15 ~~whether or not the accessory dwelling unit has been built AND IF A~~  
16 ~~CERTIFICATE OF OCCUPANCY, CERTIFICATE OF COMPLETION OR SIMILAR FINAL~~  
17 ~~APPROVAL FOR THE ACCESSORY DWELLING UNIT WAS ISSUED BY THE MUNICIPALITY ON~~  
18 ~~OR AFTER SEPTEMBER 14, 2024. THIS PARAGRAPH DOES NOT APPLY TO AN OWNER OF~~  
19 ~~A VACATION RENTAL OR SHORT-TERM RENTAL IF THE PROPERTY CONTAINS AN~~  
20 ~~ACCESSORY DWELLING UNIT AND THE CERTIFICATE OF COMPLETION, THE CERTIFICATE~~  
21 ~~OF OCCUPANCY OR A SIMILAR FINAL APPROVAL FOR THE ACCESSORY DWELLING UNIT~~  
22 ~~WAS ISSUED ON OR BEFORE SEPTEMBER 13, 2024.~~

23 C. A city or town that requires a local regulatory permit or  
24 license pursuant to this section shall issue or deny the permit or license  
25 within seven business days of receipt of the information required by  
26 subsection B, paragraph 5 of this section and otherwise in accordance with  
27 section 9-835, except that a city or town may deny issuance of a permit or  
28 license only for any of the following:

29 1. Failure to provide the information required by subsection B,  
30 paragraph 5, subdivisions (a) through (e) of this section.

31 2. Failure to pay the required permit or license fee.

32 3. At the time of application the owner has a suspended permit or  
33 license for the same vacation rental or short-term rental.

34 4. The applicant provides false information.

35 5. The owner or owner's designee of a vacation rental or short-term  
36 rental is a registered sex offender or has been convicted of any felony  
37 offense that resulted in death or serious physical injury or any felony  
38 use of a deadly weapon within the past five years.

39 D. A city or town that requires a local regulatory permit or  
40 license pursuant to this section shall adopt an ordinance to allow the  
41 city or town to initiate an administrative process to suspend a local  
42 regulatory permit or license for a period of up to twelve months for the  
43 following verified violations associated with a property:

44 1. Three verified violations within a twelve-month period, not  
45 including any verified violation based on an aesthetic, solid waste

1 disposal or vehicle parking violation that is not also a serious threat to  
2 public health and safety.

3       2. One verified violation that results in or constitutes any of the  
4 following:

5       (a) A felony offense committed at or in the vicinity of a vacation  
6 rental or short-term rental by the vacation rental or short-term rental  
7 owner or owner's designee.

8       (b) A serious physical injury or wrongful death at or related to a  
9 vacation rental or short-term rental resulting from the knowing,  
10 intentional or reckless conduct of the vacation rental or short-term  
11 rental owner or owner's designee.

12       (c) An owner or owner's designee knowingly or intentionally housing  
13 a sex offender, allowing offenses related to adult-oriented businesses,  
14 sexual offenses or prostitution, or operating or maintaining a sober  
15 living home, in violation of a regulation or ordinance adopted pursuant to  
16 subsection B, paragraph 3 of this section.

17       (d) An owner or owner's designee knowingly or intentionally  
18 allowing the use of a vacation rental or short-term rental for a special  
19 event that would otherwise require a permit or license pursuant to a city  
20 or town ordinance or a state law or rule or for a retail, restaurant,  
21 banquet space or other similar use.

22       3. Notwithstanding paragraphs 1 and 2 of this subsection, any  
23 attempted or completed felony offense, arising from the occupancy or use  
24 of a vacation rental or short-term rental, that results in a death, or  
25 actual or attempted serious physical injury, shall be grounds for judicial  
26 relief in the form of a suspension of the property's use as a vacation  
27 rental or short-term rental for a period of time that shall not exceed  
28 twelve months.

29       E. A city or town that requires sex offender background checks on a  
30 vacation rental or short-term rental guest shall waive the requirement if  
31 an online lodging marketplace performs a sex offender background check of  
32 the booking guest.

33       F. Notwithstanding any other law, a city or town may impose a civil  
34 penalty of the following amounts against an owner of a vacation rental or  
35 short-term rental if the owner receives one or more verified violations  
36 related to the same vacation rental or short-term rental property within  
37 the same twelve-month period:

38       1. Up to \$500 or up to an amount equal to one night's rent for the  
39 vacation rental or short-term rental as advertised, whichever is greater,  
40 for the first verified violation.

41       2. Up to \$1,000 or up to an amount equal to two nights' rent for  
42 the vacation rental or short-term rental as advertised, whichever is  
43 greater, for the second verified violation.

1           3. Up to \$3,500 or up to an amount equal to three nights' rent for  
2 the vacation rental or short-term rental as advertised, whichever is  
3 greater, for a third and any subsequent verified violation.

4           G. A vacation rental or short-term rental that fails to apply for a  
5 local regulatory permit or license in accordance with subsection B,  
6 paragraph 5 of this section, within thirty days of the local regulatory  
7 permit or license application process being made available by the city or  
8 town issuing such permits or licenses, must cease operations. In addition  
9 to any civil penalties imposed pursuant to subsection F of this section, a  
10 city or town may impose a civil penalty of up to \$1,000 per month against  
11 the owner if the owner or owner's designee fails to apply for a regulatory  
12 permit or license within thirty days after receiving written notice of the  
13 failure to comply with subsection B, paragraph 5 of this section.

14           H. If multiple verified violations arise out of the same response  
15 to an incident at a vacation rental or short-term rental, those verified  
16 violations are considered one verified violation for the purpose of  
17 assessing civil penalties or suspending the regulatory permit or license  
18 of the owner pursuant to this section.

19           I. If the owner of a vacation rental or short-term rental has  
20 provided contact information to a city or town pursuant to subsection B,  
21 paragraph 4 of this section and if the city or town issues a citation for  
22 a violation of the city's or town's applicable laws, regulations or  
23 ordinances or a state law that occurred on the owner's vacation rental or  
24 short-term rental property, the city or town shall make a reasonable  
25 attempt to notify the owner or the owner's designee of the citation within  
26 seven business days after the citation is issued using the contact  
27 information provided pursuant to subsection B, paragraph 4 of this  
28 section. If the owner of a vacation rental or short-term rental has not  
29 provided contact information pursuant to subsection B, paragraph 4 of this  
30 section, the city or town is not required to provide such notice.

31           J. This section does not exempt an owner of a residential rental  
32 property, as defined in section 33-1901, from maintaining with the  
33 assessor of the county in which the property is located information  
34 required under title 33, chapter 17, article 1.

35           K. A vacation rental or short-term rental may not be used for  
36 nonresidential uses, including for a special event that would otherwise  
37 require a permit or license pursuant to a city or town ordinance or a  
38 state law or rule or for a retail, restaurant, banquet space or other  
39 similar use.

40           L. For the purposes of this section:

41           1. "Accessory dwelling unit" has the same meaning prescribed in  
42 section 9-461.18.

43           2. "Online lodging marketplace" has the same meaning prescribed in  
44 section 42-5076.

45           3. "Transient" has the same meaning prescribed in section 42-5070.

1           4. "Vacation rental" or "short-term rental":

2           (a) Means any individually or collectively owned single-family or  
3 one-to-four-family house or dwelling unit or any unit or group of units in  
4 a condominium or cooperative that is also a transient public lodging  
5 establishment or owner-occupied residential home offered for transient use  
6 if the accommodations are not classified for property taxation under  
7 section 42-12001.

8           (b) Does not include a unit that is used for any nonresidential  
9 use, including retail, restaurant, banquet space, event center or another  
10 similar use.

11           5. "Verified violation" means a finding of guilt or civil  
12 responsibility for violating any state law or local ordinance relating to  
13 a purpose prescribed in subsection B, D, F or K of this section that has  
14 been finally adjudicated.

15           Sec. 3. Section 9-500.49, Arizona Revised Statutes, as amended by  
16 Laws 2025, chapter 31, section 1, is amended to read:

17           9-500.49. Administrative review and approval;  
18 self-certification program; expedited approval;  
19 applicability; definitions

20           A. Notwithstanding any other law, the legislative body of a city or  
21 town shall by ordinance do the following:

22           1. Authorize administrative personnel to review and approve site  
23 plans, development plans, land divisions, lot line adjustments, lot ties,  
24 preliminary plats, final plats and plat amendments without a public  
25 hearing.

26           2. Authorize administrative personnel to review and approve design  
27 review plans based on objective standards without a public hearing.

28           3. Allow at-risk submittals for certain on-site preliminary grading  
29 and drainage work or infrastructure.

30           4. Allow applicants with a history of compliance with building  
31 codes and regulations to be eligible for expedited permit review.

32           B. Notwithstanding any other law, the legislative body of a city or  
33 town may by ordinance adopt a self-certification program allowing  
34 registered architects and professional engineers to certify and be  
35 responsible for compliance with all applicable ordinances and construction  
36 standards for projects that the ordinance identifies as being qualified  
37 for self-certification.

38           C. Applications for a license pursuant to this section are subject  
39 to chapter 7, article 4 of this title.

40           D. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:

41           1. LAND IN AN AREA THAT IS DESIGNATED AS A DISTRICT OF HISTORICAL  
42 SIGNIFICANCE PURSUANT TO SECTION 9-462.01, SUBSECTION A, PARAGRAPH 10.

43           2. LAND IN AN AREA THAT IS DESIGNATED AS HISTORIC ON THE NATIONAL  
44 REGISTER OF HISTORIC PLACES.



3. LAND IN AN AREA THAT IS DESIGNATED HISTORIC BY A LOCAL GOVERNMENT.

~~D.~~ E. For the purposes of this section:

1. "License" has the same meaning prescribed in section 9-831.

2. "Objective" means not influenced by personal interpretation, taste or feelings of a municipal employee and verifiable by reference to an adopted benchmark, standard or criterion available and knowable by the applicant or proponent.

Sec. 4. Section 11-269.17, Arizona Revised Statutes, is amended to read:

11-269.17. Limits on regulation of vacation rentals and short-term rentals; state preemption; civil penalties; transaction privilege tax license suspension; definitions

A. A county may not prohibit vacation rentals or short-term rentals.

B. A county may not restrict the use of or regulate vacation rentals or short-term rentals based on their classification, use or occupancy except as provided in this section. A county may regulate vacation rentals or short-term rentals within the unincorporated areas of the county as follows:

1. To protect the public's health and safety, including rules and regulations related to fire and building codes, health and sanitation, transportation or traffic control and solid or hazardous waste and pollution control, if the county demonstrates that the rule or regulation is for the primary purpose of protecting the public's health and safety.

2. To adopt and enforce use and zoning ordinances, including ordinances related to noise, protection of welfare, property maintenance and other nuisance issues, if the ordinance is applied in the same manner as other property classified under sections 42-12003 and 42-12004.

3. To limit or prohibit the use of a vacation rental or short-term rental for the purposes of housing sex offenders, operating or maintaining a sober living home, selling illegal drugs, liquor control or pornography, obscenity, nude or topless dancing and other adult-oriented businesses.

4. To require the owner of a vacation rental or short-term rental to provide the county with EMERGENCY contact information for the owner or the owner's designee who is responsible for responding to complaints or emergencies in a timely manner in person if required by public safety personnel, over the phone or by email at any time of day before offering for rent or renting the vacation rental or short-term rental. In addition to any other penalty IMPOSED pursuant to this section, the county may impose a civil penalty of up to \$1,000 against the owner for every thirty days the owner fails to provide contact information as prescribed by this paragraph. The county shall provide thirty days' notice to the owner before imposing the initial civil penalty.

1        5. To require ~~an~~ THE owner of a vacation rental or short-term  
2 rental to obtain and maintain a local regulatory permit or license. As a  
3 condition of issuance of a permit or license, the application for the  
4 permit or license may require an applicant to provide only the following:

5        (a) THE name, address, ~~phone~~ TELEPHONE number and email address for  
6 the owner or owner's agent.

7        (b) THE address of the vacation rental or short-term rental.

8        (c) Proof of compliance with section 42-5005.

9        (d) Contact information required pursuant to paragraph 4 of this  
10 subsection.

11        (e) Acknowledgment of an agreement to comply with all applicable  
12 laws, regulations and ordinances.

13        (f) A fee not to exceed the actual cost of issuing the permit or  
14 license or \$250, whichever is less.

15        6. To require, before offering a vacation rental or short-term  
16 rental for rent for the first time, the owner or the owner's designee of a  
17 vacation rental or short-term rental to notify all single-family  
18 residential properties adjacent to, ~~and~~ AND directly and diagonally across  
19 the street from the vacation rental or short-term rental. Notice shall be  
20 deemed sufficient in a multifamily residential building if given to  
21 residents on the same building floor. A county may require additional  
22 notification pursuant to this paragraph if the contact information  
23 previously provided changes. Notification provided in compliance with  
24 this paragraph shall include the permit or license number if required by  
25 the county, the address, ~~and~~ OF THE VACATION RENTAL OR SHORT-TERM RENTAL and  
26 the information required pursuant to paragraph 4 of this subsection. The  
27 owner or the owner's designee shall demonstrate compliance with this  
28 paragraph by providing the county with an attestation of notification  
29 compliance that consists of the following information:

30        (a) The permit or license number of the vacation rental or  
31 short-term rental, if required by the county.

32        (b) The address of each property notified.

33        (c) A description of the manner in which the owner or owner's  
34 designee chose to provide notification to each property subject to  
35 notification.

36        (d) The name and contact information of the person attesting to  
37 compliance with this paragraph.

38        7. To require the owner or owner's designee of a vacation rental or  
39 short-term rental to display the local regulatory permit number or license  
40 number, if any, on each advertisement for a vacation rental or short-term  
41 rental that the owner or owner's designee maintains. A county that does  
42 not require a local regulatory permit or license may require the owner or  
43 owner's designee of a vacation rental or short-term rental to display the  
44 transaction privilege tax license NUMBER required by section 42-5042 on

1 each advertisement for a vacation rental or short-term rental that the  
2 owner or owner's designee maintains.

3 8. To require the vacation rental or short-term rental to maintain  
4 liability insurance appropriate to cover the vacation rental or short-term  
5 rental in the aggregate of at least \$500,000 or to advertise and offer  
6 each vacation rental or short-term rental through an online lodging  
7 marketplace that provides equal or greater coverage.

8 9. TO REQUIRE THE OWNER OF A VACATION RENTAL OR SHORT-TERM RENTAL  
9 TO RESIDE ON THE PROPERTY IF THE PROPERTY CONTAINS AN ACCESSORY DWELLING  
10 UNIT AND IF A CERTIFICATE OF OCCUPANCY, CERTIFICATE OF COMPLETION OR  
11 SIMILAR FINAL APPROVAL FOR THE ACCESSORY DWELLING UNIT WAS ISSUED BY THE  
12 COUNTY ON OR AFTER SEPTEMBER 14, 2024. THIS PARAGRAPH DOES NOT APPLY TO  
13 AN OWNER OF A VACATION RENTAL OR SHORT-TERM RENTAL IF THE PROPERTY  
14 CONTAINS AN ACCESSORY DWELLING UNIT AND THE CERTIFICATE OF COMPLETION, THE  
15 CERTIFICATE OF OCCUPANCY OR A SIMILAR FINAL APPROVAL FOR THE ACCESSORY  
16 DWELLING UNIT WAS ISSUED ON OR BEFORE SEPTEMBER 13, 2024.

17 C. A county that requires a local regulatory permit or license  
18 pursuant to this section shall issue or deny the permit or license within  
19 seven business days of receipt of the information required by subsection  
20 B, paragraph 5 of this section and otherwise in accordance with section  
21 11-1602, except that a county may deny issuance of a permit or license  
22 only for any of the following:

23 1. Failure to provide the information required by subsection B,  
24 paragraph 5, subdivisions (a) through (e) of this section.

25 2. Failure to pay the required permit or license fee.

26 3. At the time of application the owner has a suspended permit or  
27 license for the same vacation rental or short-term rental.

28 4. The applicant provides false information.

29 5. The owner or owner's designee of a vacation rental or short-term  
30 rental is a registered sex offender or has been convicted of any felony  
31 ~~act~~ OFFENSE that results in death or serious physical injury or any felony  
32 use of a deadly weapon within the past five years.

33 D. A county that requires a local regulatory permit or license  
34 pursuant to this section shall adopt an ordinance to allow the county to  
35 initiate an administrative process to suspend a local regulatory permit or  
36 license for a period of up to twelve months for the following verified  
37 violations associated with a property:

38 1. Three verified violations within a twelve-month period, not  
39 including any verified violation based on an aesthetic, solid waste  
40 disposal or vehicle parking violation that is not also a serious threat to  
41 public health or safety.

42 2. One verified violation that results in or constitutes any of the  
43 following:

1 (a) A felony offense committed at or in the vicinity of a vacation  
2 rental or short-term rental by the vacation rental or short-term rental  
3 owner or owner's designee.

4 (b) A serious physical injury or wrongful death at or related to a  
5 vacation rental or short-term rental resulting from the knowing,  
6 intentional or reckless conduct of the vacation rental or short-term  
7 rental owner or owner's designee.

8 (c) An owner or owner's designee knowingly or intentionally housing  
9 a sex offender, allowing offenses related to adult-oriented businesses,  
10 sexual offenses or prostitution, or operating or maintaining a sober  
11 living home, in violation of regulation or ordinance adopted pursuant to  
12 subsection B, paragraph 3 of this section.

13 (d) An owner or owner's designee knowingly or intentionally  
14 allowing the use of a vacation rental or short-term rental for a special  
15 event that would otherwise require a permit or license pursuant to a  
16 county ORDINANCE or a state law or rule or for a retail, restaurant,  
17 banquet space or other similar use.

18 3. Notwithstanding paragraphs 1 and 2 of this subsection, any  
19 attempted or completed felony ~~act~~ OFFENSE, arising from the occupancy or  
20 use of a vacation rental or short-term rental, that results in a death, or  
21 actual or attempted serious physical injury, shall be grounds for judicial  
22 relief in the form of a suspension of the property's use as a vacation  
23 rental or short-term rental for a period of time that shall not exceed  
24 twelve months.

25 E. A county that requires sex offender background checks on a  
26 vacation rental or short-term rental guest shall waive the requirement if  
27 an online lodging marketplace performs a sex offender background check of  
28 the booking guest.

29 F. Notwithstanding any other law, a county may impose a civil  
30 penalty of the following amounts against an owner of a vacation rental or  
31 short-term rental if the owner receives one or more verified violations  
32 related to the same vacation rental or short-term rental property within  
33 the same twelve-month period:

34 1. Up to \$500 or up to an amount equal to one night's rent for the  
35 vacation rental or short-term rental as advertised, whichever is greater,  
36 for the first verified violation.

37 2. Up to \$1,000 or up to an amount equal to two nights' rent for  
38 the vacation rental or short-term rental as advertised, whichever is  
39 greater, for the second verified violation.

40 3. Up to \$3,500 or up to an amount equal to three nights' rent for  
41 the vacation rental or short-term rental as advertised, whichever is  
42 greater, for a third and any subsequent verified violation.

43 G. A vacation rental or short-term rental that fails to apply for a  
44 local regulatory permit or license in accordance with subsection B,  
45 paragraph 5 of this section, within thirty days of the local regulatory

1 permit or license application process being made available by the county  
2 issuing such permits or licenses, must cease operations. In addition to  
3 any ~~finer~~ CIVIL PENALTIES imposed pursuant to subsection F of this  
4 section, a county may impose a civil penalty of up to \$1,000 per month  
5 against the owner if the owner or owner's designee fails to apply for a  
6 regulatory permit or license within thirty days after receiving written  
7 notice of the failure to comply with subsection B, paragraph 5 of this  
8 section.

9 H. If multiple verified violations arise out of the same response  
10 to an incident at a vacation rental or short-term rental, those verified  
11 violations are considered one verified violation for the purpose of  
12 assessing civil penalties or suspending the regulatory permit or license  
13 of the owner ~~or owner's designee~~ pursuant to this section.

14 I. If the owner of a vacation rental or short-term rental has  
15 provided contact information to a county pursuant to subsection B,  
16 paragraph 4 of this section and if the county issues a citation for a  
17 violation of the county's applicable laws, regulations or ordinances or a  
18 state law that occurred on the owner's vacation rental or short-term  
19 rental property, the county shall make a reasonable attempt to notify the  
20 owner or the owner's designee of the citation within seven business days  
21 after the citation is issued using the contact information provided  
22 pursuant to subsection B, paragraph 4 of this section. If the owner of a  
23 vacation rental or short-term rental has not provided contact information  
24 pursuant to subsection B, paragraph 4 of this section, the county is not  
25 required to provide such notice.

26 J. This section does not exempt an owner of a residential rental  
27 property, as defined in section 33-1901, from maintaining with the  
28 assessor of the county in which the property is located information  
29 required under title 33, chapter 17, article 1.

30 K. A vacation rental or short-term rental may not be used for  
31 nonresidential uses, including for a special event that would otherwise  
32 require a permit or license pursuant to a county ordinance or a state law  
33 or rule or for a retail, restaurant, banquet space or other similar use.

34 L. For the purposes of this section:

35 1. "ACCESSORY DWELLING UNIT" HAS THE SAME MEANING PRESCRIBED IN  
36 SECTION 11-810.01.

37 ~~1.~~ 2. "Online lodging marketplace" has the same meaning prescribed  
38 in section 42-5076.

39 ~~2.~~ 3. "Transient" has the same meaning prescribed in section  
40 42-5070.

41 ~~3.~~ 4. "Vacation rental" or "short-term rental":

42 (a) Means any individually or collectively owned single-family or  
43 one-to-four-family house or dwelling unit or any unit or group of units in  
44 a condominium or cooperative that is also a transient public lodging  
45 establishment or owner-occupied residential home offered for transient use

1 if the accommodations are not classified for property taxation under  
2 section 42-12001.

3 (b) Does not include a unit that is used for any nonresidential  
4 use, including retail, restaurant, banquet space, event center or another  
5 similar use.

6 ~~4.~~ 5. "Verified violation" means a finding of guilt or civil  
7 responsibility for violating any state law or local ordinance relating to  
8 a purpose prescribed in subsection B, D, F or K of this section that has  
9 been finally adjudicated.

10 Sec. 5. Title 11, chapter 6, article 1, Arizona Revised Statutes,  
11 is amended by adding section 11-810.01, to read:

12 11-810.01. Accessory dwelling units; regulation;  
13 applicability; definitions

14 A. A COUNTY SHALL ADOPT REGULATIONS THAT ALLOW ON ANY LOT OR PARCEL  
15 WHERE A SINGLE-FAMILY DWELLING IS ALLOWED BOTH OF THE FOLLOWING:

16 1. AT LEAST ONE ATTACHED AND ONE DETACHED ACCESSORY DWELLING UNIT  
17 AS A PERMITTED USE.

18 2. A MINIMUM OF ONE ADDITIONAL DETACHED ACCESSORY DWELLING UNIT AS  
19 A PERMITTED USE ON A LOT OR PARCEL THAT IS ONE ACRE OR MORE IN SIZE. THE  
20 COUNTY MAY REQUIRE AT LEAST ONE ACCESSORY DWELLING UNIT ON THE LOT OR  
21 PARCEL TO BE A RESTRICTED-AFFORDABLE DWELLING UNIT.

22 B. A COUNTY SHALL ALLOW EACH ACCESSORY DWELLING UNIT DEVELOPED  
23 PURSUANT TO THIS SECTION TO BE AT LEAST SEVENTY-FIVE PERCENT OF THE GROSS  
24 FLOOR AREA OF THE SINGLE-FAMILY DWELLING ON THE SAME LOT OR PARCEL OR ONE  
25 THOUSAND SQUARE FEET, WHICHEVER IS LESS. THIS SUBSECTION DOES NOT  
26 PROHIBIT A COUNTY FROM ALLOWING AN ACCESSORY DWELLING UNIT THAT IS LARGER  
27 THAN THE SIZE OF AN ACCESSORY DWELLING UNIT THAT IS ALLOWED PURSUANT TO  
28 THIS SUBSECTION.

29 C. A COUNTY MAY NOT DO ANY OF THE FOLLOWING:

30 1. PROHIBIT THE USE OR ADVERTISEMENT OF EITHER THE SINGLE-FAMILY  
31 DWELLING OR ANY ACCESSORY DWELLING UNIT LOCATED ON THE SAME LOT OR PARCEL  
32 AS SEPARATELY LEASED LONG-TERM RENTAL HOUSING.

33 2. REQUIRE A FAMILIAL, MARITAL, EMPLOYMENT OR OTHER PREEXISTING  
34 RELATIONSHIP BETWEEN THE OWNER OR OCCUPANT OF A SINGLE-FAMILY DWELLING AND  
35 THE OCCUPANT OF AN ACCESSORY DWELLING UNIT LOCATED ON THE SAME LOT OR  
36 PARCEL.

37 3. REQUIRE THAT A LOT OR PARCEL HAVE ADDITIONAL PARKING TO  
38 ACCOMMODATE AN ACCESSORY DWELLING UNIT OR REQUIRE PAYMENT OF FEES INSTEAD  
39 OF ADDITIONAL PARKING.

40 4. REQUIRE THAT AN ACCESSORY DWELLING UNIT MATCH THE EXTERIOR  
41 DESIGN, ROOF PITCH OR FINISHING MATERIALS OF THE SINGLE-FAMILY DWELLING  
42 THAT IS LOCATED ON THE SAME LOT AS THE ACCESSORY DWELLING UNIT.

43 5. SET RESTRICTIONS FOR ACCESSORY DWELLING UNITS THAT ARE MORE  
44 RESTRICTIVE THAN THOSE FOR SINGLE-FAMILY DWELLINGS WITHIN THE SAME ZONING

1 AREA WITH REGARD TO HEIGHT, SETBACKS, LOT SIZE OR COVERAGE OR BUILDING  
2 FRONTAGE.

3 6. SET REAR OR SIDE SETBACKS FOR ACCESSORY DWELLING UNITS THAT ARE  
4 MORE THAN FIVE FEET FROM THE PROPERTY LINE.

5 7. REQUIRE IMPROVEMENTS TO PUBLIC STREETS AS A CONDITION OF  
6 ALLOWING AN ACCESSORY DWELLING UNIT, EXCEPT AS NECESSARY TO RECONSTRUCT OR  
7 REPAIR A PUBLIC STREET THAT IS DISTURBED AS A RESULT OF THE CONSTRUCTION  
8 OF THE ACCESSORY DWELLING UNIT.

9 8. EXCEPT AS PROVIDED IN SUBSECTION A, PARAGRAPH 2 OF THIS SECTION,  
10 REQUIRE A RESTRICTIVE COVENANT CONCERNING AN ACCESSORY DWELLING UNIT ON A  
11 LOT OR PARCEL ZONED FOR RESIDENTIAL USE BY A SINGLE-FAMILY DWELLING.

12 D. THIS SECTION DOES NOT PROHIBIT RESTRICTIVE COVENANTS OR SHARED  
13 WELL AGREEMENTS AS PROVIDED BY STATE LAW CONCERNING ACCESSORY DWELLING  
14 UNITS ENTERED INTO BETWEEN PRIVATE PARTIES. THE COUNTY MAY NOT CONDITION  
15 A PERMIT OR LICENSE OR THE USE OF AN ACCESSORY DWELLING UNIT ON ADOPTING  
16 OR IMPLEMENTING A RESTRICTIVE COVENANT BETWEEN PRIVATE PARTIES.

17 E. THIS SECTION DOES NOT SUPERSEDE APPLICABLE BUILDING CODES, FIRE  
18 CODES, SENSITIVE ENVIRONMENTAL AREA REGULATIONS, WILDFIRE PREVENTION  
19 REGULATIONS, EMERGENCY VEHICLE ACCESS REGULATIONS, DRAINAGE AND FLOOD  
20 CONTROL REGULATIONS OR PUBLIC HEALTH AND SAFETY REGULATIONS, EXCEPT THAT A  
21 COUNTY MAY NOT REQUIRE AN ACCESSORY DWELLING UNIT TO COMPLY WITH A  
22 COMMERCIAL BUILDING CODE OR CONTAIN A FIRE SPRINKLER.

23 F. AN ACCESSORY DWELLING UNIT MAY NOT BE BUILT ON TOP OF A CURRENT  
24 OR PLANNED PUBLIC UTILITY EASEMENT UNLESS THE PROPERTY OWNER RECEIVES  
25 WRITTEN CONSENT FROM ANY UTILITY THAT IS CURRENTLY USING THE PUBLIC  
26 UTILITY EASEMENT OR THAT MAY USE THE PUBLIC UTILITY EASEMENT IN THE  
27 FUTURE.

28 G. IF A COUNTY FAILS TO ADOPT DEVELOPMENT REGULATIONS AS REQUIRED  
29 BY THIS SECTION ON OR BEFORE JANUARY 1, 2026, ACCESSORY DWELLING UNITS  
30 SHALL BE ALLOWED ON ALL LOTS OR PARCELS ZONED FOR RESIDENTIAL USE IN THE  
31 COUNTY WITHOUT LIMITS.

32 H. THIS SECTION DOES NOT APPLY TO LOTS OR PARCELS THAT ARE LOCATED  
33 ON:

34 1. TRIBAL LAND.

35 2. LAND THAT IS IN THE TERRITORY IN THE VICINITY OF A MILITARY  
36 AIRPORT OR ANCILLARY MILITARY FACILITY OR PROPERTY THAT IS IN A HIGH NOISE  
37 OR ACCIDENT POTENTIAL ZONE AS DEFINED IN SECTION 28-8461.

38 3. LAND THAT IS IN THE TERRITORY IN THE VICINITY OF A FEDERAL  
39 AVIATION ADMINISTRATION COMMERCIALY LICENSED AIRPORT OR A GENERAL  
40 AVIATION AIRPORT OR LAND THAT IS IN THE TERRITORY IN THE VICINITY OF A  
41 PUBLIC AIRPORT AS DEFINED IN SECTION 28-8486 AND THAT HAS A NOISE LEVEL OF  
42 GREATER THAN SIXTY-FIVE DECIBELS.

43 I. IF A NEW ACCESSORY DWELLING UNIT WILL NOT BE CONNECTED TO A  
44 SEWER SYSTEM OR IF THE SEWER SYSTEM LACKS CAPACITY TO SERVE THE NEW  
45 ACCESSORY DWELLING UNIT, A COUNTY MAY REQUIRE THAT ANY SEPTIC SYSTEM THAT

1 WILL BE USED TO SERVE THE ACCESSORY DWELLING UNIT BE ADEQUATELY SIZED  
2 BEFORE THE CONSTRUCTION OF THE ACCESSORY DWELLING UNIT.

3 J. FOR THE PURPOSES OF THIS SECTION:

4 1. "ACCESSORY DWELLING UNIT" MEANS A SELF-CONTAINED LIVING UNIT  
5 THAT IS ON THE SAME LOT OR PARCEL AS A SINGLE-FAMILY DWELLING OF GREATER  
6 SQUARE FOOTAGE THAN THE ACCESSORY DWELLING UNIT, THAT INCLUDES ITS OWN  
7 SLEEPING AND SANITATION FACILITIES AND THAT MAY INCLUDE ITS OWN KITCHEN  
8 FACILITIES.

9 2. "GROSS FLOOR AREA" MEANS THE INTERIOR HABITABLE AREA OF A  
10 SINGLE-FAMILY DWELLING OR AN ACCESSORY DWELLING UNIT.

11 3. "LONG-TERM RENTAL" MEANS RENTAL USE IN WHICH THE TENANT HOLDS A  
12 LEASE OF NINETY DAYS OR LONGER OR ON A MONTH-BY-MONTH BASIS.

13 4. "PERMITTED USE" MEANS THE ABILITY FOR A DEVELOPMENT TO BE  
14 APPROVED WITHOUT REQUIRING A PUBLIC HEARING, VARIANCE, CONDITIONAL USE  
15 PERMIT, SPECIAL PERMIT OR SPECIAL EXCEPTION, OTHER THAN A DISCRETIONARY  
16 ZONING ACTION TO DETERMINE THAT A SITE PLAN CONFORMS WITH APPLICABLE  
17 ZONING REGULATIONS.

18 5. "RESTRICTED-AFFORDABLE DWELLING UNIT" MEANS A DWELLING UNIT  
19 THAT, EITHER THROUGH A DEED RESTRICTION OR A DEVELOPMENT AGREEMENT WITH  
20 THE COUNTY, IS RENTED TO HOUSEHOLDS EARNING UP TO EIGHTY PERCENT OF THE  
21 AREA MEDIAN INCOME.

22 Sec. 6. Effective Date

23 Section 9-500.49, Arizona Revised Statutes, as amended by Laws 2025,  
24 chapter 31, section 1 and this act, is effective from and after December  
25 31, 2025.

APPROVED BY THE GOVERNOR MAY 23, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 23, 2025.