

The Yuma County Planning and Zoning Commission met in a regular session on April 28, 2020. The meeting was held via Zoom and opened to the public in Aldrich Auditorium at 2351 West 26<sup>th</sup> Street, Yuma, Arizona.

**CALL TO ORDER:** At 5:00 p.m. Chairman Rosales convened the Planning and Zoning Commission meeting. Commissioners present were: Scott Mulhern, John McKinley, Tim Bowers, Danny Bryant, Matias Rosales, Gary Black, Wayne Eide, Paul White, Ron Rice and Alicia Zermeno. Others present were: Planning Director Maggie Castro, AICP; Senior Planner Juan Leal Rubio; Senior Planner Javier Barraza; Senior Planner Fernando Villegas; Deputy County Attorney Ed Feheley; Land Development Engineer Arturo Alvarez and PZ Commission Administration Specialist Amber Jardine.

**PLEDGE OF ALLEGIANCE:** Chairman Rosales led the Pledge of Allegiance.

**ITEM No. 3: Approval of the Planning and Zoning Commission regular meeting minutes of March 3, 2020.**

MOTION (BLACK/ZERMENO): Approve as presented.

VOICE VOTE: Mulhern-AYE; McKinley- AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Black- AYE; Eide- AYE; White- AYE; Rice- AYE; Zermeno-AYE. The motion carried 10-0.

**ITEM No. 4: Rezoning Case No. 20-02: Adrian Vega, agent for Savera Holdings, LLC, requests the rezoning of two parcels totaling 4.16 gross acres in size from Rural Area-10 acre minimum to Suburban Site Built-2 acre minimum, Assessor's Parcel Numbers 755-33-002 and -003, located approximately 270 feet east of Avenue A on the south side of County 17th Street, Yuma, Arizona.**

Senior Planner Juan Leal Rubio presented the staff report recommending approval of Rezoning Case No. 20-02 subject to the following Performance Conditions and Schedule for Development:

**Performance Conditions**

1. The owner of their agent shall provide an A.R.S. §12-1134 waiver within 60 days of approval by the Board of Supervisors.
2. The owners or their agent shall record an avigation disclosure statement for each parcel within 60 days of approval by the Board of Supervisors.

**Schedule for Development**

1. Within one year of approval by the Board of Supervisors the owners shall apply for and obtain a Grading Permit from the Department of Development Services to improve the ingress/egress easement shown on Exhibit A as an access built road in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat (refer to attachment Standard No. B - Penetration and Chip Seal).
2. Within one year of approval by the Board of Supervisors, the owner shall submit certification from a licensed engineer confirming the roadway referred to in item 1 of the Schedule for Development was constructed according to Standard B-Penetration and Chip Seal.
3. Within one year of approval by the Board of Supervisors all lots shall be provided with means of irrigation and access to irrigation water prior to development of any of the existing parcels. The owner/applicant will submit a letter from the irrigation district to the Department of Development Services confirming that a satisfactory irrigation system is installed and the individual lots will have access to irrigation water.

Commissioner Black inquired if there was any opposition from surrounding neighbors.

Senior Planner Juan Leal Rubio stated staff did not receive any letters in opposition.

Commissioner Black inquired about the road issues with a previous case in the subject area.

Senior Planner Juan Leal Rubio stated the property owners of that case did not contact staff. He explained the applicant will improve the County 17<sup>th</sup> Street alignment to Standard No. B- Penetration and Chip Seal which will provide adequate access.

Chairman Rosales opened the public hearing.

Senior Planner Fernando Villegas stated there was no one from the public present in Aldrich Auditorium.

Commissioners discussed the opposition from a previous rezoning case in the area due to the roadway.

Triguna Israel, applicant, stated they intend to improve the section of County 17<sup>th</sup> with Standard No. B- Penetration and Chip Seal.

Senior Planner Juan Leal Rubio explained the previous case in the subject area was Rezoning Case 17-07. The Schedule for Development for RZ17-07 required the establishment of a private ingress/egress access easement.

There being no one else to come forward, Commissioner Rosales closed the public hearing.

MOTION (BLACK/ ZERMENO): Approve Rezoning Case No. 20-02 as presented by staff.

VOICE VOTE: Mulhern-AYE; McKinley- AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Black- AYE; Eide- AYE; White- AYE; Rice- AYE; Zermeno-AYE. The motion carried 10-0.

**ITEM No. 5: Rezoning Case No. 20-03: Barry Olsen, agent for RBN LLC, requests the rezoning of 15 parcels totaling approximately 16.0 gross acres in size from Planned Development to Rural Area-10 acre minimum, Assessor's Parcel Numbers 723-32-001 thru -015, located on the northwest corner of the Avenue 4E and County 13th Street, Yuma, Arizona; located in the 70-74 dB noise zone.**

Senior Planner Javier Barraza presented the staff report recommending approval of Rezoning Case No. 20-03 subject to the following Performance Condition and Schedule for Development:

**Performance Condition**

1. Within 60 days of approval by the Board of Supervisors, the owner/agent or agent shall:
  - a. Provide an A.R.S §12-1134 waiver.
  - b. Record an Avigation disclosure statement.
  - c. Record an Agriculture disclosure statement.
  - d. Record a Schedule for Development disclosure statement.

**Schedule for Development**

1. Within one year of approval by the Board of Supervisors, the owner or agent shall file a Reversion to Acreage map pursuant to Section 7.6 of the Yuma County Subdivision Regulations.

Chairman Rosales opened the public hearing.

Barry Olsen, 101 East 2<sup>nd</sup> Street, Yuma, AZ, agent, explained the intent for the reversion back to the original zoning Rural Area - 10 acre minimum.

There being no one else to come forward, Chairman Rosales closed the public hearing.

MOTION (BLACK/BRYANT): Approve Rezoning Case No. 20-03 as presented by staff.

VOICE VOTE: Mulhern-AYE; McKinley- AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Black- AYE; Eide- AYE; White- AYE; Rice- AYE; Zermeno-AYE. The motion carried 10-0.

**ITEM No. 6: Jacobson Companies, Inc. requests five modifications from the Yuma County Subdivision Regulations for the proposed Southern Skies subdivision consisting of 308 residential lots on 69.86 acres zoned Recreational Vehicle Subdivision (RVS), Assessor's Parcel Numbers 198-17-009 and -010, located east of Fortuna Road and south of 40<sup>th</sup> Street, Yuma Arizona.**

Senior Planner Fernando Villegas presented the staff report recommending approval of the following modifications:

1. Modification from Section 4.7(A) – Blocks: To increase block length to 1,318 feet.
2. Modification from Section 4.12(C) – Intersections and Corners: To allow 20' by 20' right-of-way chamfers for internal streets. However, staff recommends requiring 25' by 25' right-of-way chamfers along Fortuna Road, 44th Street and Scottsdale Drive.
3. Modification from Section 4.15(B) – Perimeter Roads: To not provide street lights along Fortuna Road.

Senior Planner Fernando Villegas presented the staff report recommending denial of the following modifications:

4. Modification from Section 4.20 – Traffic Calming: It is requested by the Developer not to provide traffic calming measures.
5. Modification from Section 4.22 – Sidewalks: It is requested by the Developer not to construct sidewalks throughout the development. Staff recommends not requiring the construction of sidewalks along Fortuna Road only.

Commissioners inquired about traffic calming and what the Engineering Department has been approving.

Land Development Engineer Arturo Alvarez explained the different types of traffic calming. He explained the current approval has been speed cushions. However, the developer has different options that he could propose to minimize speed on the residential streets.

Planning Director Maggie Castro, AICP, explained staff is recommending denial of the modification from Section 4.20. She stated the developer would decide which approved method to use for traffic calming.

Chairman Rosales opened the public hearing.

Raul Garcia, 334 South 5<sup>th</sup> Avenue, Yuma, Arizona 85364, representative from Jacobson Engineering, stated speed cushions are too aggressive. He stated they would work with engineering to have a less aggressive method for traffic calming.

Land Development Arturo Alvarez explained there are different types of traffic calming methods. He stated the Engineering Department would work with the developer on a traffic calming method that meets standards.

Bruce Jacobson, 334 South 5<sup>th</sup> Avenue, Yuma, Arizona 85364, Jacobson Engineering, stated he wants to build sidewalks. He requested to build the sidewalks after the homes are built due to any potential sidewalk damage due to construction. He suggested having the sidewalks tied in with each home approval or prior to the certificate of Occupancy is released.

Land Development Arturo Alvarez stated he would work with the developer to build the sidewalks at a later time and place a condition on the final plat that sidewalks required are throughout the development.

Commissioner Rosales inquired about not requiring sidewalks along Fortuna Road.

Land Development Arturo Alvarez stated future development would construct sidewalks along Fortuna Road.

Commissioner Bryant inquired if the developer was comfortable with Modification No. 2.

Bruce Jacobson, 334 South 5<sup>th</sup> Avenue, Yuma, Arizona 85364, Jacobson Engineering, stated he understood staff's recommendation for Modification No. 2.

Commissioner Bryant inquired if staff could waive the sidewalk requirements and make it a condition within the Certificate of Occupancy.

Deputy County Attorney Ed Feheley explained there was a change to the Subdivision Regulations that allowed for different kind of assurance.

Senior Planner Fernando Villegas stated if assurance was the issue for sidewalks and the developer would work with engineering staff in regards to placement of the sidewalks, then the developer does not need a modification from Section 4.22-Sidewalks.

Deputy County Attorney Ed Feheley stated there was a change to the Subdivision Regulations that through a County Trust Agreement the developer can record the final plat prior to the completion of all subdivision improvements.

Commissioner Eide inquired about the required sidewalks shown on the map.

Senior Planner Fernando Villegas explained the requirement for sidewalks is for the arterial and major collector streets with curb and gutter.

Land Development Arturo Alvarez stated sidewalks are a requirement. The developer would install sidewalks on internal streets. The perimeter roads would be developed once the area is developed by other owners of the properties.

Commissioner Eide inquired about the size of subdivisions that would not be required to install sidewalks.

Land Development Arturo Alvarez explained the trigger for sidewalks is 10,000 square feet or less. Larger development does not trigger sidewalks. However, the type of zoning for the area could require sidewalks.

Planning Director Maggie Castro, AICP stated Section 4.22 of the Subdivision Regulations requires sidewalks for subdivisions within an average parcel size of 10,000 square feet or less. The subdivision needs sidewalks on the arterial and internal streets of the development.

Bruce Jacobson, 334 South 5<sup>th</sup> Avenue, Yuma, Arizona 85364, Jacobson Engineering, reiterated that they want to build sidewalks for the development. He requested installing the sidewalks prior to the Certificate of Occupancy.

There being no one else to come forward, Chairman Rosales closed the public hearing.

MOTION (BRYANT/BLACK): Approve modification 1, 2, 3 and 4. Approve modification 5 based on staff allowing sidewalks to be built at Certificate of Occupancy, otherwise recommending the Board of Supervisors eliminate the sidewalks and Bruce could build the sidewalks as he wants to.

VOICE VOTE: Mulhern-AYE; McKinley- AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Black- AYE; Eide- AYE; White- AYE; Rice- AYE; Zermeno-AYE. The motion carried 10-0.

**ITEM No. 7: Jacobson Companies, Inc. requests approval of the tentative map for the proposed Southern Skies subdivision consisting of 308 residential lots on 69.86 acres zoned Recreational Vehicle Subdivision (RVS), Assessor's Parcel Numbers 198-17-009 and -010, located east of Fortuna Rd and south of 40th street, Yuma Arizona.**

Senior Planner Fernando Villegas presented the staff report recommending approval of the tentative map for Southern Skies subdivision subject to the following conditions:

1. All modifications requested by the developer shall be approved by the Board of Supervisors. If any of the requested modifications are denied, the tentative map shall be revised to meet the requirements of the Subdivision Regulations. The revised tentative map shall be submitted to the Planning Director within 30 days of Board of Supervisors' action.
2. In accordance with the YCPWS Volume I., Section 7.3 Guidelines for Traffic Studies, a traffic study will be required. All improvements required by the traffic study will be constructed.

Chairman Rosales opened the public hearing.

There being no one to come forward, Chairman Rosales closed hearing the public hearing.

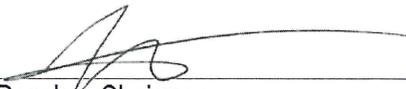
MOTION (BLACK/EIDE): Approve tentative map for Southern Skies subdivision as presented by staff.

VOICE VOTE: Mulhern-AYE; McKinley- AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Black- AYE; Eide- AYE; White- AYE; Rice- AYE; Zermeno-AYE. The motion carried 10-0.

**ITEM No. 8: Discussion by the Commission members and Planning Director of events attended, current events, and the schedule for future Planning Commission meetings.**

There being no further business to come before the Commission, the Chairman adjourned the meeting at 6:54 p.m.

Approved and accepted on this 19<sup>th</sup> day of May 2020.

  
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Matias Rosales, Chairman

ATTEST:

  
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Maggie Castro, AICP, Planning Director