

4. **Special Use Permit Case No. 20-03:** Monty Sanders, agent for Rosa Sanders and Victor Lozano, requests a Special Use Permit per Section 613.03(A) of the Yuma County Zoning Ordinance to operate a junk and wrecking yard with auto dismantling on two parcels totaling 6.77 acres in size zoned Light Industrial, Assessor's Parcel Numbers 196-24-020 and -021, located at 13711 South Avenue 3E, Yuma, Arizona; located in the 70 to 74 dB noise zone.
5. **Rezoning Case No. 20-08:** Tiberio Esparza, agent for Larson Cooling Co. and TGR Construction, Inc., requests the rezoning of 9.42 acres comprised of portions of three parcels totaling 17.81 acres in size from General Commercial (C-2) to Heavy Industrial-2 acre minimum (HI-2), Assessor's Parcel Numbers 201-04-022 (2.77 acre portion), 201-04-023, and 201-04-024 (4.01 acre portion), located on the northwest corner of Avenue 31E and Old Highway 80, Wellton, Arizona.
6. **Rezoning Case No. 20-09:** Dahl, Robins and Associates, Inc., agent for Yuma 7E, LLC, requests the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 725-53-001, located on the southeast corner of Avenue 7E and County 13½ Street, Yuma, Arizona.
7. **Rezoning Case No. 20-10:** Adrian Vega, agent for TDI Holdings, LLC, requests the rezoning of a parcel 10.10 gross in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 748-13-010, located on the northeast corner of Avenue 5E County 14½ Street, Yuma, Arizona.
8. **Rezoning Case No. 20-11:** Adrian Vega, agent for TDI Holdings, LLC, requests the rezoning of a parcel 9.65 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 724-29-013, located on the northeast corner of Avenue 5E and County 13th Street, Yuma, Arizona.
9. **Rezoning Case No. 20-12:** Adrian Vega, agent for TDI Holdings, LLC, requests the rezoning of a parcel to 10.00 gross acre in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 754-40-003, located on the southwest corner of Avenue A and County 17th Street, Yuma, Arizona.
10. **Discussion by the Commission members and Planning Director of events attended, current events, and the schedule for future Planning Commission meetings.**
11. **Adjourn.**

The Committee may vote to hold an Executive Session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda, pursuant to Arizona Revised Statute §38-431.03(A)(3).

Persons with disabilities may request reasonable accommodations by contacting Shannon Gunderman, ADA Coordinator at 928.373.1137 or by email at shannon.gunderman@yumacountyaz.gov. Requests should be made as early as possible to allow time to arrange the accommodation.

Yuma County
Planning & Zoning
Commission

Item No. 3

The Yuma County Planning and Zoning Commission met in a regular session on May 19, 2020. The meeting was held via Zoom and opened to the public in Aldrich Auditorium at 2351 West 26th 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, Tim Bowers, Danny Bryant, Matias Rosales, Paul White, Ron Rice and Alicia Zermeno. Commissioners John McKinley, Gary Black and Wayne Eide were absent. 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 April 28, 2020.

MOTION (BOWERS/ZERMENO): Approve as presented.

VOICE VOTE: Mulhern-AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; White- AYE; Rice- AYE; Zermeno-AYE. The motion carried 7-0.

ITEM No. 4: Rezoning Case No. 20-04: Jose M. Tapia, agent for Randy Brown, requests the rezoning of a parcel to 4.92 gross acre in size from Rural Area-5 acre minimum (RA-5) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 754-37-003, located on the southwest corner of County 17th Street and Avenue A ³/₄, Yuma, Arizona.

Senior Planner Fernando Villegas presented the staff report recommending approval of Rezoning Case No. 20-04 subject to the following Performance Condition and Schedule for Development:

Performance Condition

1. The owner or agent shall submit the following documents within 60 days of Board of Supervisors approval of this rezoning case and to the Department of Development Services:
 - a. An A.R.S. §12-1134 waiver.
 - b. An Avigation Disclosure Statement.

Schedule for Development. Within two (2) years of approval by the Board of Supervisors:

1. A land division permit shall be applied for and approved in accordance with Section 507.00 of the Yuma County Zoning Ordinance.
2. All lots resulting from the proposed split shall be provided with the means of irrigation and access to irrigation water. A letter from the Unit B irrigation District shall be submitted stating a satisfactory irrigation system is installed and the individual lots will have access to irrigation water.

Chairman Rosales opened the public meeting.

Jose Tapia, P.O Box 3813, Somerton, AZ, agent for Randy Brown, stated they would be splitting the property into two Suburban Site Built 2 acre lots.

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

MOTION (BRYANT/ RICE): Approve Rezoning Case No. 20-04 as presented by staff.

VOICE VOTE: Mulhern-AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; White- AYE; Rice- AYE; Zermeno-AYE.
The motion carried 7-0.

ITEM No. 5: Minor Amendment Case No. 20-02: Craig Colvin, agent for Bonnie Swensen (Smallwood Gen 3, LLC), requests to change the land use designation of a 2.82 net acre portion of a parcel 18.42 acres in size from Urban Density Residential (R-UD) to Regional Commercial (C-RC), Assessor's Parcel Number 700-33-003, located in the vicinity of the southeast corner of Avenue 10E and South Frontage Road, Yuma, Arizona.

Senior Planner Javier Barraza presented the staff report recommending approval of Minor Amendment Case No. 20-02 based on:

1. The amendment will allow for commercial development that is consistent with and does not negatively impact the existing residential and commercial character of the area.
2. The change will allow for consistent zoning and land use development patterns.
3. The amendment addresses an oversight, inconsistency, or other land use related inequity since the current land use designation is intended for residential uses and densities that are urban in nature.

ITEM No. 7: Rezoning Case No. 20-07: Craig Colvin, agent for Bonnie Swensen (Smallwood Gen 3, LLC), requests to change the rezoning of a 2.82 net acre portion of a parcel 18.42 acres in size from Recreational Vehicle Park (RVP) to General Commercial (C-2), Assessor's Parcel Number 700-33-003, located in the vicinity of the southeast corner of Avenue 10E and South Frontage Road, Yuma, Arizona.

Senior Planner Javier Barraza presented the staff report recommending approval Rezoning Case No. 20-07 subject to the following Performance Condition:

Performance Condition.

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

ITEM No. 6: Rezoning Case No. 20-06: Craig Colvin, agent for Bonnie Swensen (Smallwood Gen 3, LLC), requests the rezoning of an 11.51 net acre portion of a parcel 18.42 net acres in size from Recreational Vehicle Park (RVP) to Recreational Vehicle Subdivision (RVS), Assessor's Parcel Number 700-33-003, located in the vicinity of the southeast corner of Avenue 10E and South Frontage Road, Yuma, Arizona.

Senior Planner Javier Barraza presented the staff report recommending approval of Rezoning Case No. 20-06 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 shall:
 - a. Provide an A.R.S. §12-1134 waiver.
 - b. Record a Range disclosure statement.
 - c. Record an Avigation disclosure statement.
 - d. Record a Schedule for Development disclosure statement.

Schedule for Development.

1. The owner/applicant shall record a final plat subdividing the subject property into parcels of at least 6,000 square feet in size within three (3) years of Board of Supervisors approval of this rezoning case.

Chairman Rosales opened the public hearing.

Craig Colvin, 6105 East Alyssa Lane, Yuma, Arizona, agent, explained the subject project would mirror the 10 East subdivision.

Staff explained what was allowed in the Recreational Vehicle Subdivision (RVS) zoning district.

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

MOTION (WHITE/RICE): Approve Minor Amendment Case No. 20-02 as presented by staff.

VOICE VOTE: Mulhern-AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; White- AYE; Rice- AYE; Zermeno-AYE.
The motion carried 7-0.

MOTION (WHITE/RICE): Approve Rezoning Case No. 20-06 as presented by staff.

VOICE VOTE: Mulhern-AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; White- AYE; Rice- AYE; Zermeno-AYE.
The motion carried 7-0.

MOTION (WHITE/RICE): Approve Rezoning Case No. 20-07 as presented by staff.

VOICE VOTE: Mulhern-AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; White- AYE; Rice- AYE; Zermeno-AYE.
The motion carried 7-0.

ITEM No. 8: Minor Amendment Case No. 20-01: Steve Gerber, agent for Wayne & Jerre Meyer, requests to change the land use designation of a parcel 41.67 gross acres in size from Agriculture/Rural Preservation (A-RP) and Suburban Density Residential (R-SD) to Agriculture/Rural Residential (A-RR), Assessor's Parcel Number 202-02-006, located at 10271 South Avenue 38E, Tacna, Arizona.

Senior Planner Juan Leal Rubio presented the staff report recommending approval of Minor Amendment Case No. 20-01 based on:

1. The amendment is consistent with the existing character of the Dome Valley/Wellton Planning Area.

2. The amendment would be an overall improvement to the plan since this will ensure development occurs in a coordinated, contiguous and comprehensive manner.
3. The proposed amendment is in the character of existing land uses and policies of the plan to provide consistent land uses.

ITEM No. 9: Rezoning Case No. 20-05: Steve Gerber, agent for Wayne & Jerre Meyer, requests the rezoning of a parcel 41.67 gross acres in size from Rural Area-40 acre minimum (RA-40) to Rural Area-10 acre minimum (RA-10), Assessor's Parcel Number 202-02-006, located at 10271 South Avenue 38E, Tacna, Arizona.

Senior Planner Juan Leal Rubio presented the staff report recommending approval of Rezoning Case No. 20-05 subject to the following Performance Condition:

Performance Condition.

1. The owner or applicant shall submit the following documents within 60 days of the Board of Supervisors' approval of this rezoning case and submit to the Department of Development Services:
 - a. A signed and notarized A.R.S. §12-1134 waiver.
 - b. A recorded agricultural disclosure statement.
 - c. A recorded infrastructure disclosure statement.

Chairman Rosales opened the public hearing.

Steve Gerber, 1851 West 24th Street, Yuma, Arizona, agent, stated he was present.

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

MOTION (WHITE/BRYANT): Approve Minor Amendment Case No. 20-01 as presented by staff.

VOICE VOTE: Mulhern-AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; White- AYE; Rice- AYE; Zermeno-AYE. The motion carried 7-0.

MOTION (WHITE/RICE): Approve Rezoning Case No. 20-05 as presented by staff.

VOICE VOTE: Mulhern-AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; White- AYE; Rice- AYE; Zermeno-AYE. The motion carried 7-0.

ITEM No. 10: El Rancho Encantado Phase 2B Subdivision- Modifications of Subdivision Regulations: Craig Colvin of Colvin Engineering, representing El Rancho Encantado, LLC, requests two modifications from the Yuma County Subdivision Regulations, Sections 4.15(C) and 4.22(A), for the proposed El Rancho Encantado Phase 2B subdivision, Assessor's Parcel Number 728-35-005, zoned Recreational Vehicle Subdivision (RVS), located at the northwest corner of Cassidy Drive and 50th Street, Yuma, Arizona.

Senior Planner Juan Leal Rubio presented the staff report recommending approval of the modification from Section 4.15(C) and denial of the modification from Section 4.22(A).

ITEM No. 11: El Rancho Encantado Phase 2B Subdivision- Tentative Map: Craig Colvin of Colvin Engineering, representing El Rancho Encantado, LLC, requests the review and approval of the tentative map for the proposed El Rancho Encantado Phase 2B subdivision, Assessor's Parcel Number 728-35-005, zoned Recreational Vehicle Subdivision (RVS), located at the northwest corner of Cassidy Drive and 50th Street, Yuma, Arizona.

Senior Planner Juan Leal Rubio presented the staff report recommending approval of the tentative map for El Rancho Phase 2B 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 Third Party Agreement between El Rancho Encantado, LLC and Yuma County, the developer agreed to pay the County \$100,000.00 for the signal contribution at Foothills Boulevard and 48th Street for the development of Phase 2B. Refer to the Agreement No. 2014-00819 recorded January 13, 2014 for further details.

Commissioner Bryant inquired if any of the other El Rancho Encantado subdivisions have sidewalks.

Land Development Engineer Arturo Alvarez explained the applicant requested a modification to not require sidewalks on the previous phases of the subdivision.

Commissioner White inquired if El Rancho Encantado subdivision was the first subdivision in the RVS zoning district that the County required sidewalks.

Planning Director Maggie Castro, AICP, explained sidewalks were not required for subdivisions zoned RVS or MHS prior to the adoption of the Subdivision Regulations on October 27, 2008. Therefore, if the previous phases of El Rancho Encantado subdivision were approved prior to the adoption of the Subdivision Regulations then sidewalks were not required at that time. She stated staff would do additional research on how many subdivisions have approved modifications to not require sidewalks and provide the information to the Board of Supervisors.

Commissioner White inquired if there was any history after the adoption of the Subdivision Regulations that sidewalks were not required.

Land Development Engineer Arturo Alvarez stated he did not recall any subdivisions in the RVS zoning that did not require sidewalks. He explained sidewalks are required for any lot that is 10,000 square feet.

Chairman Rosales opened the public hearing.

Craig Colvin, 6105 East Alyssa Lane, Yuma, Arizona, representing El Rancho Encantado LLC, stated the subdivision was part of a planned development. The subdivision was split into phases and expired prior to the completion of all the phases. He explained the modifications match what was previously approved for the entire development. He stated Phase 2B would be the last phase in the El Rancho Encantado LLC development.

Commissioners viewed an aerial image of the development and discussed the size of the lots and the location of the development.

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

MOTION (WHITE/BRYANT): Approve both modification requests based on the fact that this was done prior and meets the same guidelines that the next door subdivisions have understanding in the future they might have to have sidewalks.

VOICE VOTE: Mulhern-AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; White- AYE; Rice- AYE; Zermeno-AYE. The motion carried 7-0.

MOTION (WHITE/ZERMENO): Approve tentative map as presented by staff.

VOICE VOTE: Mulhern-AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; White- AYE; Rice- AYE; Zermeno-AYE. The motion carried 7-0.

ITEM No. 12: 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 5:50 p.m.

Approved and accepted on this 23rd day of June 2020.

Matias Rosales, Chairman

ATTEST:

Maggie Castro, AICP, Planning Director

Yuma County
Planning & Zoning
Commission

Item No. 4

AIR-9905

4.

P&Z Commission Agenda

Meeting Date: 06/23/2020

Submitted For: Maggie Castro

Submitted By: Fernando Villegas

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Special Use Permit Case No. 20-03: Monty Sanders, agent for Rosa Sanders and Victor Lozano, requests a Special Use Permit per Section 613.03(A) of the Yuma County Zoning Ordinance to operate a junk and wrecking yard with auto dismantling on two parcels totaling 6.77 acres in size zoned Light Industrial, Assessor's Parcel Numbers 196-24-020 and -021, located at 13711 South Avenue 3E, Yuma, Arizona; located in the 70 to 74 dB noise zone.

2. INTENT:

The intent is to bring the existing business operation of a junk and wrecking yard with auto dismantling into compliance with the Yuma County Zoning Ordinance.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of this request subject to the attached Operational and Performance Conditions.

Attachments

Staff Report

Vicinity Map

Site Plan

Development Evaluation Checklist

Internal Memos



STAFF REPORT TO THE COMMISSION

June 23, 2020

Special Use Permit Case No. 20-03

REQUEST: A Special Use Permit per Section 613.03(A) of the Yuma County Zoning Ordinance to operate a junk and wrecking yard with auto dismantling on two parcels totaling 6.77 net acre in size zoned Light Industrial (LI), Assessor's Parcel Numbers 196-24-020 and 021, located at 13711 South Avenue 3E, Yuma, Arizona; located in the 70 to 74 dB noise zone.

APPLICANT: Monty Sanders agent for Rosa Sanders and Victor Lozano.

Application is within Supervisor District No. 2: Russell McCloud; Commissioners Paul White and Wayne Eide. Staff report prepared by Fernando Villegas, Senior Planner.

DIRECTIONS: From the intersection of Avenue B/U.S. Highway 95 and County 14th Street, travel east 4.0 miles to the intersection with Avenue 3E. Turn north (left) on Avenue 3E and travel 0.2 miles. The subject property is located on the east side at 13711 South Avenue 3E, Yuma, Arizona.

INTENT:

The intent is to bring the existing business operation of a junk and wrecking yard with auto dismantling into compliance with the Yuma County Zoning Ordinance.

SITE CONDITIONS:

The property is currently used for the storage of inoperable vehicles. There is a zoning violation cases pending the outcome of this case. Physical access is from Avenue 3E, a paved road 26 feet in width with 66 feet of dedicated right-of-way.

Surrounding zoning and land uses consist of the following: Parcels to the north are zoned Rural Area-10 acre minimum (RA-10) and are in citrus. Parcel 11 to the west is located in the City of Yuma jurisdiction and is the location of the Marine Corp Air Station (MCAS). Parcel 22 to the south and east is zoned Light Industrial (RZ97-12) and is currently in citrus.

The purpose of the LI zoning district is to permit certain commercial uses and light industries which are not obnoxious or offensive to adjoining properties due to emission of odor, smoke, gas, noise, vibration, or other causes. This district is not intended to permit manufacturing or production of items considered hazardous such as ammunition, fireworks, gas or dangerous chemicals.

The subject property is located within the Yuma Mesa Planning Area of the 2020 Comprehensive Plan. The land use designation is Agriculture/Industrial. This request is within the range of identified uses, densities and intensities of the Comprehensive Plan.

The subject properties are not located within the Yuma County Sheriff's 10-minute response time. The nearest Sheriff's substation is located at 2680 W. 8th Street. The subject properties are located within Rural Metro's 6-minute response time. The nearest Rural Metro substation is located at 15865 South Avenue A.

The subject property is not located within the six-minute response time radius of Rural Metro Fire Department (nearest fire station is located 4.66 miles west at 15865 South Avenue A) or within the ten-minute response time radius from the Yuma County Sheriff's Department (nearest police station is approximately 10 miles west located at 445 East Main Street, Somerton, Arizona).

CRITICAL ISSUES:

On March 9, 2020 the Board of Supervisors denied Rezoning Case No. 19-14, a request to rezone the subject properties to Heavy Industrial.

Public water and sanitation services are not available in the area of the subject properties. Individual septic systems and water wells will be needed for the operation of the building.

The subject property is located within the 70-74 dB noise contour and within the overhead racetrack.

Required Conclusions from Yuma County Zoning Ordinance: (Section 402.01)

- 1. The proposed development will not materially affect or endanger the public health, safety or welfare.**

The use of the property for the operation of a junk/wrecking yard with auto dismantling will not materially affect or endanger the public health, safety or welfare. If this request is approved, staff is recommending conditions of approval to mitigate any negative impacts that the proposed use may create.

- 2. The proposed development complies with all regulations and standards applicable within the zoning district specifically applicable to the particular type of special use or class of special uses.**

If this request is approved, the use will be brought into compliance with all the regulations and standards applicable to the Light Industrial zoning district.

3. The proposed development will not substantially change or materially affect the adjoining property or the surrounding area.

The use of the property for a junk/wrecking yard with dismantling will not substantially change or materially affect the adjoining property or the surrounding area. The property has been in its current use in approximately 2016.

4. The proposed development will be in harmony with the area in which it is located.

The proposed use is not in harmony with the adjacent agricultural uses in the area. However, the conditions of approval will help reduce any possible negative impacts to the public health, safety or welfare.

SUMMARY NOTES:

SUPPORT STAFF SUMMARY: The Building Safety Division, Engineering Department, and Environmental Programs Division find this request satisfactory. The Building Safety Division provided the following comments: The fire flow requirements of the 2003 IFC shall be provided on site. Emergency vehicle access shall be provided in accordance with 2003 IFC. The Engineering Department provided the following comments: An improved driveway approach is required in order to connect to a public road in accordance with Yuma County Public Works Standards No. 3-220.

LETTERS OF SUPPORT, OPPOSITION, AGENCY, MILITARY, SPECIAL INTEREST, etc.:

- Antonio Martinez representing the Marine Corps Air Station (MCAS), offered the following comment: “MCAS Yuma has reviewed the request for APN 196-24-020. The request is compatible land use per MCO 11010.16 with the condition: Measures to achieve NLR of 25 of must be incorporated into the design and construction of portions of these buildings where the public is received, office areas or where the normal noise level is low.”
- Gladys Brown, Airport Director, Yuma County Airport Authority, provided the following comment: While the subject property lies within the 70-75dB noise zone, the Yuma County Airport does not oppose as long as the agency incorporates measures to achieve NLR of 24 dB into the design and construction of portions of buildings where the public is received including offices and noise sensitive areas where the normal noise level is low.

DEVELOPMENT EVALUATION CHECKLIST: The Development Evaluation Checklist identifies the following Impact Categories: Conformance to Existing Plans; Land Use Compatibility; Natural Resources; Public Infrastructure; Natural Environmental Conditions;

Manmade Environmental Conditions; and Health, Safety & Welfare. A point system is used to score whether a proposal should likely be approved or denied. Of a possible high score of 300, the total score for this proposal is 265.

The Development Evaluation Checklist score is less than 300 due primarily to the following factors: 1) The proposed use is not the same or similar to the uses in the vicinity 2) No improvements are proposed road widening or turn lanes to accommodate the anticipated increase in traffic. 3) Public right of way necessary to accommodate the development has not been dedicated. And 4) Response time for law enforcement is more than 10 minutes.

CITIZEN COMMENTS: No letters of opposition or support have been received from surrounding property owners.

Ordinances, codes and regulations that pertain to the application:

- Yuma County Zoning Ordinance
- Yuma County Comprehensive Building Code
- 2003 International Fire Code
- Environmental Health Laws (ARS Titles 36 and 49)
- Yuma County Flood Control District
- Public Works Standard Volume I, Section 7.2.8 driveway/Curb Cuts.

CHRONOLOGY:

03-31-2020 Application received
06-03-2020 Legal ad appears in The Sun for the Planning Commission's public hearing
06-05-2020 Letter mailed informing applicant of item being placed on Planning Commission's public hearing agenda
06-05-2020 Property posted for the Planning Commission's public hearing
06-05-2020 Public notice mailed to properties within 300 feet of the request, the City of Yuma and all relevant agencies
06-09-2020 Staff report mailed to applicant and/or agent
06-23-2020 Planning Commission's public hearing

RECOMMENDATION:

Staff recommends approval of this request based on the request being within the range of identified uses, densities, and intensities of the Comprehensive Plan subject to the following Operational and Performance Conditions:

Operational Conditions.

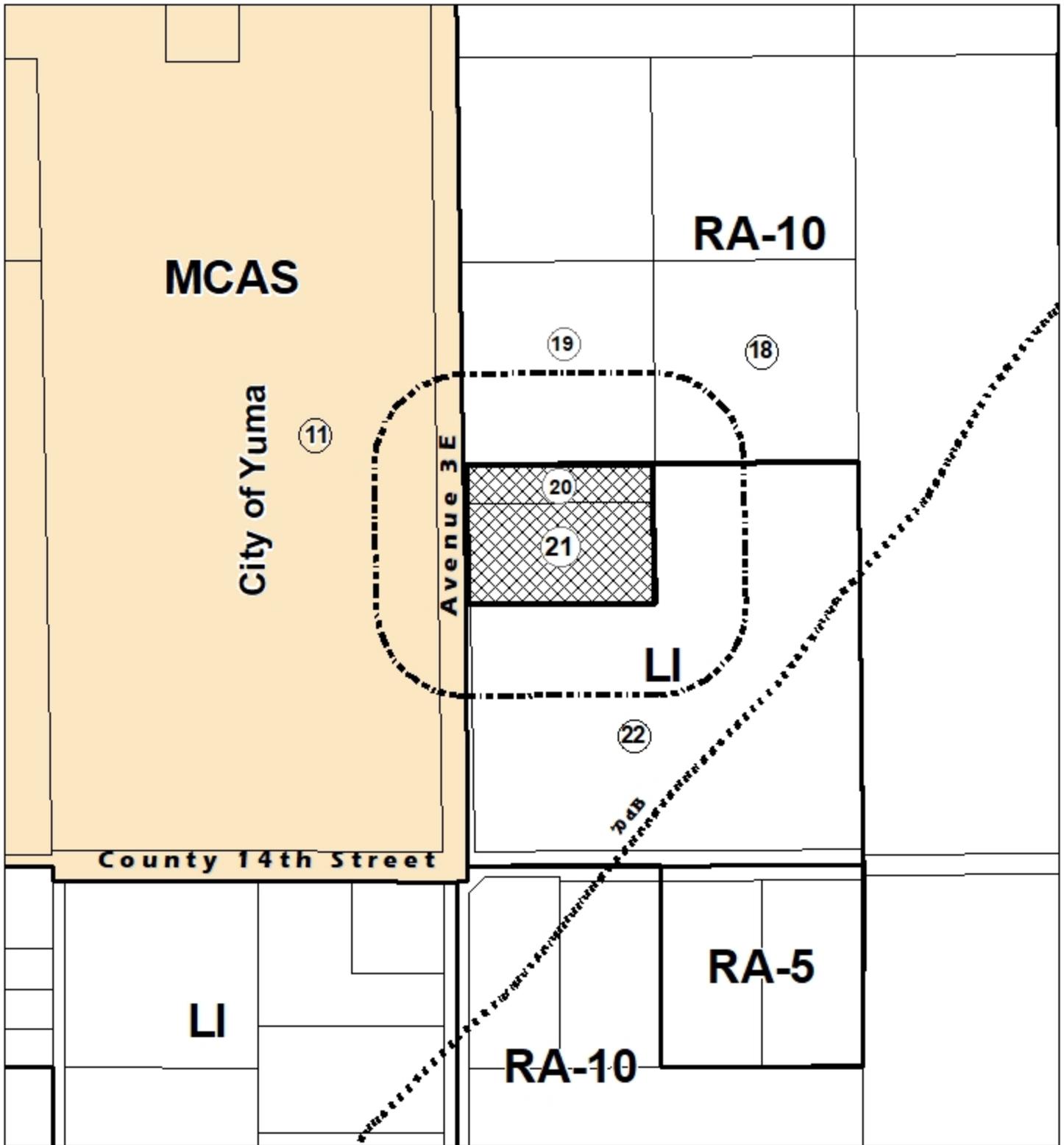
1. The owner/applicant shall acquire and have finalized all required permits as per appropriate code requirements within two years of approval by the Board of Supervisors or the Special Use Permit shall expire pursuant to Section 402.05(B)(1)(a) of the Yuma County Zoning Ordinance. Operations under the special use permit are not allowed until

all required permits are finalized unless otherwise approved by the Planning Director and the Chief Building Official.

2. No vehicle parking for the business is permitted in the public right-of-way.
3. The owner/applicant shall comply with buffer and screening requirements.
4. The owner/applicant shall construct and maintain a solid fence or wall with a minimum height of six feet around the perimeter of the property prior to commencement of operation of the facility. No materials shall be stored in such a manner as to project from or be visible above the fence or wall.
5. The Special Use Permit shall be valid for a period not to exceed 10 years from the date of approval by the Board of Supervisors.

Performance Conditions.

1. An improved driveway approach connecting to Avenue 3E shall be built in accordance with Yuma County Public Works Standards No. 3-220 within 60 days of Board of Supervisors approval.
2. Within 180 days of approval by the Board of Supervisors, building permits shall be obtained for any structures built or installed without a permit, including but not limited to the existing office building and light poles around the property.



DEPARTMENT OF
DEVELOPMENT
SERVICES
PLANNING & ZONING DIVISION
2351 W. 26TH STREET
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

CASE NO:
LOCATION:
APN(s):

SUP20-03
13711 S. Avenue 3E
196-24-020 and 021

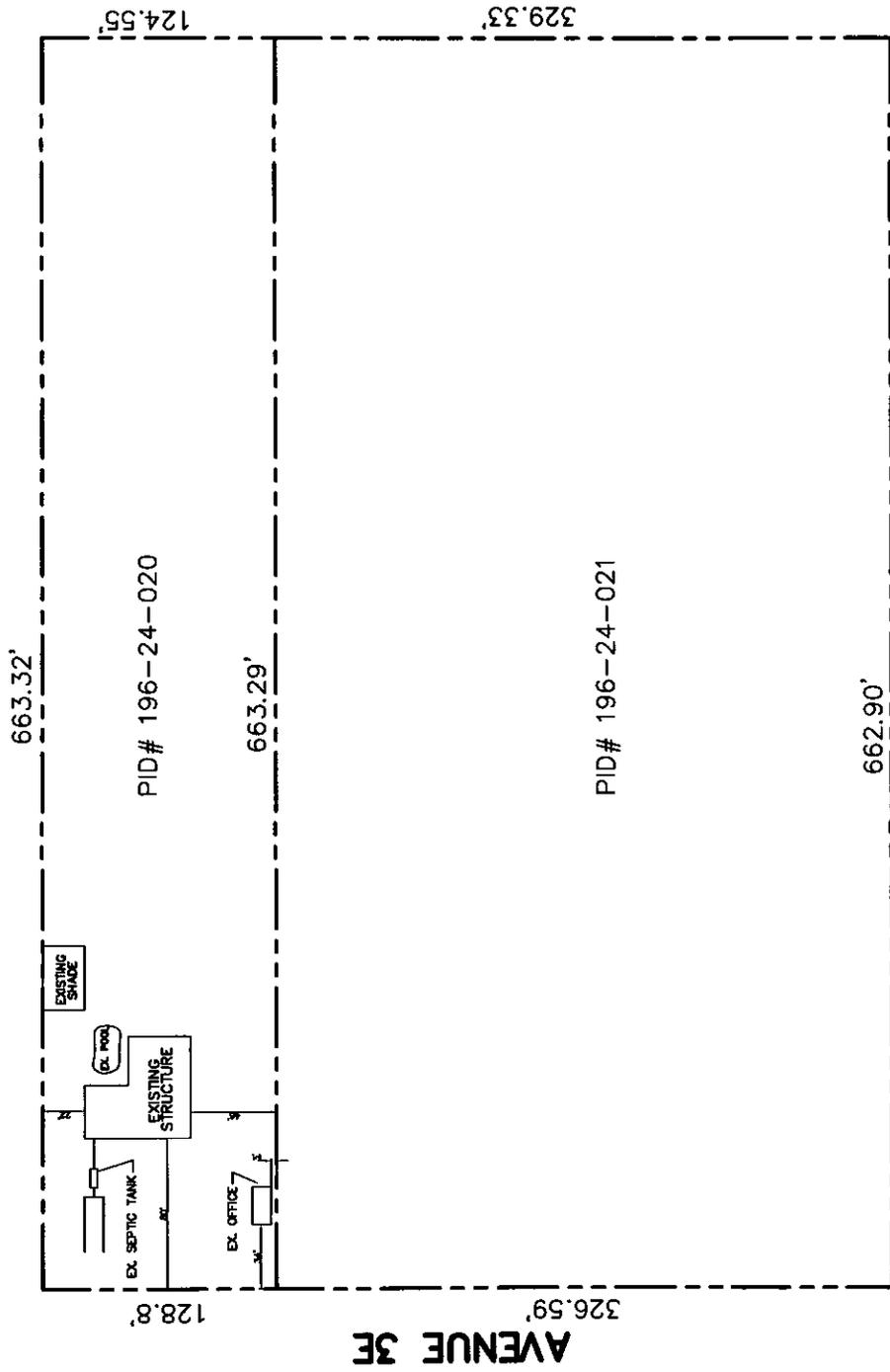
CASE PLANNER: Fernando Villegas
DATE DRAWN: 4-07-2020
REVIEWED BY: N/A

SCALE: 1" = 500'



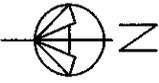
Legend

-  300' BUFFER
-  SUBJECT PROPERTY
-  Zoning Boundary



13711 S. AVE 3E
YUMA, AZ

SITE PLAN
SCALE: 1" = 100'



Yuma County 2020 Comprehensive Plan
Development Evaluation Checklist

Case No.: **SUP20-03**Owner/Agent: **Monty Sanders**Current Zoning: **LI**Proposed Zoning: **N/A**

Net Acreage:

6.77**REZONING one parcel to HI-1 and the second parcel to HI-2****IMPACT CATEGORY I.****CONFORMANCE TO EXISTING PLANS**

		YES	NO	SCORE
1	The proposal is consistent with the Yuma County 2020 Comprehensive Plan, area plans, and other applicable county, state, or regional plans.	25	0	25
2	The proposed project reduces open space or rural preservation areas identified in the Yuma County 2020 Comprehensive Plan.	20	0	20
3	The proposed use is consistent and compatible with overlay zoning districts applicable to the subject parcel such as the Airport District, Gila Mountain, or Visual Corridor overlay zones.	20	0	20

IMPACT CATEGORY II.**LAND USE COMPATIBILITY**

4	The proposed use is the same or similar to the uses in the surrounding vicinity.	10	0	10
5	The proposed density is the same or similar to the existing density in the surrounding vicinity.	20	0	20
6	The location of the project is appropriate considering proximity to existing transportation, shopping, services and employment.	20	0	20

IMPACT CATEGORY III.**NATURAL RESOURCES**

7	The project, or a part of the project is located within the 100-year floodplain or floodway.	0	10	10
8	The subject parcel is located in an area of known high groundwater or a surface water source is present	0	10	10
9	The project will result in the loss of prime and/or unique farmland.	0	10	10

IMPACT CATEGORY IV.**PUBLIC INFRASTRUCTURE**

10	Adequate improvements to the existing transportation system are proposed (i.e., intersection improvements, road widening, turn lanes, etc.) to accommodate the anticipated increase in traffic, or the development will not result in an increase in traffic.	0	10	0
11	Any public right-of-way necessary to accommodate the development has been or is proposed to be dedicated.	0	10	0

12	A traffic impact study is either not required, or if required has been completed indicating the conclusions and recommendations for improvements.	10	0	10
13	A public or private water system, or an on-site water source, will adequately serve the proposed development	10	0	10

IMPACT CATEGORY V.**NATURAL ENVIRONMENTAL CONDITIONS**

14	The project site contains endangered or threatened animal or plant species, or contains ecologically sensitive land.	0	5	5
15	The project site contains earthquake fault lines, fissures, cracks, sinkholes, craters, or is within an earthquake liquefaction area.	0	5	5
16	Soils within the project area are stable and suitable for the proposed development.	5	0	5
17	There are visual indications of previous slides, slumps or other soil problems (cracked walls and foundations, tilted trees or fences, settling, flooding, etc.) in the project area.	0	5	5
18	The site contains slopes of 12% or greater.	0	5	5

IMPACT CATEGORY VI.**MANMADE ENVIRONMENTAL CONDITIONS**

19	The site contains fossils, artifacts, relics, monuments, or structures of archaeological or cultural significance.	0	5	5
20	Given the existing noise and estimated future noise levels of the area, the site is appropriate for the proposed activities and facilities.	5	0	5
21	The project will increase PM ₁₀ (particulate matter 10 microns or less diameter) or other air pollution levels in the vicinity.	0	5	5
22	The proposed project will release emissions such as nitrates, sulfates, or organic carbons into the air, which may reasonable be anticipated to causes or contribute to regional haze or impairment of visibility.	0	5	5

IMPACT CATEGORY VII.**HEALTH, SAFETY, AND WELFARE**

23	Physical access to the site is traversable by a two-wheel drive passenger motor vehicle.	10	0	10
24	Access to or within the site is via a non-paved surface (which increases the amount of particulates such as soot or dust in the air).	10	0	10
25	Response time for emergency vehicles (Rural/Metro ambulance and fire) is 6 minutes or less, and 10 minutes or less for law enforcement (Sheriff's Dept.).	10	5	5

26	A legal public right of vehicular ingress and egress exists to and from the parcel.	10	0	10
27	The proposed land use is an allowed use according to the Yuma County Zoning Ordinance Airport District Land Use Matrix.	10	0	10
28	Elementary, middle, and high schools serving the subject property will be able to accommodate any projected enrollment increases within existing capacities.	10	0	10
TOTAL SCORE				265
MAXIMUM POSSIBLE SCORE				300

HIGH SCORE

Total score is 275 to 300.

A score falling in this category represents a proposal that likely should be **approved**.

The proposal is likely to be in compliance with adopted land use plans, policies, and objectives, has good access, and is compatible with surrounding development.

MODERATE SCORE

Total score is 250 to 274.

A score falling in this category represents a proposal that likely contains some redeeming qualities but is lacking in one or more areas.

Proposals within this score range typically should be more carefully considered.

LOW SCORE

Total score is 249 or less

A score falling in this category represents a proposal that likely should be **denied**.

The proposal likely does not comply with several adopted land use policies, goals, or objectives, may not have physical or legal access, or may not be compatible with surrounding development.

Prepared by: Fernando Villegas

1/6/2020



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

April 7, 2020

CASE NUMBER: Special Use Permit Case No. 20-03

CASE SUMMARY: Monty Sanders agent for Rosa Sanders and Victor Lozano requests a Special Use Permit per Section 613.03(A) of the Yuma County Zoning Ordinance to operate a junk and wrecking yard with auto dismantling on two parcels totaling 6.77 gross acre in size zoned Light Industrial (LI), Assessor's Parcel Numbers 196-24-020 and 021, located at 13711 S. Avenue 3E, Yuma, Arizona. The subject properties are located inside the 70 to 75dB noise zone.

The applicant is proposing to operate a junk and wrecking yard with auto dismantling.

Public Hearing: TBD

Comments Due: April 17, 2020

Please complete the comments section below and return or forward your comments via first class mail, fax, or e-mail. For additional information, please contact me at (928) 817-5181.

COMMENT NO COMMENT

MCAS Yuma has reviewed the request for APN 196-24-020. The request is compatible land use per MCO 11010.16 with the following condition: Measures to achieve NLR of 25 must be incorporated into the design and construction of portions of these buildings where the public is received, office areas or where the normal noise level is low. Thank you for the opportunity to review and comment.

DATE: 13 April 2020 NAME: Antonio Martinez, MCAS Yuma *A. Mantz*

RETURN TO: Please return your response within 10 days to: Fernando Villegas, Senior Planner, Department of Development Services, 2351 W. 26th Street, Yuma, AZ 85364 or by E-mail – Fernando.villegas@yumacountyaz.gov



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

April 7, 2020

CASE NUMBER: Special Use Permit Case No. 20-03

CASE SUMMARY: Monty Sanders agent for Rosa Sanders and Victor Lozano requests a Special Use Permit per Section 613.03(A) of the Yuma County Zoning Ordinance to operate a junk and wrecking yard with auto dismantling on two parcels totaling 6.77 gross acre in size zoned Light Industrial (LI), Assessor's Parcel Numbers 196-24-020 and 021, located at 13711 S. Avenue 3E, Yuma, Arizona. The subject properties are located inside the 70 to 75dB noise zone.

The applicant is proposing to operate a junk and wrecking yard with auto dismantling.

Public Hearing: TBD

Comments Due: April 17, 2020

Please complete the comments section below and return or forward your comments via first class mail, fax, or e-mail. For additional information, please contact me at (928) 817-5181.

COMMENT NO COMMENT

While the subject property lies within the 70-75dB noise zone, the Yuma County Airport Authority does not oppose as long as the agency incorporates measures to achieve NLR of 24 dB into the design and construction of portions of buildings where the public is received including offices and noise sensitive areas where the normal noise level is low.

DATE: 4/7/20 NAME: Gladys Brown, Yuma County Airport Authority

RETURN TO: Please return your response within 10 days to: Fernando Villegas, Senior Planner, Department of Development Services, 2351 W. 26th Street, Yuma, AZ 85364 or by E-mail – Fernando.villegas@yumacountyaz.gov



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

April 7, 2020

CASE NUMBER: Special Use Permit Case No. 20-03

CASE SUMMARY: Monty Sanders agent for Rosa Sanders and Victor Lozano requests a Special Use Permit per Section 613.03(A) of the Yuma County Zoning Ordinance to operate a junk and wrecking yard with auto dismantling on two parcels totaling 6.77 gross acre in size zoned Light Industrial (LI), Assessor's Parcel Numbers 196-24-020 and 021, located at 13711 S. Avenue 3E, Yuma, Arizona. The subject properties are located inside the 70 to 75dB noise zone.

The applicant is proposing to operate a junk and wrecking yard with auto dismantling.

Public Hearing: TBD

Comments Due: April 17, 2020

Please complete the comments section below and return or forward your comments via first class mail, fax, or e-mail. For additional information, please contact me at (928) 817-5181.

COMMENT NO COMMENT

<p>The fire flow requirements of the 2003 IFC shall be provided on site.</p> <p>Emergency vehicle access shall be provided in accordance with 2003 IFC</p>		<p align="center">REVIEWED FOR CODE COMPLIANCE</p> <p>Approved plans, specifications or inspection shall not be construed to approve a violation of any provision of an adopted code or ordinance of Yuma County</p> <p align="right">04/07/2020</p> <p>By: _____ 9:54:41 AM</p> <p align="center">STAMPED APPROVE PLANS MUST BE ON SITE</p>
<p>DATE: 4/7/2020</p>	<p>NAME: _____</p>	

RETURN TO: Please return your response within 10 days to: Fernando Villegas, Senior Planner, Department of Development Services, 2351 W. 26th Street, Yuma, AZ 85364 or by E-mail – Fernando.villegas@yumacountyaz.gov

Yuma County
Planning & Zoning
Commission

Item No. 5

AIR-9836

5.

P&Z Commission Agenda

Meeting Date: 06/23/2020

Submitted For: Maggie Castro

Submitted By: Javier Barraza

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Rezoning Case No. 20-08: Tiberio Esparza, agent for Larson Cooling Co. and TGR Construction, Inc., requests the rezoning of 9.42 acres comprised of portions of three parcels totaling 17.81 acres in size from General Commercial (C-2) to Heavy Industrial-2 acre minimum (HI-2), Assessor's Parcel Numbers 201-04-022 (2.77 acre portion), 201-04-023, and 201-04-024 (4.01 acre portion), located on the northwest corner of Avenue 31E and Old Highway 80, Wellton, Arizona.

2. INTENT:

To allow the use of the three parcels in their entirety for the manufacturing of large metal wall panels.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of this request subject to the Performance Conditions listed in the attached staff report.

Attachments

Att: Staff Report

Att: Zoning Map

Att: Exhibit A Site Plan

Att: Development Standards Checklist

Att: Comments from WMIDD

Att: Comments from YC Engineering



STAFF REPORT TO THE COMMISSION

June 23, 2020

Rezoning Case Number 20-08

REQUEST: Rezone 9.42 acres comprised of portions of three parcels totaling 17.81 acres in size from General Commercial (C-2) to Heavy Industrial-2 acre minimum (HI-2), Assessor's Parcel Numbers 201-04-022 (2.77 acre portion), 201-04-023, and 201-04-024 (4.01 acre portion), located on the northwest corner of Avenue 31 E and Old Highway 80, Wellton, Arizona.

APPLICANT: Tiberio Esparza, agent for Larson Cooling Co. and TGR Construction, Inc.

Application is within Supervisor District 3: Darren Simons; Planning Commissioners: Scott Mulhern and Danny Bryant. Staff report prepared by Javier G. Barraza, Senior Planner.

DIRECTIONS: From the intersection of Avenue 3E and Interstate 8 (I-8), travel east approximately 27 miles on I-8 and take Exit 30 (Avenue 29E). Turn north (left) on Avenue 29E and travel one mile to the intersection with Old Highway 80. Turn east (right) on Old Highway 80 and travel approximately two miles to Avenue 31E. The subject property is located on the northwest corner of the intersection of Avenue 31E and Old Highway 80.

INTENT:

To allow the use of the three parcels in their entirety in the manufacturing of large metal wall panels.

CURRENT CONDITIONS:

The subject parcels are developed with a metal building and metal shades located along the western boundary, a concrete dock on the north, and a masonry building located south of the dock. The properties are currently used for the manufacturing and storage of large metal wall panels.

Physical access to the property is along Old Highway 80 on the south, a paved road 37 feet in width having 200 feet of right-of-way and along Avenue 31E on the east, a paved road 26 feet in width having 33 feet of right-of-way.

Surrounding Zoning and land uses: There are nine parcels within the 300 foot notification area. Parcels 15 and 18 to the northeast and north are the location of Union Pacific Railroad and Pipeline and are zoned Rural Area- 40 acre minimum (RA-40). Parcel 16 to the north is the location of Wellton-Mohawk Irrigation and Drainage District headquarters office and is zoned RA-40. Parcel 17 to the northwest is unimproved and is zoned RA-40. Parcels 20 and 21 to the west are improved with metal buildings and metal shade structures and are zoned Heavy Industrial (HI). Parcel 25 to the south is the location of Union Pacific Railroad and is within the Town of Wellton. Parcel 201-03-020 on the southeast is the location of Union Pacific Railroad and is zoned Light Industrial. Parcel 201-03-016 on the east is the location of an asphalt batch plant (BLT Companies, AZ LLC) and is zoned HI.

The purpose of the Heavy Industrial district to permit heavy industrial uses and related activities in suitable locations to protect residential and commercial districts from uses which may create noise, smoke, odor, dust, or other objectionable influences.

The subject property is located in the Dome Valley/Wellton Planning Area of the 2020 Comprehensive Plan. The land use designation is Industrial (I) which supports industrial uses with related offices. There are properties zoned HI directly to the west and east and a property zoned LI to the southeast of the subject properties. The request is within the range of identified uses, densities and intensities of the Comprehensive Plan and meets the following Policies and Priorities in this planning area:

- *DVW.1 - New residential and industrial growth should not encroach on existing activities in a manner to create detrimental impact on either use.*
- *DVW.2 - Industrial growth should be encouraged to take place in a manner that is complimentary with surrounding land use and infrastructure.*
- *DVW.3 - Clustering of industrial development will be encouraged in order to take advantage of economies of scale and reduce the demand of new infrastructure improvements.*

The subject property is within the ten minute response time radius from a Yuma County Sheriff's Substation located at 10260 South Dome Street, Wellton, Arizona.

The subject property is within Wellton-Mohawk Irrigation and Drainage District, a state chartered municipal corporation that is charged with operating irrigation and power infrastructure within its boundaries.

The subject properties are not in the noise zones nor are they under Instrument Route 218 or Restricted Airspace.

CRITICAL ISSUES:

The subject property is not within the six minute time radius from any Rural Metro-Fire Department. However, the Wellton Fire Department Tri-Valley is approximately 2.0 miles to the west located at 29118 East Los Angeles Avenue, Wellton, Arizona.

Ordinances, codes and regulations that pertain to the application:

- Yuma County Zoning Ordinance
- Yuma County Comprehensive Building Code
- 2003 International Fire Code
- Environmental Health Laws (ARS Titles 36 and 49)
- Yuma County Flood Control District
- Public Works Standard Volume I, Section 7.2.8 driveway/Curb Cuts.

SUMMARY NOTES:

SUPPORT STAFF SUMMARY: The Environmental Programs Division, Building Safety Division, and Flood Control District provided no comments. The Engineering Department provided the following comments: 1. Applicant shall apply for an encroachment permit to access Yuma County public right-of-way. 2. Driveway access to all parcels shall be in accordance with Yuma County Public Works Standards Section 7.2.8.

LETTERS OF SUPPORT, OPPOSITION, AGENCY, MILITARY, SPECIAL INTEREST, etc.:

- Elston K. Grubaugh from Wellton-Mohawk Irrigation and Drainage District provided the following comment: The site is within one-quarter mile of residential area (District Employee Housing & Coach Stop RV Park). Recommended hours of operation be limited to 6:00 a.m. to 7:00 p.m. Stinger’s operation is noisy by nature.

CITIZEN COMMENTS: Staff has not received any comments at this time.

DEVELOPMENT EVALUATION CHECKLIST: The Development Evaluation Checklist identifies the following Impact Categories: Conformance to Existing Plans; Land Use Compatibility; Natural Resources; Public Infrastructure; Natural Environmental Conditions; Manmade Environmental Conditions; and Health, Safety & Welfare. A point system is used to score whether a proposal should likely be approved or denied. Of a possible high score of 300, the total score for this proposal is 295. A score falling in this category represents a proposal that likely should be approved. The proposal is likely to be in compliance with adopted land use plans, policies and objectives, has good access, and is compatible with surrounding development.

This request scored well on the following development standards: Conformance to existing plans, land use compatibility, impact to natural resources, and impact to public infrastructure, as well as impact to environmental conditions. The request received a regular score on the impact to health, safety and welfare category due to the fact that the project site is located outside the 6-minute or less emergency response.

CHRONOLOGY:

- 05-04-20 Application received
- 06-03-20 Legal ad appears in the Yuma Daily Sun for the Planning Commission’s public hearing
- 06-05-20 Property posted for the Planning Commission’s public hearing

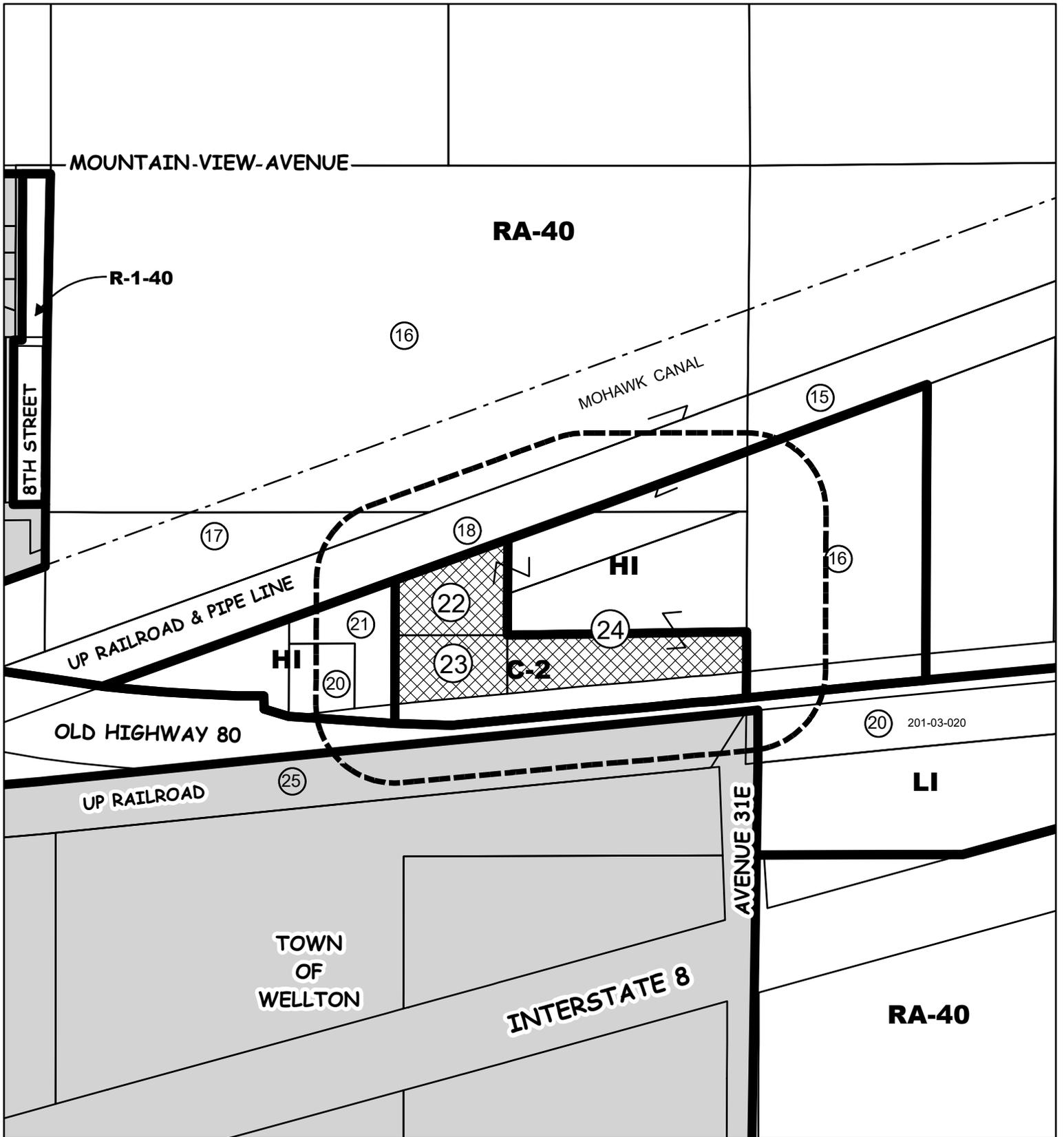
06-05-20 Public notice mailed to properties within 300 feet of the request, the City of Yuma, and all relevant agencies and stakeholders
06-12-20 Letter mailed informing applicant of item being placed on the Planning Commission's public hearing agenda
06-12-20 Staff report mailed to applicant and/or agent
06-23-20 Planning Commission's public hearing

RECOMMENDATION:

Staff recommends approval of this request based on the request being within the range of identified uses, densities and intensities of the Comprehensive Plan subject to the following Performance Conditions:

Performance Conditions.

1. Within 60 days of approval by the Board of Supervisors, the owner or agent shall provide an A.R.S. § 12-1134 waiver.
2. Within 60 days of approval by the Board for Supervisors, the owner or agent shall apply for an encroachment permit to access Yuma County public right-of-way. The driveway access to all parcels shall be in accordance with Yuma County Public Works Standard No. 7.2.8



**DEPARTMENT OF
DEVELOPMENT
SERVICES**
PLANNING & ZONING DIVISION
2351 W. 26TH STREET
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

CASE NO: RZ20-08
LOCATION: Northwest Corner of
Ave. 31E & Highway 80
APNs: 201-04-023
and Pt. of 201-04-022 and 024

Case Planner: Javier Barraza.
Drawn by : Javier B On 06-07-2020
Reviewed: Javier B.06-07-2020

SCALE
1" = 500'



Legend

-  Subject Property
-  300' NOTIFICATION AREA
-  Municipality

Yuma County 2020 Comprehensive Plan
Development Evaluation Checklist

Case No.: RZ20-08 Owner/Agent: LARSON COOLING CO & TGR CONSTRUCTION INC
Parcel #: 201-04-022 (Pt.), 023 and 024 (Pt.) Agent: TIBERIO ESPARZA
Current Zoning: C-2 Proposed Zoning: HI-2 Acreage: 9.42
NET AC

IMPACT CATEGORY I. CONFORMANCE TO EXISTING PLANS		YES	NO	SCORE
1	The proposal is consistent with the Yuma County 2020 Comprehensive Plan, area plans, and other applicable county, state, or regional plans.	25	0	25
2	The proposed project reduces open space or rural preservation areas identified in the Yuma County 2020 Comprehensive Plan.	0	10	10
3	The proposed use is consistent and compatible with overlay zoning districts applicable to the subject parcel such as the Airport District, Gila Mountain, or Visual Corridor overlay zones.	10	0	10

IMPACT CATEGORY II. LAND USE COMPATIBILITY				
4	The proposed use is the same or similar to the uses in the surrounding vicinity.	25	0	25
5	The proposed density is the same or similar to the existing density in the surrounding vicinity.	25	0	25
6	The location of the project is appropriate considering proximity to existing transportation, shopping, services and employment.	25	0	25

IMPACT CATEGORY III. NATURAL RESOURCES				
7	The project, or a part of the project is located within the 100-year floodplain or floodway.	0	10	10
8	The subject parcel is located in an area of known high groundwater or a surface water source is present	0	5	5
9	The project will result in the loss of prime and/or unique farmland.	0	15	15

IMPACT CATEGORY IV. PUBLIC INFRASTRUCTURE				
10	Adequate improvements to the existing transportation system are proposed (i.e., intersection improvements, road widening, turn lanes, etc.) to accommodate the anticipated increase in traffic, or the development will not result in an increase in traffic.	15	0	15
11	Any public right-of-way necessary to accommodate the	5	0	5

	development has been or is proposed to be dedicated.			
12	A traffic impact study is either not required, or if required has been completed indicating the conclusions and recommendations for improvements.	5	0	5
13	A public or private water system, or an on-site water source, will adequately serve the proposed development	5	0	5
IMPACT CATEGORY V.				
NATURAL ENVIRONMENTAL CONDITIONS				
14	The project site contains endangered or threatened animal or plant species, or contains ecologically sensitive land.	0	5	5
15	The project site contains earthquake fault lines, fissures, cracks, sinkholes, craters, or is within an earthquake liquefaction area.	0	5	5
16	Soils within the project area are stable and suitable for the proposed development.	5	0	5
17	There are visual indications of previous slides, slumps or other soil problems (cracked walls and foundations, tilted trees or fences, settling, flooding, etc.) in the project area.	0	5	5
18	The site contains slopes of 12% or greater.	0	5	5
IMPACT CATEGORY VI.				
MANMADE ENVIRONMENTAL CONDITIONS				
19	The site contains fossils, artifacts, relics, monuments, or structures of archaeological or cultural significance.	0	5	5
20	Given the existing noise and estimated future noise levels of the area, the site is appropriate for the proposed activities and facilities.	5	0	5
21	The project will increase PM ₁₀ (particulate matter 10 microns or less diameter) or other air pollution levels in the vicinity.	0	5	5
22	The proposed project will release emissions such as nitrates, sulfates, or organic carbons into the air, which may reasonable be anticipated to causes or contribute to regional haze or impairment of visibility.	0	15	15
IMPACT CATEGORY VII.				
HEALTH, SAFETY, AND WELFARE				
23	Physical access to the site is traversable by a two-wheel drive passenger motor vehicle.	15	0	15
24	Access to or within the site is via a non-paved surface (which increases the amount of particulates such as soot or dust in the air).	0	10	10
25	Response time for emergency vehicles (Rural/Metro ambulance and fire) is 6 minutes or less, and 10 minutes or less for law enforcement (Sheriff's Dept.).	10	0	5

26	A legal public right of vehicular ingress and egress exists to and from the parcel.	10	0	10
27	The proposed land use is an allowed use according to the Yuma County Zoning Ordinance Airport District Land Use Matrix.	10	0	10
28	Elementary, middle, and high schools serving the subject property will be able to accommodate any projected enrollment increases within existing capacities.	10	0	10

TOTAL SCORE

295

MAXIMUM POSSIBLE SCORE

300

HIGH SCORE

Total score is 275 to 300.

A score falling in this category represents a proposal that likely should be **approved**.

The proposal is likely to be in compliance with adopted land use plans, policies, and objectives, has good access, and is compatible with surrounding development.

MODERATE SCORE

Total score is 250 to 274.

A score falling in this category represents a proposal that likely contains some redeeming qualities but is lacking in one or more areas.

Proposals within this score range typically should be more carefully considered.

LOW SCORE

Total score is 249 or less

A score falling in this category represents a proposal that likely should be **denied**.

The proposal likely does not comply with several adopted land use policies, goals, or objectives, may not have physical or legal access, or may not be compatible with surrounding development.

Prepared by: _____ Javier Barraza, S.P.

Date: 05/12/20 ver. 1

295



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

May 7, 2020

CASE NUMBERS: Rezoning Case No. 20-08

Case Summary: Tiberio Esparza, agent for Larson Cooling Co. and TGR Construction, Inc., requests the rezoning 9.42 net acres comprised of portions of three parcels totaling 17.81 net acres in size from General Commercial to Heavy Industrial-2 acre minimum, Assessor's Parcel Numbers 201-04-022 (2.77 net acre portion), 201-04-023, and 201-04-024 (4.01 net acre portion), located on the northwest corner of Avenue 31 E and Old Highway 80, Wellton, Arizona.

Intended use: **To allow the use of the three parcels in their entirety in the manufacturing of large metal wall panels.**

PUBLIC HEARING: June 23, 2020

COMMENTS DUE: May 15, 2020

Please complete the comments section below and return or forward your comments via first class mail, fax, or e-mail. For additional information, please contact me at (928) 817-5150.

COMMENT NO COMMENT

We understand that this is a temporary use. Is the zoning change permanent?

The site is within one-quarter mile of a residential area (District employee housing & Coach Stop RV Park).

Recommend hours of operation be limited to 6:00 a.m. to 7:00 p.m. Stinger's operation is noisy by nature.

DATE: May 7, 2020 NAME: Elston Grubaugh, Manager, WMIDD

RETURN TO: Javier Barraza, Senior Planner
2351 W. 26th Street
Yuma, Arizona 85364
Fax: (928)817-5050
Javier.Barraza@yumacountyaz.gov

ARTURO ALVAREZ

ENG TECHNICAL

1. Applicant shall apply for encroachment permit to access Yuma County public right of way.
2. Driveway access to all parcels shall be in accordance with Yuma County Public Works Standards Section 7.2.8

5/15/2020 9:31:16 AM

Yuma County
Planning & Zoning
Commission

Item No. 6

AIR-9901

6.

P&Z Commission Agenda

Meeting Date: 06/23/2020

Submitted For: Maggie Castro

Submitted By: Juan Leal-Rubio

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Rezoning Case No. 20-09: Dahl, Robins and Associates, Inc., agent for Yuma 7E, LLC, requests the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 725-53-001, located on the southeast corner of Avenue 7E and County 13½ Street, Yuma, Arizona.

2. INTENT:

The intent is to create five parcels for residential development.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of this request subject to the attached Performance Conditions and Schedule for Development.

Attachments

Staff Report

Case Map

Site Plan

Dev Eval Checklist

Internal Comments

External Comments



STAFF REPORT TO THE COMMISSION

June 23, 2020

Rezoning Case No. 20-09

REQUEST: Rezone a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 725-53-001, located on the southeast corner of Avenue 7 E and County 13½ Street, Yuma, Arizona.

APPLICANT: Dahl, Robins and Associates, Inc. agent for Yuma 7E, LLC.

Application is within Supervisor District 3: Darren Simons; Planning Commissioners: Scott Mulhern and Danny Bryant. Staff report prepared by Juan Leal Rubio, Senior Planner.

DIRECTIONS: From the intersection of 32nd Street and Araby Road, travel south 3 miles on State Route 195 to County 14th Street. Turn east (left) on County 14th Street and travel ½ mile to Avenue 7E. Turn north (left) on Avenue 7E and travel for approximately ½ mile. The subject property is on the southeast corner of Avenue 7E and County 13½ Street.

INTENT:

The intent is to create five parcels for residential development.

CURRENT CONDITIONS:

The subject parcel desert terrain and currently undeveloped. The parcel is predominantly level. There is an existing 40 wide paved road along the south boundary of the parcel.

The subject property was rezoned to SSB-2 with Rezoning Case Number 05-71 (RZ05-71) approved by the Board of Supervisors on December 5, 2005 subject to a Schedule for Development (SFD). The intent was to develop a residential subdivision in conjunction with the properties directly to the south which were originally part of parent Parcel 725-53-002 (RZ05-70). Both the subject property and the five parcels directly to the south comprised the tentative map for Calli Maya subdivision. The tentative map consisted of 10 lots ranging in size from 2.0 gross acres to 2.02 gross acres and was approved on October 23, 2006. The tentative map expired on October 23, 2009. The zoning was reverted to the original RA-10 zoning district in accordance with Section 404.01(I)(7) of the Yuma County Zoning Ordinance on November 7, 2016.

The property has legal and physical access on the west side along Avenue 7E, a paved road 26 feet in width that has 83 feet of dedicated right-of-way per Fee No. 2005-33410. Physical access is also available along the north along County 13½ Street, a paved public road 27 feet in width.

Surrounding zoning and land uses: Parcel 725-44-003 to the northwest is zoned Rural Area-5 acre minimum (RA-5) and is the location of a site-built home. Parcels 44, 45, and 46 directly to the west are zoned Suburban Ranch-2 acre minimum (SR-2) and are improved with site built homes. Parcels 9 through 13 to the south are zoned SSB-2 and are improved with a paved road 20 feet in width. Parcel 197-22-001 to the north is within the City of Yuma and is open desert. Parcel 8 to the east is zoned SSB-2 and SSB-5 and is currently undeveloped.

The purpose of the SSB-2 district is to allow low density residential development in semi-rural areas. Large minimum lot sizes are required so that agricultural land uses, as well as the keeping of a limited number of horses and farm animals, can occur without negatively affecting surrounding residential properties.

The subject property is located in the Yuma Mesa Planning Area of the 2020 Comprehensive Plan. The land use designation is Rural Density Residential (R-RD). The R-RD designation allows densities of 1 dwelling unit per 2 acres to 1 dwelling unit per 10 acres. The request is within the range of identified uses, densities and intensities of the Comprehensive Plan.

The subject property is located 0.32 miles from the Barry M. Goldwater Range (BMGR). The Gila Bend Air Force Auxiliary Field/Barry M. Goldwater Range Joint Land Use Study was completed in February 2005 as part of a statewide compatibility project. The study was prepared to provide tools to address land use conflicts that might affect the ability of the base to conduct its mission and to ensure land use compatibility around active military reservations as required under Title 28, Chapter 25, and Article 7 of the Arizona Revised Statutes (ARS). The 2020 Comprehensive Plan requires the following density: Land within one mile of the BMGR along its northern boundary from Avenue 5¼ E to the Gila Mountains will have a residential density no greater than 2 acres per lot/parcel.

The subject property is located within Yuma Elementary School District No. 1 and Yuma Union High School District. The Arizona School Facilities Board published an Average Daily Membership (ADM) yield factor based on Census 2010 data that can be used to calculate an approximation of student population generated by the proposed residential development. The ADM yield factor is a close equivalent to the number of district school students a house unit produces. Approval of this request could potentially create five parcels. The potential impact is 0.85 students added to Yuma Elementary School District 1 and 0.65 students added to Yuma Union High School District at build-out.

The subject property is located within the Yuma Metropolitan Air Pollution District which designated "non-attainment" for PM₁₀ by the U.S. Environmental Protection Agency. *The Yuma PM₁₀ Non-attainment Area State Implementation Plan (SIP)* has been utilized to reduce the amount of air pollution generated. Yuma County has adopted Reasonable Available Control Measures (RACMs) for the purpose of reducing pollutant emissions resulting in improved air quality. The RACMs implemented include paving, stabilizing, and/or reducing travel on unpaved street, roads and unpaved areas. According to the Institute of Transportation Engineer's Trip Generation

Manual, each future parcel will generate 10 vehicles trips per day. The expected increase in traffic is 50 vehicle trips per day. Legal and physical access to the subject property is from County 13½ Street and Avenue 7E which are paved roads. Physical access to all proposed parcels will be achieved via a paved road 20 feet in width. Approval of this request will not create dust in the PM₁₀ Non-attainment Area.

CRITICAL ISSUES:

Public water and sanitation services are not available in the area of the subject properties. A septic system and water well will be needed when developing the properties.

The subject property is not within the ten minute response time radius from a Yuma County Sheriff's Substation. The nearest Sheriff's substation is located at 13190 East South Frontage Road which is approximately six miles from the subject property. The subject property is not within the six minute time radius from any Rural Metro Fire Department. The nearest fire department is located at 6740 East Highway 80 which is approximately three miles from the subject property.

Ordinances, codes and regulations that pertain to the application:

- Yuma County Zoning Ordinance
- Yuma County Comprehensive Building Code
- 2003 International Fire Code
- Environmental Health Laws (ARS Titles 36 and 49)
- Yuma County Flood Control District
- Public Works Standard Volume I, Section 7.2.8 driveway/Curb Cuts.

SUMMARY NOTES:

SUPPORT STAFF SUMMARY: The Environmental Programs Division, Zoning Enforcement Section and Flood Control District made no comments. The Engineering Department provided the following comment: Access from Avenue 7E shall be restricted along the south side of the property.

LETTERS OF SUPPORT, OPPOSITION, AGENCY, MILITARY, SPECIAL INTEREST, etc.:

- Antonio Martinez from MCAS provided the following comment: "...Property located under a flight path and it is .04 miles away from the Barry M. Goldwater Range (BMGR). Request an aviation easement and range disclosure...".

CITIZEN COMMENTS: Staff has not received any comments at this time.

DEVELOPMENT EVALUATION CHECKLIST: The Development Evaluation Checklist identifies the following Impact Categories: Conformance to Existing Plans; Land Use Compatibility; Natural Resources; Public Infrastructure; Natural Environmental Conditions; Manmade Environmental Conditions; and Health, Safety & Welfare. A point system is used to score whether a proposal should likely be approved or denied. Of a possible high score of 300, the total score for this proposal is 290. A score falling in this category represents a proposal that likely should be approved. The proposal is likely to be in compliance with adopted land use plans, policies and objectives, has good access, and is compatible with surrounding development. This

request scored well on the following development standards: Conformance to existing plans, land use compatibility, impact to natural resources, and impact to public infrastructure, as well as impact to environmental conditions. The request received a regular score on the impact to health, safety and welfare category due to the fact that the project site is located outside the 10-minute or less law enforcement response.

CHRONOLOGY:

05-03-20 Application received
05-27-20 Property posted for the Planning Commission’s public hearing
06-03-20 Legal ad appears in the Yuma Daily Sun for the Planning Commission’s public hearing
06-05-20 Public notice mailed to properties within 300 feet of the request, the City of Yuma and all relevant agencies/stakeholders
06-05-20 Letter mailed informing applicant of item being placed on Planning Commission’s public hearing agenda
06-12-20 Staff report emailed to applicant and/or agent
06-23-20 Planning Commission’s public hearing

RECOMMENDATION:

Staff recommends approval of this request based on the request being within the range of identified uses, densities and intensities of the Comprehensive Plan subject to the following Performance Conditions and Schedule for Development:

Performance Conditions.

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 Infrastructure disclosure statement.
 - c. Record a Range disclosure statement
 - d. Record a Schedule for Development disclosure statement.

2. A request for an Avigation disclosure statement to be recorded within 60 days of Board of Supervisors’ approval.

Schedule for Development.

1. Within one year of approval by the Board of Supervisors, the owner or agent shall split the property by means of a Land Division Permit in accordance with Section 507.00 of the Yuma County Zoning Ordinance.



CITY OF YUMA

197-22-001

COUNTY 13-1/2 STREET

CITY OF YUMA

COUNTY 14TH STREET

BARRY M. GOLDWATER RANGE



**DEPARTMENT OF
DEVELOPMENT
SERVICES**

PLANNING & ZONING DIVISION
2351 W. 26TH STREET
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

CASE NO: RZ20-09
LOCATION: SE COR of CO 13-1/2 STREET & AVE 7E
APNs: 725-53-001

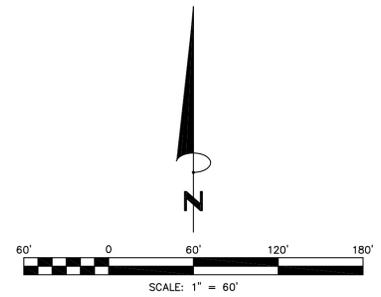
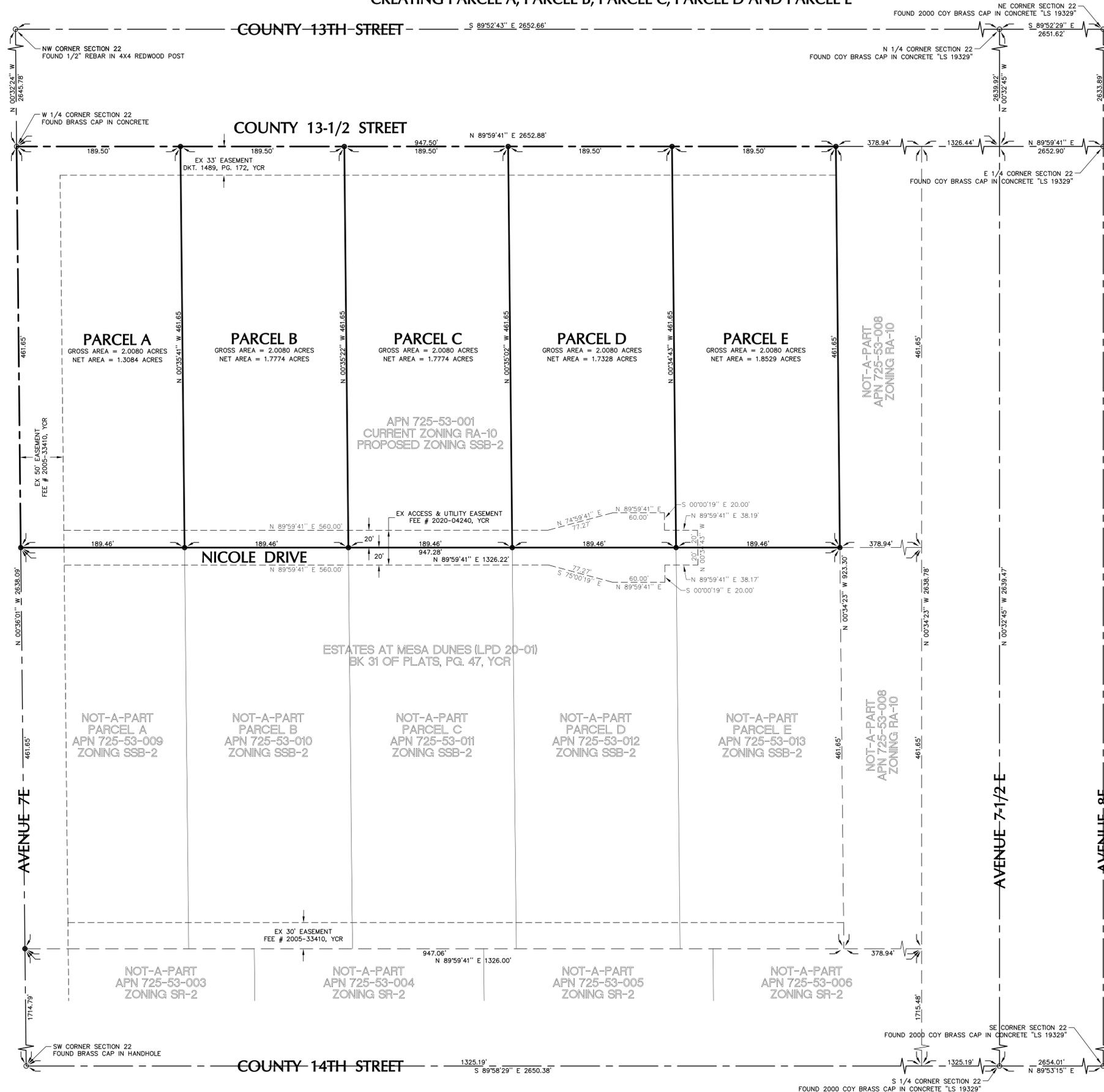
Drawn by : Juan Leal Rubio
Reviewed: Javier B.

SCALE
1" = 600'

Legend
 Subject Property
 300' NOTIFICATION AREA
 Municipality

YUMA 7E ESTATES LAND DIVISION (LDP 20-XX)

A LAND DIVISION OF THE NORTH HALF OF THE NORTH 923.25 FEET OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 SOUTH, RANGE 22 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, EXCEPT THE EAST 378.92 FEET THEREOF, CREATING PARCEL A, PARCEL B, PARCEL C, PARCEL D AND PARCEL E



**PRELIMINARY
NOT FOR CONSTRUCTION
OR RECORDATION**

LAND SURVEYOR

DAHL, ROBINS & ASSOCIATES, INC.

1560 S. 5th Avenue
Yuma, AZ 85364
Phone: (928) 819-0825
Fax: (928) 819-0826
www.dahlrobs.com
DRA Job: 20089

SHEET 1 OF 1

Z:\Dca\2020\089\Drawings\0089_LDP.dwg

**Yuma County 2020 Comprehensive Plan
Development Evaluation Checklist**

Case No.: RZ20-09	Owner/Agent: <u>Yuma 7E, LLC</u>		
Parcel #: 725-53-001	Agent: <u>KEVIN DAHL</u>		
Current Zoning: RA-10	Proposed Zoning: SSB-2	Acreage: 10.00	<u>GROSS AC</u>

IMPACT CATEGORY I. CONFORMANCE TO EXISTING PLANS		YES	NO	SCORE
1	The proposal is consistent with the Yuma County 2020 Comprehensive Plan, area plans, and other applicable county, state, or regional plans.	25	0	25
2	The proposed project reduces open space or rural preservation areas identified in the Yuma County 2020 Comprehensive Plan.	0	10	10
3	The proposed use is consistent and compatible with overlay zoning districts applicable to the subject parcel such as the Airport District, Gila Mountain, or Visual Corridor overlay zones.	10	0	10

IMPACT CATEGORY II. LAND USE COMPATIBILITY		YES	NO	SCORE
4	The proposed use is the same or similar to the uses in the surrounding vicinity.	25	0	25
5	The proposed density is the same or similar to the existing density in the surrounding vicinity.	25	0	25
6	The location of the project is appropriate considering proximity to existing transportation, shopping, services and employment.	25	0	25

IMPACT CATEGORY III. NATURAL RESOURCES		YES	NO	SCORE
7	The project, or a part of the project is located within the 100-year floodplain or floodway.	0	10	10
8	The subject parcel is located in an area of known high groundwater or a surface water source is present	0	5	5
9	The project will result in the loss of prime and/or unique farmland.	0	15	15

IMPACT CATEGORY IV. PUBLIC INFRASTRUCTURE		YES	NO	SCORE
10	Adequate improvements to the existing transportation system are proposed (i.e., intersection improvements, road widening, turn lanes, etc.) to accommodate the anticipated increase in traffic, or the development will not result in an increase in traffic.	15	0	15
11	Any public right-of-way necessary to accommodate the	5	0	5

	development has been or is proposed to be dedicated.			
12	A traffic impact study is either not required, or if required has been completed indicating the conclusions and recommendations for improvements.	5	0	5
13	A public or private water system, or an on-site water source, will adequately serve the proposed development	5	0	5
IMPACT CATEGORY V.				
NATURAL ENVIRONMENTAL CONDITIONS				
14	The project site contains endangered or threatened animal or plant species, or contains ecologically sensitive land.	0	5	5
15	The project site contains earthquake fault lines, fissures, cracks, sinkholes, craters, or is within an earthquake liquefaction area.	0	5	5
16	Soils within the project area are stable and suitable for the proposed development.	5	0	5
17	There are visual indications of previous slides, slumps or other soil problems (cracked walls and foundations, tilted trees or fences, settling, flooding, etc.) in the project area.	0	5	5
18	The site contains slopes of 12% or greater.	0	5	5
IMPACT CATEGORY VI.				
MANMADE ENVIRONMENTAL CONDITIONS				
19	The site contains fossils, artifacts, relics, monuments, or structures of archaeological or cultural significance.	0	5	5
20	Given the existing noise and estimated future noise levels of the area, the site is appropriate for the proposed activities and facilities.	5	0	5
21	The project will increase PM ₁₀ (particulate matter 10 microns or less diameter) or other air pollution levels in the vicinity.	0	5	5
22	The proposed project will release emissions such as nitrates, sulfates, or organic carbons into the air, which may reasonable be anticipated to causes or contribute to regional haze or impairment of visibility.	0	15	15
IMPACT CATEGORY VII.				
HEALTH, SAFETY, AND WELFARE				
23	Physical access to the site is traversable by a two-wheel drive passenger motor vehicle.	15	0	15
24	Access to or within the site is via a non-paved surface (which increases the amount of particulates such as soot or dust in the air).	0	10	10
25	Response time for emergency vehicles (Rural/Metro ambulance and fire) is 6 minutes or less, and 10 minutes or less for law enforcement (Sheriff's Dept.).	10	0	0

26	A legal public right of vehicular ingress and egress exists to and from the parcel.	10	0	10
27	The proposed land use is an allowed use according to the Yuma County Zoning Ordinance Airport District Land Use Matrix.	10	0	10
28	Elementary, middle, and high schools serving the subject property will be able to accommodate any projected enrollment increases within existing capacities.	10	0	10
TOTAL SCORE				290
MAXIMUM POSSIBLE SCORE				300

HIGH SCORE

Total score is 275 to 300.

A score falling in this category represents a proposal that likely should be **approved**.

The proposal is likely to be in compliance with adopted land use plans, policies, and objectives, has good access, and is compatible with surrounding development.

MODERATE SCORE

Total score is 250 to 274.

A score falling in this category represents a proposal that likely contains some redeeming qualities but is lacking in one or more areas.

Proposals within this score range typically should be more carefully considered.

LOW SCORE

Total score is 249 or less

A score falling in this category represents a proposal that likely should be **denied**.

The proposal likely does not comply with several adopted land use policies, goals, or objectives, may not have physical or legal access, or may not be compatible with surrounding development.

From: Jesus Valenzuela
Sent: Wednesday, May 20, 2020 6:39 AM
To: Juan Leal Rubio
Cc: Francisco Vasquez
Subject: RE: County 13 1/2

Juan,

Sorry for the delayed response, County 13 ½ St. between Ave 7E and Ave 7 ¼ E is 27 ft. wide and pavement type is asphalt concrete. We have little to no information on this section of road. It is a Sub. Co. R/W but we do not have any other information on it. Hope this helps and if you have any other question let me know, also if you come across additional information for this segment please forward to us. Thank you.

From: Juan Leal Rubio
Sent: Monday, May 18, 2020 1:47 PM
To: Jesus Valenzuela <Jesus.Valenzuela@yumacountyaz.gov>
Cc: Jason Phipps <Jason.Phipps@yumacountyaz.gov>
Subject: County 13 1/2

Hello Jesus,

Can you please tell me what the pavement **type and** width is on the above road between Avenue 7E and Avenue 7-1/4E?

Thanks,



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

May 12, 2020

CASE NUMBER: Rezoning Case No. 20-09

PROJECT DESCRIPTION: Dahl, Robins & Associates, Inc, agent for Yuma 7E, LLC., requests the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum to Suburban Site Built-2 acre minimum, Assessor's Parcel Number 725-53-001 located on the southeast corner County 13½ Street and Avenue 7E, Yuma, Arizona.

PROJECT SUMMARY: The applicant intends to rezone the subject property to split into five parcels for residential development

PUBLIC HEARING: Tentatively scheduled for 6/23/2020

COMMENTS DUE: ASAP

Please provide a determination of compliance or complete the comments section below and return or forward your comments to me. For additional information, please contact me at (928)817-5176.

Thank you,

Juan Leal Rubio
Case Planner
Senior Planner

Attachments: Case Map

COMMENT NO COMMENT

DATE: 05/13/2020 **PRINTED NAME:** George Amaya, R.S.

AGENCY/DIVISION: DDS/Environmental Programs

RETURN TO: Juan Leal Rubio
2351 West 26th Street
Yuma, Arizona 85364
Fax: (928)817-5157
Juan.Leal-Rubio@yumacountyaz.gov

Juan Leal Rubio

From: Joe Wehrle
Sent: Tuesday, May 12, 2020 3:21 PM
To: Juan Leal Rubio
Subject: RE: RFC--RZ20-09

Juan,

The Assessor's Office has no comments or concerns for the proposed land division.

Joe Wehrle
Yuma County Assessor
192 South Maiden Lane
Yuma, AZ 85364
Joe.wehrle@yumacountyaz.gov
(928) 373-6073

From: Juan Leal Rubio
Sent: Tuesday, May 12, 2020 3:07 PM
To: Anne.camacho@aps.com; grcopeland@antelopeunion.org; sjones@town.wellton.az.us; BKnowles@azgfd.gov; rjism09@msn.com; Bfenske@azdot.gov; chuck.wullenjohn@us.army.mil; bkleee@craneschools.org; agui2400@yahoo.com; Gen@yumaairport.com; gramirez@azdot.gov; IGarcia@azdot.gov; Jeff_humphrey@fws.gov; jennifer.albers@yumaaz.gov; esperodriguez@ssd11.org; jcampa@cityofsanluis.org; JTheidrich@aol.com; mstraub@wmidd.org; sjohnson@mohawk17.org; rmolenar@yumasun.com; Rick.rohrick@swgas.com; bryank@unitBIRR.com; ttyree@apsc.org; yid@mindspring.com; Pmorgan@ymidd.org; gthompson@yumaunion.org; Cgutierrez@ympo.org; daniel.m.steward.civ@mail.mil; Stephanie.Laborin@aps.com; Joe Wehrle <Joe.Wehrle@yumacountyaz.gov>; jmacdona@blm.gov; judith.e.movilla.civ@mail.mil; lkillman@town.wellton.az.us; info@ssd11.org; Robert.blevins@yumaaz.gov; sfajardo@mohawk17.org; tony.lombboy@charter.com; usarmy.ypg.atec.list.public-affairs-office@mail.mil; openunuri@ycwua.org; golivas@yumaunion.org; stephen.eckert@azwestern.edu; Javier Barraza <Javier.Barraza@yumacountyaz.gov>; Fernando Villegas <Fernando.Villegas@yumacountyaz.gov>; Juan Leal Rubio <Juan.Leal-Rubio@yumacountyaz.gov>; Arturo Alvarez <Arturo.Alvarez@yumacountyaz.gov>; Pat Headington <Pat.Headington@yumacountyaz.gov>; Rachel Stallworth <Rachel.Stallworth@yumacountyaz.gov>; George Amaya <George.Amaya@yumacountyaz.gov>; joseph.a.garcia46.civ@mail.mil; bobette.m.bauermann.civ@mail.mil; Mary.e.finch@usmc.mil; jperez@cityofsanluis.org; kleonard@azstateparks.gov; Ed.Alupay@CenturyLink.com; contact@ngvidd.com; egrubaugh@wmidd.org; magibili@up.com; carmenjuarez@somertonaz.gov; antonio.martinez1@usmc.mil
Subject: RFC--RZ20-09

Hello,

Please review and let me know if you have any questions, comments or concerns.

Regards,

Juan Leal Rubio, Senior Planner

Department of Development Services/Planning & Zoning Division
2351 W. 26th Street Yuma, AZ 85364
(928) 817-5176 | Fax (928) 817-5020



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

May 12, 2020

CASE NUMBER: Rezoning Case No. 20-09

PROJECT DESCRIPTION: Dahl, Robins & Associates, Inc, agent for Yuma 7E, LLC., requests the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum to Suburban Site Built-2 acre minimum, Assessor's Parcel Number 725-53-001 located on the southeast corner County 13½ Street and Avenue 7E, Yuma, Arizona.

PROJECT SUMMARY: The applicant intends to rezone the subject property to split into five parcels for residential development

PUBLIC HEARING: Tentatively scheduled for 6/23/2020

COMMENTS DUE: ASAP

Please provide a determination of compliance or complete the comments section below and return or forward your comments to me. For additional information, please contact me at (928)817-5176.

Thank you,

Juan Leal Rubio
Case Planner
Senior Planner

Attachments: Case Map

COMMENT

NO COMMENT

DATE: 05/28/20

PRINTED NAME: Robert M. Blevins

AGENCY/DIVISION: City of Yuma Comm. Planning

RETURN TO: Juan Leal Rubio
2351 West 26th Street
Yuma, Arizona 85364
Fax: (928)817-5157
Juan.Leal-Rubio@yumacountyaz.gov

From: YCWUA Planning <planning@ycwua.org>
Sent: Wednesday, May 13, 2020 7:14 AM
To: Juan Leal Rubio
Cc: planning@ycwua.org
Subject: Re: RFC--RZ20-09

Good morning Juan,

The YCWUA does not have any comments regarding this case.

Thanks for the request and have a great day!

Omar Peñuñuri
Yuma County Water Users' Association
On 5/12/2020 3:06 PM, Juan Leal Rubio wrote:

Hello,

Please review and let me know if you have any questions, comments or concerns.

Regards,

Juan Leal Rubio, Senior Planner

Department of Development Services/Planning & Zoning Division
2351 W. 26th Street Yuma, AZ 85364
(928) 817-5176 | Fax (928) 817-5020

If you would like to provide comments regarding the service you received, please click the following link: [Yuma County : Customer Survey](#)





YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

May 12, 2020

CASE NUMBER: Rezoning Case No. 20-09

PROJECT DESCRIPTION: Dahl, Robins & Associates, Inc, agent for Yuma 7E, LLC., requests the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum to Suburban Site Built-2 acre minimum, Assessor's Parcel Number 725-53-001 located on the southeast corner County 13½ Street and Avenue 7E, Yuma, Arizona.

PROJECT SUMMARY: The applicant intends to rezone the subject property to split into five parcels for residential development

PUBLIC HEARING: Tentatively scheduled for 6/23/2020

COMMENTS DUE: ASAP

Please provide a determination of compliance or complete the comments section below and return or forward your comments to me. For additional information, please contact me at (928)817-5176.

Thank you,

Juan Leal Rubio
Case Planner
Senior Planner

Attachments: Case Map

COMMENT

NO COMMENT

DATE: __ 12 May 2020 __ **PRINTED NAME:** __ Bobette Bauermann __

AGENCY/DIVISION: __ YPG - Master Planning __

RETURN TO: Juan Leal Rubio
2351 West 26th Street
Yuma, Arizona 85364
Fax: (928)817-5157
Juan.Leal-Rubio@yumacountyaz.gov

Yuma County
Planning & Zoning
Commission

Item No. 7

AIR-9871

7.

P&Z Commission Agenda

Meeting Date: 06/23/2020

Submitted For: Maggie Castro

Submitted By: Javier Barraza

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Rezoning Case No. 20-10: Adrian Vega, agent for TDI Holdings, LLC, requests the rezoning of a parcel 10.10 gross in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 748-13-010, located on the northeast corner of Avenue 5E County 14½ Street, Yuma, Arizona.

2. INTENT:

The intent is to create five parcels of 2.0 acres in size for residential development.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of this request subject to the attached Performance Condition and Schedule for Development.

Attachments

Att: Staff Report

Att: Zoning Map

Att: Exhibit A Site Plan

Att: Comments

Att: Development Standards Checklist

Att: MCAS Comments



STAFF REPORT TO THE COMMISSION

June 23, 2020

Rezoning Case No. 20-10

REQUEST: Rezone a parcel 10.10 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 748-13-010, located at the northeast corner of Avenue 5 E and County 14½ Street, Yuma, Arizona.

APPLICANT: Dahl, Robins and Associates, Inc. agent for TDI Holdings, LLC

Application is within Supervisor District 4: Marco A "Tony" Reyes; Planning Commissioners: Matias Rosales and Gary Black. Staff report prepared by Javier G. Barraza, Senior Planner.

DIRECTIONS: From the intersection of 32nd Street (Old Highway 80) and Avenue 5E, travel south 3.5 miles on Avenue 5E to County 14½ Street. The subject property is on the northeast corner.

INTENT:

The intent is to create five parcels of approximately 2.0 acres in size for residential development.

CURRENT CONDITIONS:

The subject parcel is in agriculture. The parcel is predominantly level and contains several irrigation ditches.

The property has legal and physical access on the west side along Avenue 5E, a paved road 30 feet in width that has 83 feet of dedicated right-of-way. Physical access is also available along the south along a dirt road 30 feet in width per Docket and Page 441/99 within the City of Yuma.

Surrounding zoning and land uses: Parcels 6, 74813007, 74813008, and 9 to the north are zoned SSB-2 and are improved with site built homes and accessory structures. Parcels 7 and 6 to the northwest are zoned SSB-2 and are improved with site built homes and accessory structures. Parcels 74812008, 009 and 010 to the west are zoned SSB-2 undeveloped. Parcel 2 on the southwest is zoned RA-10 and is in agriculture. Parcels 17 and 18 on the south are in desert terrain

and are within the Barry M. Goldwater Range and City of Yuma zoned Military Reservation. Parcel 11 on the east is zoned RA-10 and is in agriculture.

The purpose of the SSB-2 district is to allow low density residential development in semi-rural areas. Large minimum lot sizes are required so that agricultural land uses, as well as the keeping of a limited number of horses and farm animals, can occur without negatively affecting surrounding residential properties.

The subject property is located in the Yuma Mesa Planning Area of the 2020 Comprehensive Plan. The land use designation is Rural Density Residential (R-RD). The R-RD designation allows densities of 1 dwelling unit per 2 acres to 1 dwelling unit per 10 acres (minimum 2 acre parcels). The request is within the range of identified uses, densities and intensities of the Comprehensive Plan and meets the following Policies and Priorities in this planning area:

- *YM.1 - Retention of the planning area's rural character and agriculture activity.*
- *YW.2 - In order to maintain the current agricultural compatible rural style of development and provide protection for military, land use designations that support lots two to five acres in size should be maintained.*
- *YW.3 - Commercial or industrial development should be limited in scope and compatible with the rural residential nature of the planning area.*
- *YM.4: Consider water resource availability in all land use decisions and development Proposals.*
- *YM.5: Coordinate availability of irrigation water for residential and agriculture parcels with more than one acre in size.*

The subject property is located adjacent to the Barry M. Goldwater Range (BMGR). The Gila Bend Air Force Auxiliary Field/Barry M. Goldwater Range Joint Land Use Study was completed in February 2005 as part of a statewide compatibility project. The study was prepared to provide tools to address land use conflicts that might affect the ability of the base to conduct its mission and to ensure land use compatibility around active military reservations, as required under Title 28, Chapter 25, and Article 7 of the Arizona Revised Statutes (ARS). The 2020 Comprehensive Plan requires the following density: The applied use of land within 1 mile of the BMGR along its western boundary beginning at County 14th running south to County 17th Street will have a residential density no greater than 2 acres per lot/parcel.

The subject properties are located within Yuma Elementary School District No.1 and Yuma Union High School District No. 70. The Arizona School Facilities Board published an Average Daily Membership (ADM) yield factor based on Census 2010 data that can be used to calculate an approximation of student population generated by the proposed residential development. The ADM yield factor is a close equivalent to the number of district school students a house unit produces. Approval of this request could potentially create five parcels which could potentially add one student to Yuma Elementary School District No. 1 and one student to Yuma Union High School District No. 70 at build-out.

The subject property is located within the Yuma Metropolitan Air Pollution District which designated "non-attainment" for PM₁₀ by the U.S. Environmental Protection Agency. *The Yuma*

PM₁₀ Non-attainment Area State Implementation Plan (SIP) has been utilized to reduce the amount of air pollution generated. Yuma County has adopted Reasonable Available Control Measures (RACMs) for the purpose of reducing pollutant emissions resulting in improved air quality. The RACMs implemented include paving, stabilizing, and/or reducing travel on unpaved street, roads and unpaved areas. According to the Institute of Transportation Engineer's Trip Generation Manual, each future parcel will generate 10 vehicles trips per day. The expected increase in traffic is 50 vehicle trips per day. Legal and physical access to the subject property is from Avenue 5E which is a paved road. Physical access to all proposed parcels will be achieved via a proposed paved private access easement road 40 feet in width. Approval of this request will not create dust in the PM₁₀ Non-attainment Area.

The subject parcel is within the Yuma Mesa Irrigation and Drainage District. The applicant is proposing two irrigation easements ten feet in width for the benefit of all proposed parcels.

CRITICAL ISSUES:

Public water and sanitation services are not available in the area of the subject properties. A septic system and water well will be needed when developing the properties.

The subject property is not within the ten minute response time radius from a Yuma County Sheriff's Substation. The nearest Sheriff's substation is located at 13190 East South Frontage Road which is approximately nine miles from the subject property. The subject property is not within the six minute time radius from any Rural Metro Fire Department. The nearest fire department is located at 6740 East Highway 80 which is approximately four miles from the subject property.

Ordinances, codes and regulations that pertain to the application:

- Yuma County Zoning Ordinance
- Yuma County Comprehensive Building Code
- 2003 International Fire Code
- Environmental Health Laws (ARS Titles 36 and 49)
- Yuma County Flood Control District
- Public Works Standard Volume I, Section 7.2.8 driveway/Curb Cuts.

SUMMARY NOTES:

SUPPORT STAFF SUMMARY: The Environmental Programs Division and Zoning Enforcement Section made no comments. The Flood Control District stated the following: Once the parcel is split a need for a grading permit will be triggered. The Building Safety Division provided the following comment: Emergency vehicle access shall be provided in accordance with the 2003 International Fire Code and current policies. The Engineering Department provided the following comment: Driveway access shall be in accordance with Yuma County Public Works Standard Volume I Section 7.2.8

LETTERS OF SUPPORT, OPPOSITION, AGENCY, MILITARY, SPECIAL INTEREST, etc.:

- MCAS provided the following comment: Due to the proximity to the BMGR west boundary, per Yuma County 2020 Comprehensive Plan, it is allowed residential densities no greater than 2 acres per lot/parcel. A range disclosure statement from each SSB-2 lot as acknowledgement of this proximity.

CITIZEN COMMENTS: Staff has not received any comments at this time.

DEVELOPMENT EVALUATION CHECKLIST: The Development Evaluation Checklist identifies the following Impact Categories: Conformance to Existing Plans; Land Use Compatibility; Natural Resources; Public Infrastructure; Natural Environmental Conditions; Manmade Environmental Conditions; and Health, Safety & Welfare. A point system is used to score whether a proposal should likely be approved or denied. Of a possible high score of 300, the total score for this proposal is 280. A score falling in this category represents a proposal that likely should be approved. The proposal is likely to be in compliance with adopted land use plans, policies and objectives, has good access, and is compatible with surrounding development. This request scored well on the following development standards: Conformance to existing plans, land use compatibility, impact to natural resources, and impact to public infrastructure, as well as impact to environmental conditions. The request received a regular score on the impact to health, safety and welfare category due to the following facts: Access within the site is via non-paved surface (which increases the amount of particulates such as soot or dust in the air); also, the project site is located outside the 6 minutes or less response time for emergency vehicles (Rural/Metro ambulance and fire) and the 10 minutes or less for law enforcement (Sheriff's Dept.).

CHRONOLOGY:

05-18-20	Application received
06-01-20	Property posted for the Planning Commission's public hearing
06-03-20	Legal ad appears in the Yuma Daily Sun for the Planning Commission's public hearing
06-05-20	Public notice mailed to properties within 300 feet of the request, the City of Yuma and all relevant agencies/stakeholders
06-05-20	Letter mailed informing applicant of item being placed on Planning Commission's public hearing agenda
06-12-20	Staff report emailed to applicant and/or agent
06-23-20	Planning Commission's public hearing

RECOMMENDATION:

Staff recommends approval of this request based on the request being within the range of identified uses, densities and intensities of the Comprehensive Plan subject to the following Performance Condition and Schedule for Development:

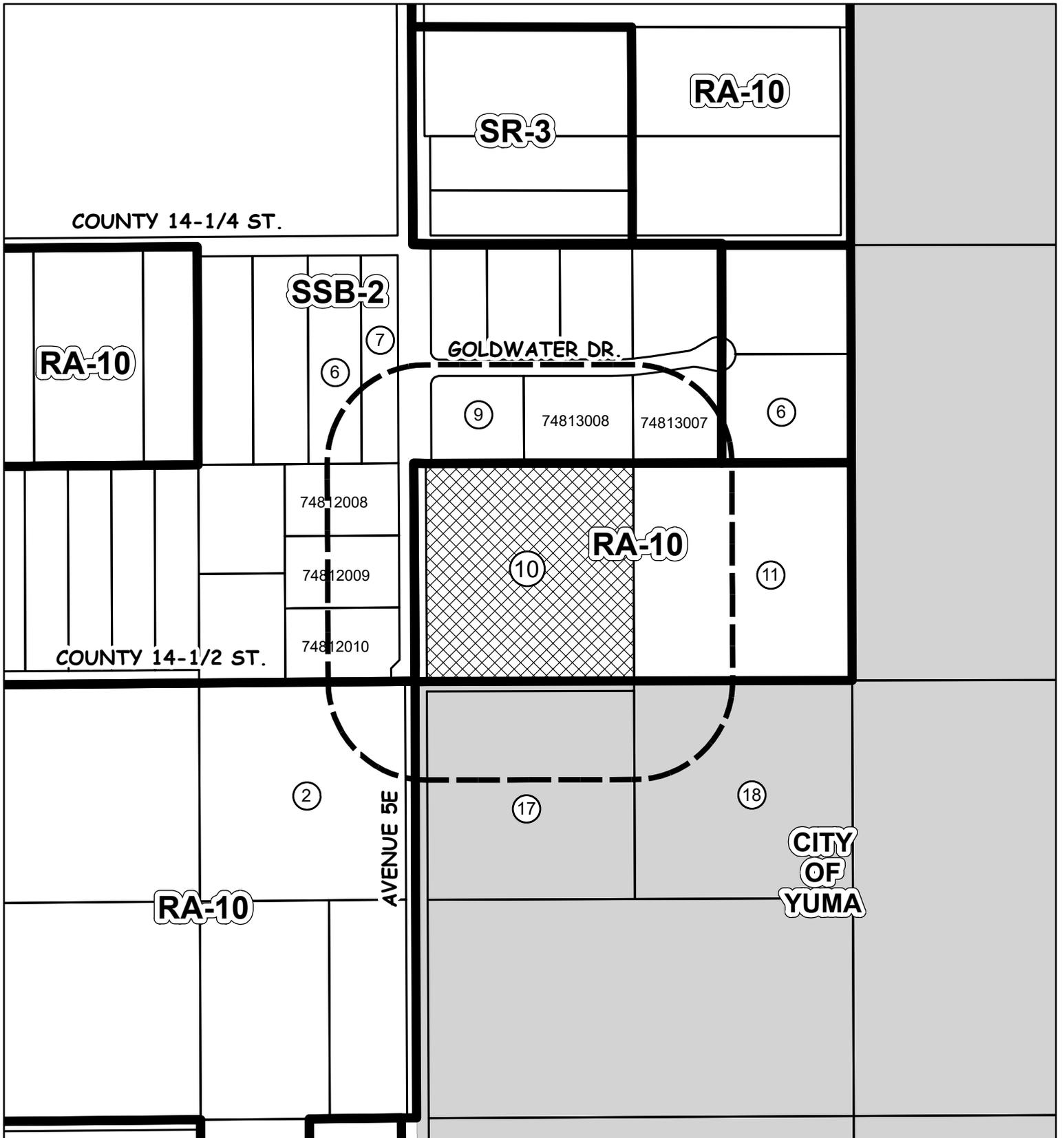
Performance Condition.

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 Infrastructure disclosure statement.
- c. Record a Range disclosure statement
- d. Record an Agriculture disclosure statement.
- e. Record a Schedule for Development disclosure statement.

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). The ingress/egress easement shall also contain the means for emergency vehicles to turn around. The turn-around shall be in accordance with 2003 International Fire Code and current Yuma County policies.
2. Within one year of approval by the Board of Supervisors, the owner or agent shall split the property by means of a Land Division Permit in accordance with Section 507.00 of the Yuma County Zoning Ordinance.
3. Within one year of approval and as part of item 2 above, the owner shall record an ingress/egress easement 20 feet in width as depicted on Exhibit A.
4. 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.
5. 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.



**DEPARTMENT OF
DEVELOPMENT
SERVICES**
PLANNING & ZONING DIVISION
2351 W. 26TH STREET
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

CASE NO:
LOCATION:
APNs:

RZ20-10
NORTHEAST CORNER OF
AVENUE 5E & CO. 14-1/2 ST.
748-13-010

Case Planner: Javier Barraza.
Drawn by : Javier B 05-27-2020
Reviewed: Javier B. 05-27-2020

SCALE
1" = 300"



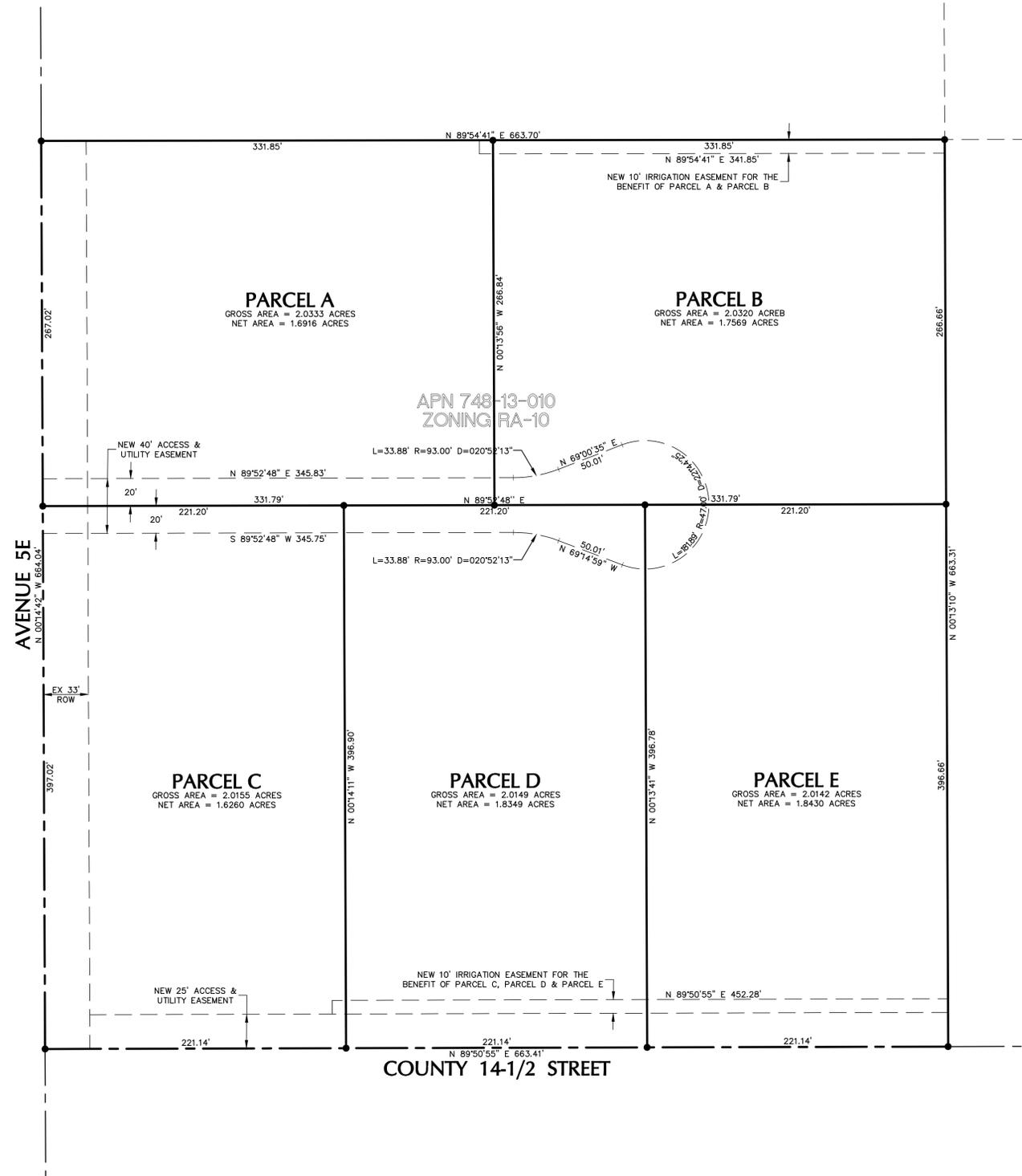
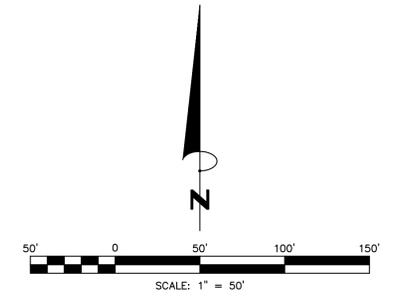
Legend

-  PORTION TO REZON
-  CITY OF YUMA
-  300' BUFFER

TDI ESTATES 2 LAND DIVISION (LDP 20-XX)

A LAND DIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29,
TOWNSHIP 9 SOUTH, RANGE 22 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA,
CREATING PARCEL A, PARCEL B, PARCEL C, PARCEL D AND PARCEL E

EXHIBIT "A"



PRELIMINARY
NOT FOR CONSTRUCTION
OR RECORDATION

LAND SURVEYOR



1560 S. 5th Avenue
Yuma, AZ 85364
Phone: (928) 819-0825
Fax: (928) 819-0826
www.dahlrobs.com
DRA Job: 20084

DAHL, ROBINS & ASSOCIATES, INC.

SHEET 1 OF 1

COMMENTS RECEIVED FOR RZ20-10

PAT HEADINGTON BUILDING TECHNICAL

All weather access including turnaround shall be provided in accordance with the 2003 International Fire Code and current policy

5/27/2020 12:45:51 PM

ARTURO ALVAREZ ENGINEERING TECHNICAL

COMMENTS PENDING

05/28/2020 03:46 PM

DAVID RUVALCABA

FLOOD CONTROL TECHNICAL

COMMENTS PENDING

05/28/2020 03:48 PM

GEORGE AMAYA HEALTH TECHNICAL

NO COMMENTS

05/27/2020

ARTURO ALVAREZ

ENG
TECHNICAL

1. Driveway access shall be in accordance with Yuma County Public Works Standard
Volume I Section 7.2.8

6/1/2020 1:38:44 PM

Yuma County 2020 Comprehensive Plan
Development Evaluation Checklist

Case No.: RZ20-10	Owner/Agent: <u>TDI HOLDINGS LLC</u>	
Parcel #: 748-13-010	Agent: <u>ADRIAN VEGA/DAHL, ROBINS</u>	
Current Zoning: RA-10	Proposed Zoning: SSB-2	Acreage: 10.10
<u>GROSS AC</u>		

IMPACT CATEGORY I. CONFORMANCE TO EXISTING PLANS		YES	NO	SCORE
1	The proposal is consistent with the Yuma County 2020 Comprehensive Plan, area plans, and other applicable county, state, or regional plans.	25	0	25
2	The proposed project reduces open space or rural preservation areas identified in the Yuma County 2020 Comprehensive Plan.	0	10	10
3	The proposed use is consistent and compatible with overlay zoning districts applicable to the subject parcel such as the Airport District, Gila Mountain, or Visual Corridor overlay zones.	10	0	10

IMPACT CATEGORY II. LAND USE COMPATIBILITY		YES	NO	SCORE
4	The proposed use is the same or similar to the uses in the surrounding vicinity.	25	0	25
5	The proposed density is the same or similar to the existing density in the surrounding vicinity.	25	0	25
6	The location of the project is appropriate considering proximity to existing transportation, shopping, services and employment.	25	0	25

IMPACT CATEGORY III. NATURAL RESOURCES		YES	NO	SCORE
7	The project, or a part of the project is located within the 100-year floodplain or floodway.	0	10	10
8	The subject parcel is located in an area of known high groundwater or a surface water source is present	0	5	5
9	The project will result in the loss of prime and/or unique farmland.	0	15	15

IMPACT CATEGORY IV. PUBLIC INFRASTRUCTURE		YES	NO	SCORE
10	Adequate improvements to the existing transportation system are proposed (i.e., intersection improvements, road widening, turn lanes, etc.) to accommodate the anticipated increase in traffic, or the development will not result in an increase in traffic.	15	0	15
11	Any public right-of-way necessary to accommodate the	5	0	5

	development has been or is proposed to be dedicated.			
12	A traffic impact study is either not required, or if required has been completed indicating the conclusions and recommendations for improvements.	5	0	5
13	A public or private water system, or an on-site water source, will adequately serve the proposed development	5	0	5
IMPACT CATEGORY V.				
NATURAL ENVIRONMENTAL CONDITIONS				
14	The project site contains endangered or threatened animal or plant species, or contains ecologically sensitive land.	0	5	5
15	The project site contains earthquake fault lines, fissures, cracks, sinkholes, craters, or is within an earthquake liquefaction area.	0	5	5
16	Soils within the project area are stable and suitable for the proposed development.	5	0	5
17	There are visual indications of previous slides, slumps or other soil problems (cracked walls and foundations, tilted trees or fences, settling, flooding, etc.) in the project area.	0	5	5
18	The site contains slopes of 12% or greater.	0	5	5
IMPACT CATEGORY VI.				
MANMADE ENVIRONMENTAL CONDITIONS				
19	The site contains fossils, artifacts, relics, monuments, or structures of archaeological or cultural significance.	0	5	5
20	Given the existing noise and estimated future noise levels of the area, the site is appropriate for the proposed activities and facilities.	5	0	5
21	The project will increase PM ₁₀ (particulate matter 10 microns or less diameter) or other air pollution levels in the vicinity.	0	5	0
22	The proposed project will release emissions such as nitrates, sulfates, or organic carbons into the air, which may reasonable be anticipated to causes or contribute to regional haze or impairment of visibility.	0	15	15
IMPACT CATEGORY VII.				
HEALTH, SAFETY, AND WELFARE				
23	Physical access to the site is traversable by a two-wheel drive passenger motor vehicle.	15	0	15
24	Access to or within the site is via a non-paved surface (which increases the amount of particulates such as soot or dust in the air).	0	10	5
25	Response time for emergency vehicles (Rural/Metro ambulance and fire) is 6 minutes or less, and 10 minutes or less for law enforcement (Sheriff's Dept.).	10	0	0

26	A legal public right of vehicular ingress and egress exists to and from the parcel.	10	0	10
27	The proposed land use is an allowed use according to the Yuma County Zoning Ordinance Airport District Land Use Matrix.	10	0	10
28	Elementary, middle, and high schools serving the subject property will be able to accommodate any projected enrollment increases within existing capacities.	10	0	10

TOTAL SCORE

280

MAXIMUM POSSIBLE SCORE

300

HIGH SCORE

Total score is 275 to 300.

A score falling in this category represents a proposal that likely should be **approved**.

The proposal is likely to be in compliance with adopted land use plans, policies, and objectives, has good access, and is compatible with surrounding development.

MODERATE SCORE

Total score is 250 to 274.

A score falling in this category represents a proposal that likely contains some redeeming qualities but is lacking in one or more areas.

Proposals within this score range typically should be more carefully considered.

LOW SCORE

Total score is 249 or less

A score falling in this category represents a proposal that likely should be **denied**.

The proposal likely does not comply with several adopted land use policies, goals, or objectives, may not have physical or legal access, or may not be compatible with surrounding development.

Prepared by: _____ Javier Barraza, S.P.

Date: 05/28/20

ver. 1

275



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

May 27, 2020

CASE NUMBERS: Rezoning Case No. 20-10

CASE SUMMARY: Adrian Vega, agent for TDI Holdings LLC, request the rezoning of a parcel 10.10 gross in size from Rural Area-10 acre minimum size to Suburban Site Built-2 acre minimum size, Assessor's Parcel Number 748-13-010, located on the northeast corner of Avenue 5E County 14½ Street, Yuma, Arizona.

Intended use: Divide into five (2 acre parcels) residential lots.

PUBLIC HEARING: July 28, 2020

COMMENTS DUE: June 8, 2020

Please complete the comments section below and return or forward your comments via first class mail, fax, or e-mail. For additional information, please contact me at (928) 817-5150.

COMMENT NO COMMENT

MCAS Yuma has reviewed the request for APN 748-13-010. Due to the proximity to the BMGR West boundary, per the Yuma County 2020 Comprehensive Plan, it is allowed residential density no greater than 2 acres per lot/parcel. A range disclosure is requested from each SSB-2 lot as acknowledgment of this proximity. Thank you for the opportunity to review and comment.

a. Mantz

DATE: 1 June 2020 NAME: Antonio Martinez, MCAS Yuma, (928) 269-2103

RETURN TO: Javier Barraza, Senior Planner
2351 W. 26th Street
Yuma, Arizona 85364
Fax: (928)817-5050
Javier.Barraza@yumacountyaz.gov

Yuma County
Planning & Zoning
Commission

Item No. 8

AIR-9902

8.

P&Z Commission Agenda

Meeting Date: 06/23/2020

Submitted For: Maggie Castro

Submitted By: Juan Leal-Rubio

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Rezoning Case No. 20-11: Adrian Vega, agent for TDI Holdings, LLC, requests the rezoning of a parcel 9.65 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 724-29-013, located on the northeast corner of Avenue 5E and County 13th Street, Yuma, Arizona.

2. INTENT:

The intent is to split the property into four parcels for residential development.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of this request subject to the attached Performance Condition and Schedule for Development.

Attachments

Staff Report

Case Map

Exhibit A-Site Plan

Dev Eval Checklist

Internal Comments

External Comments



STAFF REPORT TO THE COMMISSION

June 23, 2020

Rezoning Case No. 20-11

REQUEST: Rezone a parcel 9.65 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 724-29-013, located on the northeast corner of Avenue 5 E and County 13th Street, Yuma, Arizona.

APPLICANT: Adrian Vega, agent for TDI Holdings, LLC

Application is within Supervisor District 2: Russell McCloud; Commissioners Paul White and Wayne Eide. Staff report prepared by Juan Leal Rubio, Senior Planner.

DIRECTIONS: From the intersection of 32nd Street and Avenue 5E, travel south 2 miles on Avenue 5E. The subject property is located on northeast corner of Avenue 5 E and County 13th Street.

INTENT:

The applicant intends to split the property into four parcels for residential development.

SITE CONDITIONS:

The subject property is currently vacant. Irrigation ditches are located along the north and east side of the property.

The property has legal and physical access on the west side along Avenue 5E, a paved road 30 feet in width that has 50 feet of dedicated right-of-way. Physical access is not available along the south side of the subject property because there is a concrete ditch that obstructs access from County 13th Street.

Surrounding zoning and land uses consist of the following: Parcels 1 through 4 to the north are zoned SSB-2 and are currently vacant. Parcels 5 and 6 to the northeast are zoned SSB-2 and are developed with site built homes. Parcel 12 and 724-29-011 to the east are zoned SSB-2 and are developed with site built homes. Parcel 724-37-001 through -004 and 724-37-017 to the

south are zoned SSB-2 and are developed with site built homes. Parcel 17 to the southwest is zoned SSB-2 and is developed with a site built home. Parcel 16 to the southwest is zoned Local Commercial (C-1) and is vacant. Parcels 724-28-004 and -005 to the west are zoned SSB-2 and are vacant. Parcels 10 and 11 to the northwest are zoned SSB-2 and are developed with site built homes.

The purpose of the SSB-2 zoning district is to accommodate residential land uses on larger lots in the more rural, outlying areas of the County where adequate services and facilities exist or may be developed to support such development. Uses such as single family dwellings, farming, and agricultural-related land uses are allowed.

The subject property is located within the Yuma Mesa Planning Area of the 2020 Comprehensive Plan. The land use designation is Rural Density Residential which allows a residential density of one dwelling unit per two acres to one dwelling unit per ten acres. This request is within the range of identified uses, densities and intensities of the Comprehensive Plan.

The subject property is located outside the noise zones, but it is located under the overflight pattern. Additionally, the subject property is located in the Territory in the Vicinity of a Military Airport and approximately one mile from the Barry M. Goldwater Range.

The subject properties are located within Yuma Union High School District No.70 and Yuma School District No.1. The Arizona School Facilities Board published an Average Daily Membership (ADM) yield factor based on Census 2010 data that can be used to calculate an approximation of student population generated by the proposed residential development. The ADM yield factor is a close equivalent to the number of district school students a house unit produces. In this area of Yuma County, the four residential lots can potentially add one student to Yuma School District No. 1 and one student to Yuma Union High School District No. 70 at build-out according to the ADM yield factor.

The subject properties are located within the Yuma Metropolitan Air Pollution District which designated "non-attainment" for PM₁₀ by the U.S. Environmental Protection Agency. *The Yuma PM₁₀ Non-attainment Area State Implementation Plan (SIP)* has been utilized to reduce the amount of air pollution generated. Yuma County has adopted Reasonable Available Control Measures (RACMs) for the purpose of reducing pollutant emissions resulting in improved air quality. The RACMs implemented include paving, stabilizing, and/or reducing travel on unpaved street, roads and unpaved areas. According to the Institute of Transportation Engineer's Trip Generation Manual, approval of this request could potentially generate an additional 40 vehicle trips per day. Legal and physical access to the subject property is from Avenue 5E which is a paved road. Physical and legal access to all proposed new parcels will be achieved via a paved private access easement road 20 feet in width. Approval of this request will not create dust in the PM₁₀ Non-attainment Area.

CRITICAL ISSUES:

Public water and sanitation services are not available in the area of the subject properties. A septic system and water well will be needed when developing the properties.

The subject properties are not within the ten minute response time radius by Yuma County Sheriff's Department. The nearest Sheriff's response would be from the main station located at 141 South 3rd Avenue which is approximately ten miles away from the subject property.

The subject properties are not within the six minute response time radius by Rural Metro Fire Department. Fire Station No. 8, located at 15865 South Avenue A, is approximately eight miles from the subject property.

Ordinances, codes and regulations that pertain to the application:

- Yuma County Zoning Ordinance
- Yuma County Subdivision Regulations
- Yuma County Comprehensive Building Code
- 2003 International Fire Code (IFC)
- Environmental Health Laws (ARS Titles 36 and 49)
- Yuma County Flood Control District
- Public Works Standards Volume I, Section 7.2.8 Driveway/Curb Cuts.

SUMMARY NOTES:

SUPPORT STAFF SUMMARY: The Environmental Programs Division and Flood Control District made no comments. The Building Safety Division provided the following comment: All weather access including turnarounds shall be provided for emergency vehicles in accordance with 2003 International Fire Code and current policy. The Engineering Department provided the following comment: 1. No additional right of way will be required for residential use along Avenue 5E nor County 13th Street. 2. Driveway access shall be in accordance with Yuma County Public Works Standards Section 7.2.8.

LETTERS OF SUPPORT, OPPOSITION, AGENCY, MILITARY, SPECIAL INTEREST, etc.:

- Antonio Martinez from MCAS provided the following comment: "...The property is located under a flight path. An aviation disclosure is requested..."

CITIZEN COMMENTS: Staff has not received any comments at this time.

DEVELOPMENT EVALUATION CHECKLIST: The Development Evaluation Checklist identifies the following Impact Categories: Conformance to Existing Plans; Land Use Compatibility; Natural Resources; Public Infrastructure; Natural Environmental Conditions; Manmade Environmental Conditions; and Health, Safety & Welfare. A point system is used to score whether a proposal should likely be approved or denied. Of a possible high score of 300, the total score for this proposal is 290. A score falling in this category represents a proposal that likely should be approved. The proposal is likely to be in compliance with adopted land use

plans, policies and objectives, has good access, and is compatible with surrounding development. This request scored well on the following development standards: Conformance to existing plans, land use compatibility, impact to natural resources, and impact to public infrastructure, as well as impact to environmental conditions. The request received a regular score on the impact to health, safety and welfare category due to the fact that the project site is located outside the 10-minute or less law enforcement response.

CHRONOLOGY:

- 05-18-20 Application received
- 06-01-20 Property posted for the Planning Commission’s public hearing
- 06-03-20 Legal ad appears in the Yuma Daily Sun for the Planning Commission’s public hearing
- 06-05-20 Public notice mailed to properties within 300 feet of the request, the City of Yuma and all relevant agencies/stakeholders
- 06-05-20 Letter mailed informing applicant of item being placed on Planning Commission’s public hearing agenda
- 06-12-20 Staff report emailed to applicant and/or agent
- 06-23-20 Planning Commission’s public hearing

RECOMMENDATION:

Staff recommends approval of this request based on the request being within the range of identified uses, densities and intensities of the Comprehensive Plan subject to the following Performance Conditions and Schedule for Development:

Performance Conditions.

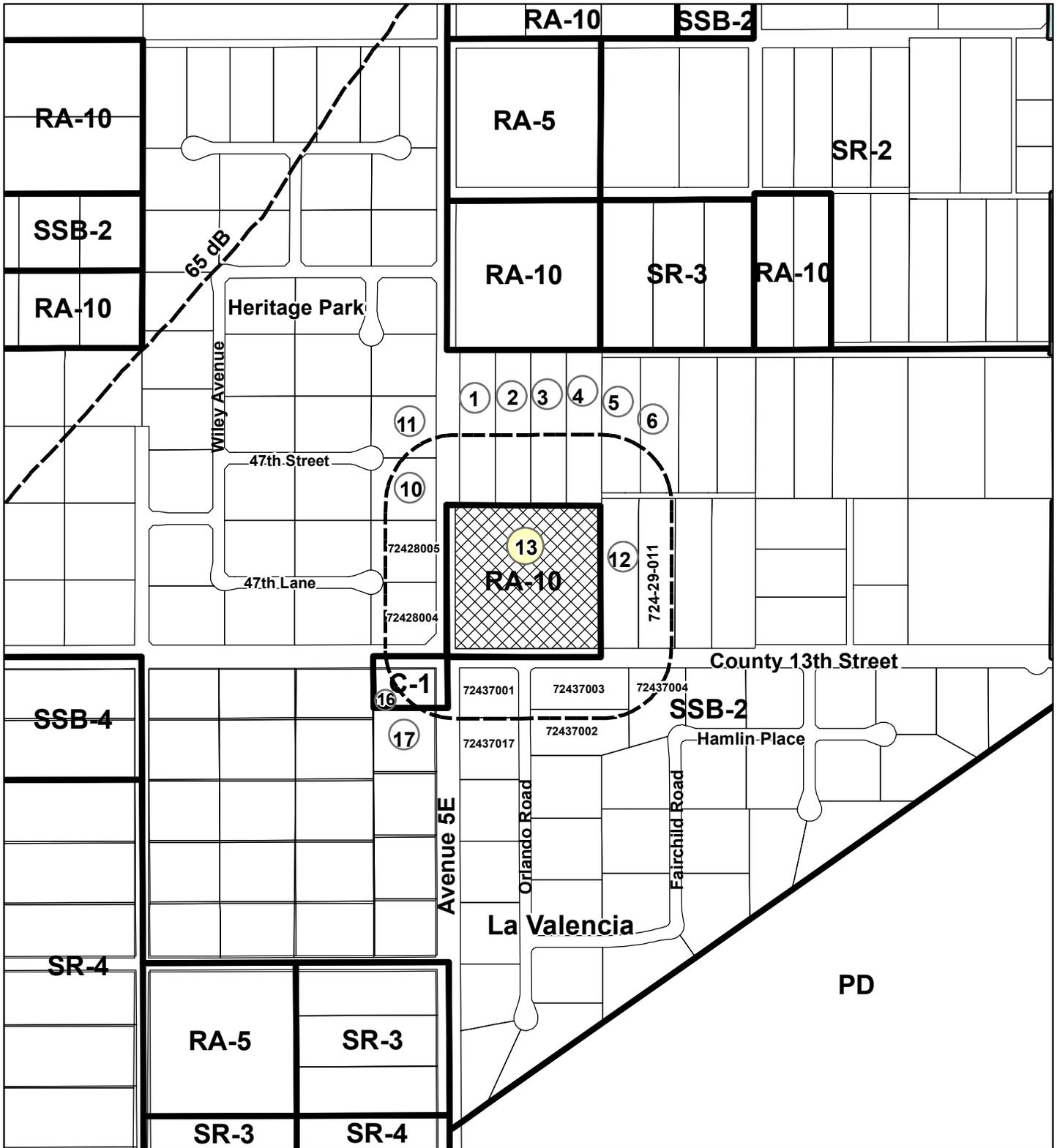
1. Within 60 days of approval by the Board of Supervisors, the owner/agent or agent shall:
 - a. Provide an A.R.S. § 12-1134 waiver.
 - b. Record an Infrastructure disclosure statement.
 - c. Record a Schedule for Development disclosure statement.
 - d. Record an Agriculture disclosure statement.
2.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

Schedule for Development. Within two (2) years of approval by the Board of Supervisors:

1. And prior to approval of Land Division Permit, the owner shall apply for a Grading Permit with Yuma County Department of Development Services to improve the ingress/egress easement depicted on the site plan submitted by the applicant in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat (refer to attached Standard Number B-Penetration and Chip Seal). The eastern end of the ingress/egress easement shall also contain the means for emergency

vehicles to turn around. The turn-around shall be in accordance with 2003 International Fire Code and current Yuma County policies.

2. The property shall be split in accordance with the site plan submitted by the applicant by means of a Land Division Permit pursuant to Section 507.00 of the Yuma County Zoning Ordinance and an ingress/egress easement twenty (20) feet in width along the center of the subject properties and an irrigation easement along the north property line shall be recorded.
3. 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.
4. 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.



DEPARTMENT OF DEVELOPMENT SERVICES
PLANNING & ZONING DIVISION
 2351 W. 26TH STREET
 YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

CASE NO: RZ20-11
LOCATION: NE Corner Co. 13th St & Ave 5E
APN(s): 724-29-013

CASE PLANNER: Juan Leal Rubio
DATE DRAWN: 05-28-2020
Reviewed by: N/A
SCALE: 1" = 600'

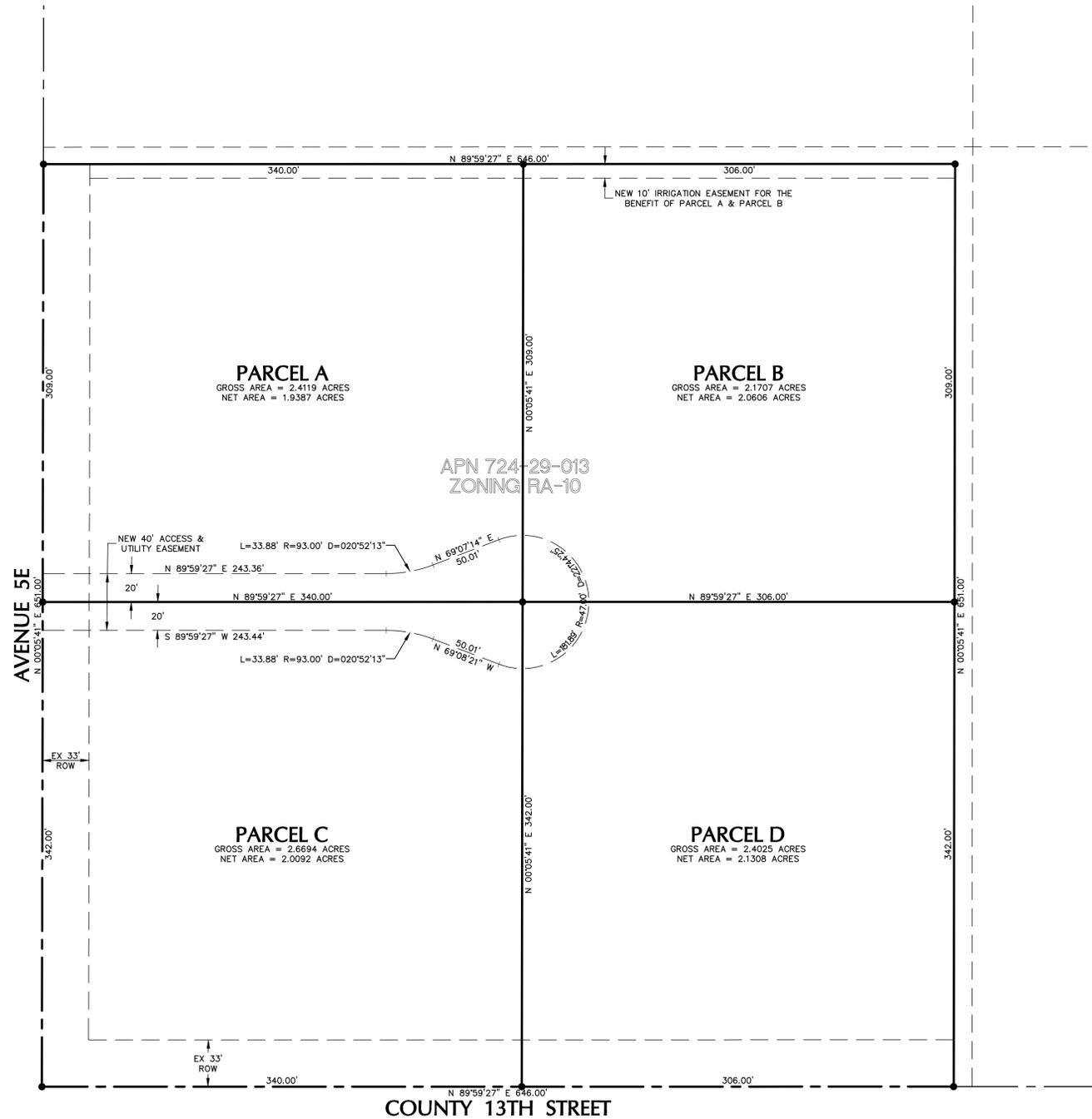
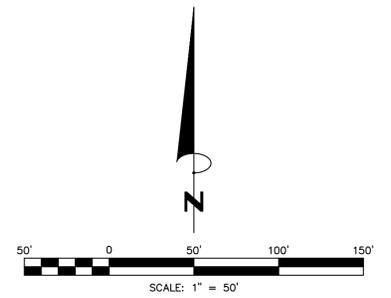


Legend

- 300' BUFFER
- SUBJECT PROPERTY
- CITY OF YUMA

TDI ESTATES 1 LAND DIVISION (LDP 20-XX)

A LAND DIVISION OF THE WEST 646 FEET OF THE SOUTH 651 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 9 SOUTH, RANGE 22 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, CREATING PARCEL A, PARCEL B, PARCEL C AND PARCEL D



PRELIMINARY
NOT FOR CONSTRUCTION
OR RECORDATION

**Yuma County 2020 Comprehensive Plan
Development Evaluation Checklist**

Case No.: RZ20-11	Owner/Agent: <u>THI Holdings, LLC</u>		
Parcel #: 724-29-013	Agent: <u>Adrian Vega</u>		
Current Zoning: RA-10	Proposed Zoning: SSB-2	Acreage: 9.65	<u>GROSS AC</u>

IMPACT CATEGORY I. CONFORMANCE TO EXISTING PLANS		YES	NO	SCORE
1	The proposal is consistent with the Yuma County 2020 Comprehensive Plan, area plans, and other applicable county, state, or regional plans.	25	0	25
2	The proposed project reduces open space or rural preservation areas identified in the Yuma County 2020 Comprehensive Plan.	0	10	10
3	The proposed use is consistent and compatible with overlay zoning districts applicable to the subject parcel such as the Airport District, Gila Mountain, or Visual Corridor overlay zones.	10	0	10

IMPACT CATEGORY II. LAND USE COMPATIBILITY		YES	NO	SCORE
4	The proposed use is the same or similar to the uses in the surrounding vicinity.	25	0	25
5	The proposed density is the same or similar to the existing density in the surrounding vicinity.	25	0	25
6	The location of the project is appropriate considering proximity to existing transportation, shopping, services and employment.	25	0	25

IMPACT CATEGORY III. NATURAL RESOURCES		YES	NO	SCORE
7	The project, or a part of the project is located within the 100-year floodplain or floodway.	0	10	10
8	The subject parcel is located in an area of known high groundwater or a surface water source is present	0	5	5
9	The project will result in the loss of prime and/or unique farmland.	0	15	15

IMPACT CATEGORY IV. PUBLIC INFRASTRUCTURE		YES	NO	SCORE
10	Adequate improvements to the existing transportation system are proposed (i.e., intersection improvements, road widening, turn lanes, etc.) to accommodate the anticipated increase in traffic, or the development will not result in an increase in traffic.	15	0	15
11	Any public right-of-way necessary to accommodate the	5	0	5

	development has been or is proposed to be dedicated.			
12	A traffic impact study is either not required, or if required has been completed indicating the conclusions and recommendations for improvements.	5	0	5
13	A public or private water system, or an on-site water source, will adequately serve the proposed development	5	0	5
IMPACT CATEGORY V.				
NATURAL ENVIRONMENTAL CONDITIONS				
14	The project site contains endangered or threatened animal or plant species, or contains ecologically sensitive land.	0	5	5
15	The project site contains earthquake fault lines, fissures, cracks, sinkholes, craters, or is within an earthquake liquefaction area.	0	5	5
16	Soils within the project area are stable and suitable for the proposed development.	5	0	5
17	There are visual indications of previous slides, slumps or other soil problems (cracked walls and foundations, tilted trees or fences, settling, flooding, etc.) in the project area.	0	5	5
18	The site contains slopes of 12% or greater.	0	5	5
IMPACT CATEGORY VI.				
MANMADE ENVIRONMENTAL CONDITIONS				
19	The site contains fossils, artifacts, relics, monuments, or structures of archaeological or cultural significance.	0	5	5
20	Given the existing noise and estimated future noise levels of the area, the site is appropriate for the proposed activities and facilities.	5	0	5
21	The project will increase PM ₁₀ (particulate matter 10 microns or less diameter) or other air pollution levels in the vicinity.	0	5	5
22	The proposed project will release emissions such as nitrates, sulfates, or organic carbons into the air, which may reasonable be anticipated to causes or contribute to regional haze or impairment of visibility.	0	15	15
IMPACT CATEGORY VII.				
HEALTH, SAFETY, AND WELFARE				
23	Physical access to the site is traversable by a two-wheel drive passenger motor vehicle.	15	0	15
24	Access to or within the site is via a non-paved surface (which increases the amount of particulates such as soot or dust in the air).	0	10	10
25	Response time for emergency vehicles (Rural/Metro ambulance and fire) is 6 minutes or less, and 10 minutes or less for law enforcement (Sheriff's Dept.).	10	0	0

26	A legal public right of vehicular ingress and egress exists to and from the parcel.	10	0	10
27	The proposed land use is an allowed use according to the Yuma County Zoning Ordinance Airport District Land Use Matrix.	10	0	10
28	Elementary, middle, and high schools serving the subject property will be able to accommodate any projected enrollment increases within existing capacities.	10	0	10

TOTAL SCORE

290

MAXIMUM POSSIBLE SCORE

300

HIGH SCORE

Total score is 275 to 300.

A score falling in this category represents a proposal that likely should be **approved**.

The proposal is likely to be in compliance with adopted land use plans, policies, and objectives, has good access, and is compatible with surrounding development.

MODERATE SCORE

Total score is 250 to 274.

A score falling in this category represents a proposal that likely contains some redeeming qualities but is lacking in one or more areas.

Proposals within this score range typically should be more carefully considered.

LOW SCORE

Total score is 249 or less

A score falling in this category represents a proposal that likely should be **denied**.

The proposal likely does not comply with several adopted land use policies, goals, or objectives, may not have physical or legal access, or may not be compatible with surrounding development.

Prepared by: JLR

Date:

05/28/20

ver. 1

290



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

May 28, 2020

CASE NUMBER: Rezoning Case No. 20-11

PROJECT DESCRIPTION: Adrian Vega, agent for TDI Holdings, LLC., requests the rezoning of a parcel 9.65 gross acres in size from Rural Area-10 acre minimum to Suburban Site Built-2 acre minimum, Assessor's Parcel Number 724-29-013 located on the northeast corner County 13th Street and Avenue 5E, Yuma, Arizona.

PROJECT SUMMARY: The applicant intends to rezone the subject property to split into four parcels for residential development

PUBLIC HEARING: Tentatively scheduled for 6/23/2020

COMMENTS DUE: ASAP

Please provide a determination of compliance or complete the comments section below and return or forward your comments to me. For additional information, please contact me at (928)817-5176.

Thank you,

Juan Leal Rubio
Case Planner
Senior Planner

Attachments: Case Map

COMMENT NO COMMENT

DATE: 05/28/2020 **PRINTED NAME:** George Amaya, R.S. _____

AGENCY/DIVISION: Environmental Programs _____

RETURN TO: Juan Leal Rubio
2351 West 26th Street
Yuma, Arizona 85364
Fax: (928)817-5157
Juan.Leal-Rubio@yumacountyaz.gov

From: Joe Wehrle
Sent: Thursday, May 28, 2020 4:24 PM
To: Juan Leal Rubio
Subject: RE: RFC RZ20-011

Juan,

The Assessor's Office has no comments or concerns for the proposed land division.

Joe Wehrle
Yuma County Assessor
192 South Maiden Lane
Yuma, AZ 85364
Joe.wehrle@yumacountyaz.gov
(928) 373-6073

From: Juan Leal Rubio
Sent: Thursday, May 28, 2020 12:00 PM
To: Anne.camacho@aps.com; grcopeland@antelopeunion.org; sjones@town.wellton.az.us; BKnowles@azgfd.gov; rjism09@msn.com; Bfenske@azdot.gov; chuck.wullenjohn@us.army.mil; bkleee@craneschools.org; agui2400@yahoo.com; Gen@yumaairport.com; gramirez@azdot.gov; IGarcia@azdot.gov; Jeff_humphrey@fws.gov; jennifer.albers@yumaaz.gov; esperodriguez@ssd11.org; jcampa@cityofsanluis.org; JHeidrich@aol.com; mstraub@wmidd.org; sjohnson@mohawk17.org; rmolenar@yumasun.com; Rick.rohrick@swgas.com; bryank@unitBIRR.com; ttyree@apscc.org; yid@mindspring.com; Pmorgan@ymidd.org; gthompson@yumaunion.org; Cgutierrez@ympo.org; daniel.m.steward.civ@mail.mil; Stephanie.Laborin@aps.com; Joe Wehrle <Joe.Wehrle@yumacountyaz.gov>; jmacdona@blm.gov; judith.e.movilla.civ@mail.mil; lkillman@town.wellton.az.us; info@ssd11.org; Robert.blevins@yumaaz.gov; sfajardo@mohawk17.org; tony.lomboy@charter.com; usarmy.ypg.atec.list.public-affairs-office@mail.mil; openunuri@ycwua.org; golivas@yumaunion.org; stephen.eckert@azwestern.edu; Javier Barraza <Javier.Barraza@yumacountyaz.gov>; Fernando Villegas <Fernando.Villegas@yumacountyaz.gov>; Arturo Alvarez <Arturo.Alvarez@yumacountyaz.gov>; Pat Headington <Pat.Headington@yumacountyaz.gov>; Rachel Stallworth <Rachel.Stallworth@yumacountyaz.gov>; George Amaya <George.Amaya@yumacountyaz.gov>; joseph.a.garcia46.civ@mail.mil; bobette.m.bauermann.civ@mail.mil; Mary.e.finch@usmc.mil; jperez@cityofsanluis.org; kleonard@azstateparks.gov; Ed.Alupay@CenturyLink.com; contact@ngvidd.com; egrubough@wmidd.org; magibili@up.com; carmenjuarez@somertonaz.gov; antonio.martinez1@usmc.mil
Subject: RFC RZ20-011

Please review and let me know if you have any comments.

Thanks,

Juan Leal Rubio, Senior Planner

Department of Development Services/Planning & Zoning Division
2351 W. 26th Street Yuma, AZ 85364



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

May 28, 2020

CASE NUMBER: Rezoning Case No. 20-11

PROJECT DESCRIPTION: Adrian Vega, agent for TDI Holdings, LLC., requests the rezoning of a parcel 9.65 gross acres in size from Rural Area-10 acre minimum to Suburban Site Built-2 acre minimum, Assessor's Parcel Number 724-29-013 located on the northeast corner County 13th Street and Avenue 5E, Yuma, Arizona.

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PUBLIC HEARING: Tentatively scheduled for 6/23/2020

COMMENTS DUE: ASAP

Please provide a determination of compliance or complete the comments section below and return or forward your comments to me. For additional information, please contact me at (928)817-5176.

Thank you,

Juan Leal Rubio
Case Planner
Senior Planner

Attachments: Case Map

COMMENT NO COMMENT

No Comment on the Rezoning, but the future split of the parcel will require a Grading Permit

DATE: 06/02/2020

PRINTED NAME: David Ruvalcaba

AGENCY/DIVISION: Flood Control

RETURN TO: Juan Leal Rubio
2351 West 26th Street
Yuma, Arizona 85364
Fax: (928)817-5157
Juan.Leal-Rubio@yumacountyaz.gov



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

May 28, 2020

CASE NUMBER: Rezoning Case No. 20-11

PROJECT DESCRIPTION: Adrian Vega, agent for TDI Holdings, LLC., requests the rezoning of a parcel 9.65 gross acres in size from Rural Area-10 acre minimum to Suburban Site Built-2 acre minimum, Assessor's Parcel Number 724-29-013 located on the northeast corner County 13th Street and Avenue 5E, Yuma, Arizona.

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Please provide a determination of compliance or complete the comments section below and return or forward your comments to me. For additional information, please contact me at (928)817-5176.

Thank you,

Juan Leal Rubio
Case Planner
Senior Planner

Attachments: Case Map

COMMENT

NO COMMENT

DATE: 05-28-20

PRINTED NAME: Robert M. Blevins

AGENCY/DIVISION: City of Yuma, Comm. Planning

RETURN TO: Juan Leal Rubio
2351 West 26th Street
Yuma, Arizona 85364
Fax: (928)817-5157
Juan.Leal-Rubio@yumacountyaz.gov



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

May 28, 2020

CASE NUMBER: Rezoning Case No. 20-11

PROJECT DESCRIPTION: Adrian Vega, agent for TDI Holdings, LLC., requests the rezoning of a parcel 9.65 gross acres in size from Rural Area-10 acre minimum to Suburban Site Built-2 acre minimum, Assessor's Parcel Number 724-29-013 located on the northeast corner County 13th Street and Avenue 5E, Yuma, Arizona.

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COMMENTS DUE: ASAP

Please provide a determination of compliance or complete the comments section below and return or forward your comments to me. For additional information, please contact me at (928)817-5176.

Thank you,

Juan Leal Rubio
Case Planner
Senior Planner

Attachments: Case Map

COMMENT NO COMMENT

MCAS Yuma has reviewed the request for APN 724-29-013. The parcel is located near a flight path, an Avigation disclosure is requested from each of the residential development to acknowledge these levels of noise. Thank you for the opportunity to review and comment.

DATE: 1 June 2020 **PRINTED NAME:** Antonio Martinez *a. Martinez*

AGENCY/DIVISION: MCAS Yuma, (928) 269-2103

RETURN TO: Juan Leal Rubio
2351 West 26th Street
Yuma, Arizona 85364
Fax: (928)817-5157
Juan.Leal-Rubio@yumacountyaz.gov



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

May 28, 2020

CASE NUMBER: Rezoning Case No. 20-11

PROJECT DESCRIPTION: Adrian Vega, agent for TDI Holdings, LLC., requests the rezoning of a parcel 9.65 gross acres in size from Rural Area-10 acre minimum to Suburban Site Built-2 acre minimum, Assessor's Parcel Number 724-29-013 located on the northeast corner County 13th Street and Avenue 5E, Yuma, Arizona.

PROJECT SUMMARY: The applicant intends to rezone the subject property to split into four parcels for residential development

PUBLIC HEARING: Tentatively scheduled for 6/23/2020

COMMENTS DUE: ASAP

Please provide a determination of compliance or complete the comments section below and return or forward your comments to me. For additional information, please contact me at (928)817-5176.

Thank you,

Juan Leal Rubio
Case Planner
Senior Planner

Attachments: Case Map

COMMENT NO COMMENT

DATE: 6/2/20 **PRINTED NAME:** Gen Grosse, Property/Community Relations

AGENCY/DIVISION: Yuma County Airport Authority

RETURN TO: Juan Leal Rubio
2351 West 26th Street
Yuma, Arizona 85364
Fax: (928)817-5157
Juan.Leal-Rubio@yumacountyaz.gov

From: YCWUA Planning <planning@ycwua.org>
Sent: Friday, May 29, 2020 6:49 AM
To: Juan Leal Rubio
Cc: planning@ycwua.org
Subject: Re: RFC RZ20-011

Juan,

The YCWUA does not have any comments on this.

Thanks and have a great weekend!

Omar Peñuñuri
Yuma County Water Users' Association
On 5/28/2020 12:00 PM, Juan Leal Rubio wrote:

Please review and let me know if you have any comments.

Thanks,

Juan Leal Rubio, Senior Planner

Department of Development Services/Planning & Zoning Division
2351 W. 26th Street Yuma, AZ 85364
(928) 817-5176 | Fax (928) 817-5020

If you would like to provide comments regarding the service you received, please click the following link: [Yuma County : Customer Survey](#)



Yuma County
Planning & Zoning
Commission

Item No. 9

AIR-9906

9.

P&Z Commission Agenda

Meeting Date: 06/23/2020

Submitted For: Maggie Castro

Submitted By: Fernando Villegas

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Rezoning Case No. 20-12: Adrian Vega, agent for TDI Holdings, LLC, requests the rezoning of a parcel to 10.00 gross acre in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 754-40-003, located on the southwest corner of Avenue A and County 17th Street, Yuma, Arizona.

2. INTENT:

The intent is to create five parcels of two acres in size for site built homes.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of this request subject to the attached Performance Conditions and Schedule for Development.

Attachments

Staff Report

Vicinity Map

Site Plan

Development Evaluation Checklist

Internal Memos

YCAA Memos



STAFF REPORT TO THE COMMISSION

June 23, 2020

Rezoning Case No. 20-12

REQUEST: Rezone a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 754-40-003, located on the southwest corner of County 17th Street and Avenue A, Yuma, Arizona.

APPLICANT: Adrian Vega, agent for TDI Holdings, LLC.

Application is within Supervisor District No. 4: Marco A. "Tony" Reyes; Commissioners Matias Rosales and Gary Black. Staff report prepared by Fernando Villegas, Senior Planner.

DIRECTIONS: From the intersection of U.S. Highway 95 and County 15th Street, travel east 1.1 miles to Avenue A. Turn south (right) on Avenue A and travel two miles to County 17th Street. The subject property is located on the southwest corner of County 17th Street and Avenue A.

INTENT:

The intent is to divide the 10 acres into five parcels of two acres in size for site built homes.

SITE CONDITIONS:

The subject parcel is currently in citrus. There is a concrete lined irrigation canal along the north boundary.

Physical access is along Avenue A, a paved two lane road 24 feet in width having 33 feet of public right of way.

Surrounding zoning and land uses consist of the following: Parcel 10 to the north is zoned Suburban Ranch-2 acre minimum (SR-2) and is developed with a site built home built in 1955. Parcels 8 and 9 to the north are zoned SSB-2 and are developed with site built homes. Parcels 6 and 7 to the northwest are zoned RA-10 and are pre-ordinance nonconforming. Parcel 6 is the location of a metal building used as a repair shop for manufactured homes and is predominantly

used for the storage of manufactured homes, recreational vehicles, commercial trucks and trailers, inoperable vehicles and miscellaneous junk. Parcel 7 is the location of a site built home and several commercial structures, shade structures, and is used for the storage of trailers, recreational vehicles, inoperable vehicles, and miscellaneous junk. Aerial images also indicate that Parcels 6 and 7 were being used for agriculture up until 1996. Aerial images also indicate that the uses on the properties began transitioning from agriculture to the current uses sometime between 1996 and 2002. Parcel 2 to the west is zoned RA-10 and is fallow. Parcel 4 to the south is zoned RA-10, is developed with a site built home and is in citrus. Parcel 755-53-008 to the southeast is zoned RA-10 and is in agriculture. Parcel 12 to the east is zoned SSB-2 and is the location of a site-built home. Parcel 1 to the east is zoned SSB-2 and is undeveloped. Parcel 31 to the northeast is zoned RA-5, is developed with a site built home and is in agriculture.

The subject parcel is located in the Yuma Mesa Planning Area of the 2020 Comprehensive Plan and is designated Rural Density Residential (R-RD). The R-RD land use designation supports the SSB-2 zoning district. This request is within the range of identified uses, densities and intensities of the 2020 Comprehensive Plan.

The subject property is located within the Yuma County Sheriff's 10-minute response time. The nearest Sheriff's substation is located at 18669 South Colorado Street in Gadsden. The subject property is located within Rural Metro's 6-minute response time. The nearest Rural Metro substation is located at 15865 South Avenue A.

The subject property is located within Yuma Union High School District No.70 and Yuma School District No.1. The Arizona School Facilities Board published an Average Daily Membership (ADM) yield factor based on Census 2010 data that can be used to calculate an approximation of student population generated by the proposed residential development. The ADM yield factor is a close equivalent to the number of district school students a house unit produces. In this area of Yuma County, the four residential lot development can potentially add one student to Yuma School District No. 1 and one student to Yuma Union High School District No. 70 at build-out according to the ADM yield factor.

The subject property is located outside the noise contour, but it is located under a flight path and within the territory in the vicinity of the military airport.

CRITICAL ISSUES:

Public water and sanitation services are not available in the area of the subject properties. A septic system and water well will be needed when developing the properties.

The subject property is located within the Yuma Metropolitan Air Pollution District which designated "non-attainment" for PM₁₀ by the U.S. Environmental Protection Agency. *The Yuma PM₁₀ Non-attainment Area State Implementation Plan (SIP)* has been utilized to reduce the amount of air pollution generated. Yuma County has adopted Reasonable Available Control Measures (RACMs) for the purpose of reducing pollutant emissions resulting in improved air quality. The RACMs implemented include paving, stabilizing, and/or reducing travel on unpaved

street, roads and unpaved areas. According to the Institute of Engineer's Trip Generation Manual, approval of this request could potentially generate 40 additional vehicle trips per day. Since physical access to the proposed new parcels is intended to be along a dirt road, there is the potential for pollutants to be generated by the increase in traffic.

Ordinances, codes and regulations that pertain to the application:

- Yuma County Zoning Ordinance
- Yuma County Subdivision Regulations
- Yuma County Comprehensive Building Code
- 2003 International Fire Code (IFC)
- Environmental Health Laws (ARS Titles 36 and 49)
- Yuma County Flood Control District
- Public Works Standards Volume I, Section 7.2.8 Driveway/Curb Cuts.

SUMMARY NOTES:

SUPPORT STAFF SUMMARY: The Environmental Programs Division, Flood Control District, and Zoning Enforcement Section found this application satisfactory. The Engineering Department provided the following comment: The owner shall dedicate 33-feet of right of way as shown on the land division by means of a warranty deed. The Building Safety Division provided the following comments: All weather access for emergency vehicles shall be provided in accordance with 2003 International Fire Code and current policy; access shall be certified by a registered engineer.

LETTERS OF SUPPORT, OPPOSITION, AGENCY, MILITARY, SPECIAL INTEREST, etc.:
The application is on file.

- Antonio Martinez, Marine Corps Air Station (MCAS), offered the following comment: The parcel is located just outside the 65 dB noise contour and under a flight path. It is requested that an Avigation Disclosure is filled recognizing noise, interference and vibrations due to avigation activities at MCAS Yuma. Thank you for the opportunity to review and comment.
- Gen Grosse, Yuma County Airport Authority (YCAA), offered the following comments: The subject property is near the 65 dB noise zone. Please file an avigation easement recognizing noise, interference and vibrations due to avigation activities at Yuma International Airport and MCAS Yuma.

CITIZEN COMMENTS: Staff has not received any comments at this time.

DEVELOPMENT EVALUATION CHECKLIST: The Development Evaluation Checklist identifies the following Impact Categories: Conformance to Existing Plans; Land Use Compatibility; Natural Resources; Public Infrastructure; Natural Environmental Conditions; Manmade Environmental Conditions; and Health, Safety & Welfare. A point system is used to score whether a proposal should likely be approved or denied. Of a possible high score of 300, the total score for this proposal is 275.

The Development Evaluation Checklist score is less than 300 due primarily to the following factors: 1) The project will increase PM₁₀ (particulate matter 10 microns or less diameter) or other air pollution levels in the vicinity. 2) Access to the site is via a non-paved surface, and 3) Legal public right of vehicular ingress and egress does not exist to and from the parcel.

CHRONOLOGY:

05-20-20 Application received
06-03-20 Legal ad appears in the Yuma Daily Sun for the Planning Commission's public hearing
06-05-20 Public notice mailed to properties within 300 feet of the request, the City of Yuma and all relevant agencies/stakeholders
06-05-20 Letter mailed informing applicant of item being placed on Planning Commission's public hearing agenda
06-05-20 Property posted for the Planning Commission's public hearing
06-12-20 Staff report mailed to applicant and/or agent
06-23-20 Planning Commission's public hearing

RECOMMENDATION:

Staff recommends approval of this request based on the request being in compliance with the 2020 Comprehensive Plan subject to the following Performance Conditions and Schedule for Development:

Performance Conditions.

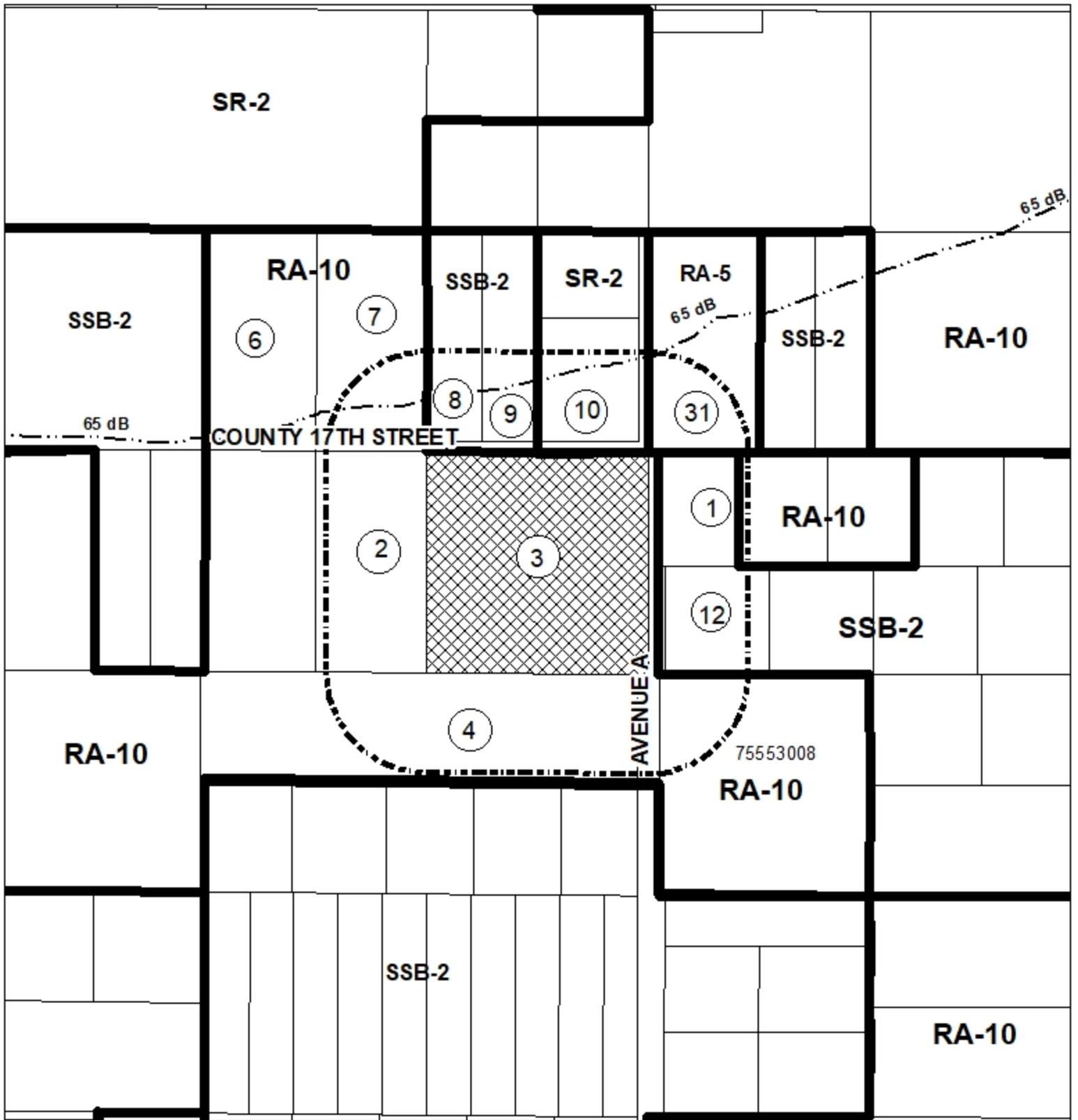
1. The owner or applicant shall record the following documents within 60 days of Board of Supervisors approval of this rezoning case and submit them to the Department of Development Services:
 - a. An A.R.S. § 12-1134 waiver.
 - b. An agricultural disclosure statement.
 - c. An infrastructure disclosure statement.
 - d. A Schedule for Development disclosure statement
 - e. A warranty dedicating 33 feet of right-of-way on the east side.
2. A request for an avigation disclosure statement to be recorded within 60 days of Board of Supervisors approval and submitted to the Department of Development Services.

Schedule for Development. Within two (2) years of approval by the Board of Supervisors:

1. Prior to approval of Land Division Permit, the owner shall apply for a Grading Permit with Yuma County Department of Development Services to improve the ingress/egress easement depicted on the site plan submitted by the applicant in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal

coat (Standard B-Penetration and Chip Seal).

2. The property shall be split in accordance with the site plan submitted by the applicant by means of a Land Division Permit pursuant to Section 507.00 of the Yuma County Zoning Ordinance.
3. 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.
4. 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.




**DEPARTMENT OF
DEVELOPMENT
SERVICES**
PLANNING & ZONING DIVISION
2351 W. 26TH STREET
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

CASE NO: RZ20-12
LOCATION: Southwest Corner of
 Co. 17th St. & Avenue A
APNs: 754-40-003

Case Planner: Fernando Villegas
Drawn by : Fernando V. On 06-05-2020
Reviewed: Juan Leal 05-27-2020

SCALE
 1" = 400'

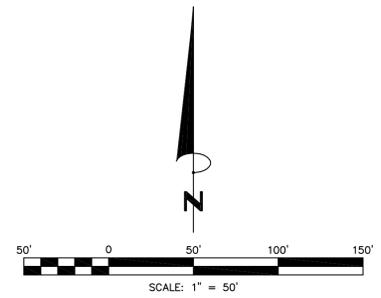
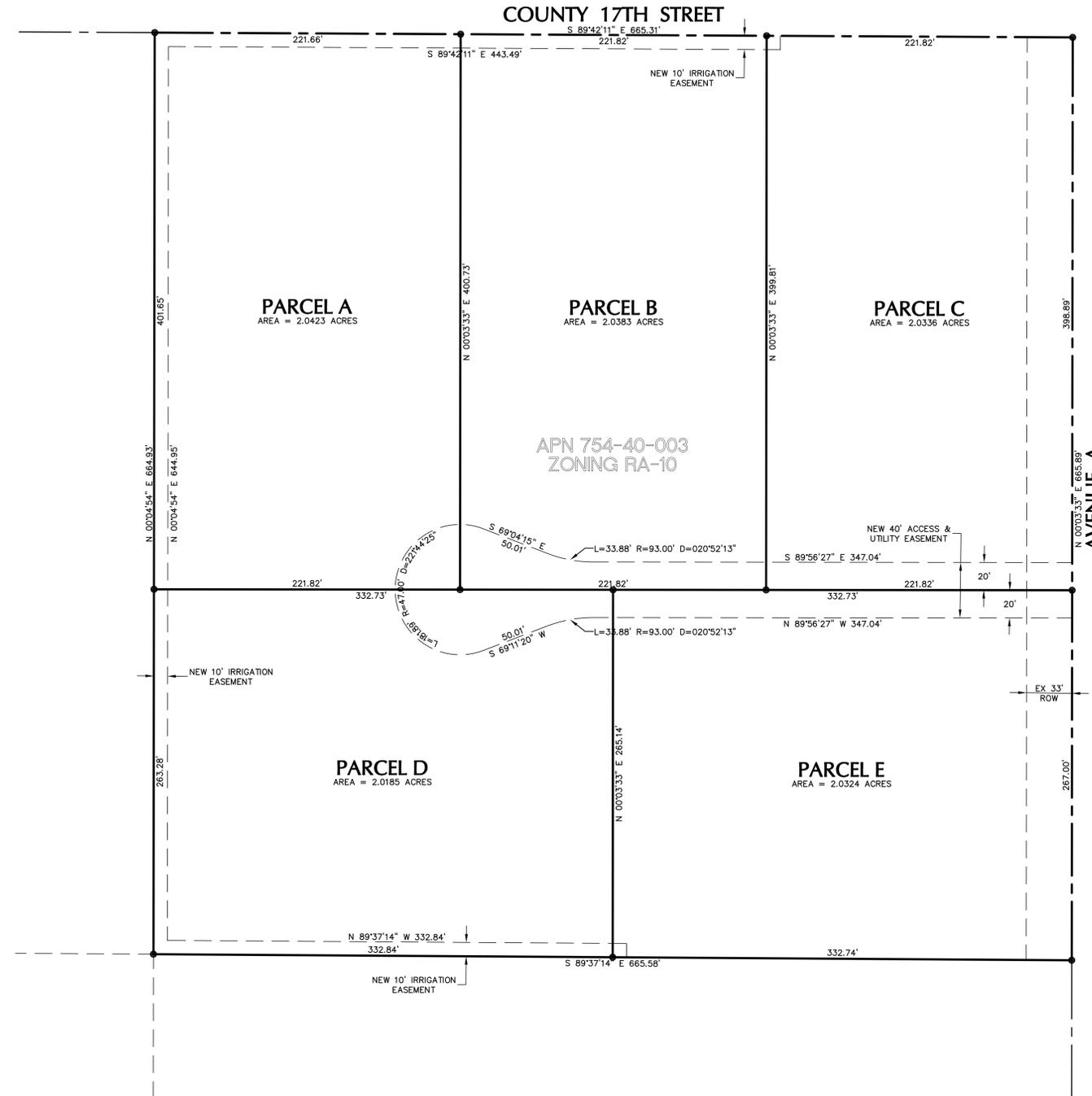


Legend

-  Subject Property
-  300' NOTIFICATION AREA
-  Municipality

MEREDITH ESTATES LAND DIVISION (LDP 20-XX)

A LAND DIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8,
TOWNSHIP 10 SOUTH, RANGE 23 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA,
CREATING PARCEL A, PARCEL B, PARCEL C, PARCEL D AND PARCEL E



PRELIMINARY
NOT FOR CONSTRUCTION
OR RECORDATION

LAND SURVEYOR

1560 S. 5th Avenue
Yuma, AZ 85364
Phone: (928) 819-0825
Fax: (928) 819-0826
www.dahlrobbins.com
DRA Job: 20083

DAHL, ROBINS & ASSOCIATES, INC.

Yuma County 2020 Comprehensive Plan Development Evaluation Checklist				
Case No.: RZ20-12		Owner/Agent: TDI Holdings LLC		
Current Zoning: RA-10	Proposed Zoning: SSB-2	Gross Acreage:	10	
REZONING 1 PARCEL TO SR-3 TO ALLOW RESIDENTIAL DEVELOPMENT				
IMPACT CATEGORY I. CONFORMANCE TO EXISTING PLANS		YES	NO	SCORE
1	The proposal is consistent with the Yuma County 2020 Comprehensive Plan, area plans, and other applicable county, state, or regional plans.	25	0	25
2	The proposed project reduces open space or rural preservation areas identified in the Yuma County 2020 Comprehensive Plan.	0	20	20
3	The proposed use is consistent and compatible with overlay zoning districts applicable to the subject parcel such as the Airport District, Gila Mountain, or Visual Corridor overlay zones.	20	0	20
IMPACT CATEGORY II. LAND USE COMPATIBILITY				
4	The proposed use is the same or similar to the uses in the surrounding vicinity.	20	0	20
5	The proposed density is the same or similar to the existing density in the surrounding vicinity.	20	0	20
6	The location of the project is appropriate considering proximity to existing transportation, shopping, services and employment.	20	0	20
IMPACT CATEGORY III. NATURAL RESOURCES				
7	The project, or a part of the project is located within the 100-year floodplain or floodway.	0	10	10
8	The subject parcel is located in an area of known high groundwater or a surface water source is present	0	10	10
9	The project will result in the loss of prime and/or unique farmland.	0	10	10
IMPACT CATEGORY IV. PUBLIC INFRASTRUCTURE				
10	Adequate improvements to the existing transportation system are proposed (i.e., intersection improvements, road widening, turn lanes, etc.) to accommodate the anticipated increase in traffic, or the development will not result in an increase in traffic.	10	0	10
11	Any public right-of-way necessary to accommodate the development has been or is proposed to be dedicated.	10	0	10

12	A traffic impact study is either not required, or if required has been completed indicating the conclusions and recommendations for improvements.	10	0	10
13	A public or private water system, or an on-site water source, will adequately serve the proposed development	10	0	10

IMPACT CATEGORY V.**NATURAL ENVIRONMENTAL CONDITIONS**

14	The project site contains endangered or threatened animal or plant species, or contains ecologically sensitive land.	0	5	5
15	The project site contains earthquake fault lines, fissures, cracks, sinkholes, craters, or is within an earthquake liquefaction area.	0	5	5
16	Soils within the project area are stable and suitable for the proposed development.	5	0	5
17	There are visual indications of previous slides, slumps or other soil problems (cracked walls and foundations, tilted trees or fences, settling, flooding, etc.) in the project area.	0	5	5
18	The site contains slopes of 12% or greater.	0	5	5

IMPACT CATEGORY VI.**MANMADE ENVIRONMENTAL CONDITIONS**

19	The site contains fossils, artifacts, relics, monuments, or structures of archaeological or cultural significance.	0	5	5
20	Given the existing noise and estimated future noise levels of the area, the site is appropriate for the proposed activities and facilities.	5	0	5
21	The project will increase PM ₁₀ (particulate matter 10 microns or less diameter) or other air pollution levels in the vicinity.	5	0	0
22	The proposed project will release emissions such as nitrates, sulfates, or organic carbons into the air, which may reasonable be anticipated to causes or contribute to regional haze or impairment of visibility.	0	5	5

IMPACT CATEGORY VII.**HEALTH, SAFETY, AND WELFARE**

23	Physical access to the site is traversable by a two-wheel drive passenger motor vehicle.	10	0	10
24	Access to or within the site is via a non-paved surface (which increases the amount of particulates such as soot or dust in the air).	10	0	0
25	Response time for emergency vehicles (Rural/Metro ambulance and fire) is 6 minutes or less, and 10 minutes or less for law enforcement (Sheriff's Dept.).	0	10	10

26	A legal public right of vehicular ingress and egress exists to and from the parcel.	0	10	0
27	The proposed land use is an allowed use according to the Yuma County Zoning Ordinance Airport District Land Use Matrix.	10	0	10
28	Elementary, middle, and high schools serving the subject property will be able to accommodate any projected enrollment increases within existing capacities.	10	0	10
TOTAL SCORE				275
MAXIMUM POSSIBLE SCORE				300

HIGH SCORE

Total score is 275 to 300.

A score falling in this category represents a proposal that likely should be **approved**.

The proposal is likely to be in compliance with adopted land use plans, policies, and objectives, has good access, and is compatible with surrounding development.

MODERATE SCORE

Total score is 250 to 274.

A score falling in this category represents a proposal that likely contains some redeeming qualities but is lacking in one or more areas.

Proposals within this score range typically should be more carefully considered.

LOW SCORE

Total score is 249 or less

A score falling in this category represents a proposal that likely should be **denied**.

The proposal likely does not comply with several adopted land use policies, goals, or objectives, may not have physical or legal access, or may not be compatible with surrounding development.

Prepared by: Fernando Villegas

5/8/2020

PAT HEADINGTON

BUILDING
TECHNICAL

All weather access for emergency vehicles shall be provided in accordance with 2003 International Fire Code and current policy; access shall be certified by a registered engineer

5/27/2020 9:57:18 AM

ARTURO ALVAREZ

ENG
TECHNICAL

The owner shall dedicate 33-feet of right of way as shown on the land division by means of a warranty deed.

6/4/2020 4:10:06 PM



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

May 27, 2020

CASE NUMBER: Rezoning Case No. 20-12

CASE SUMMARY: Adrian Vega agent for TDI Holdings LLC requests the rezoning of a parcel to 10.00 gross acre in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 754-40-003, located on the southwest corner of County 17th Street and Avenue A, Yuma, Arizona.

The applicant is proposing to create five new parcels.

Public Hearing: TBD

Comments Due: June 5, 2020

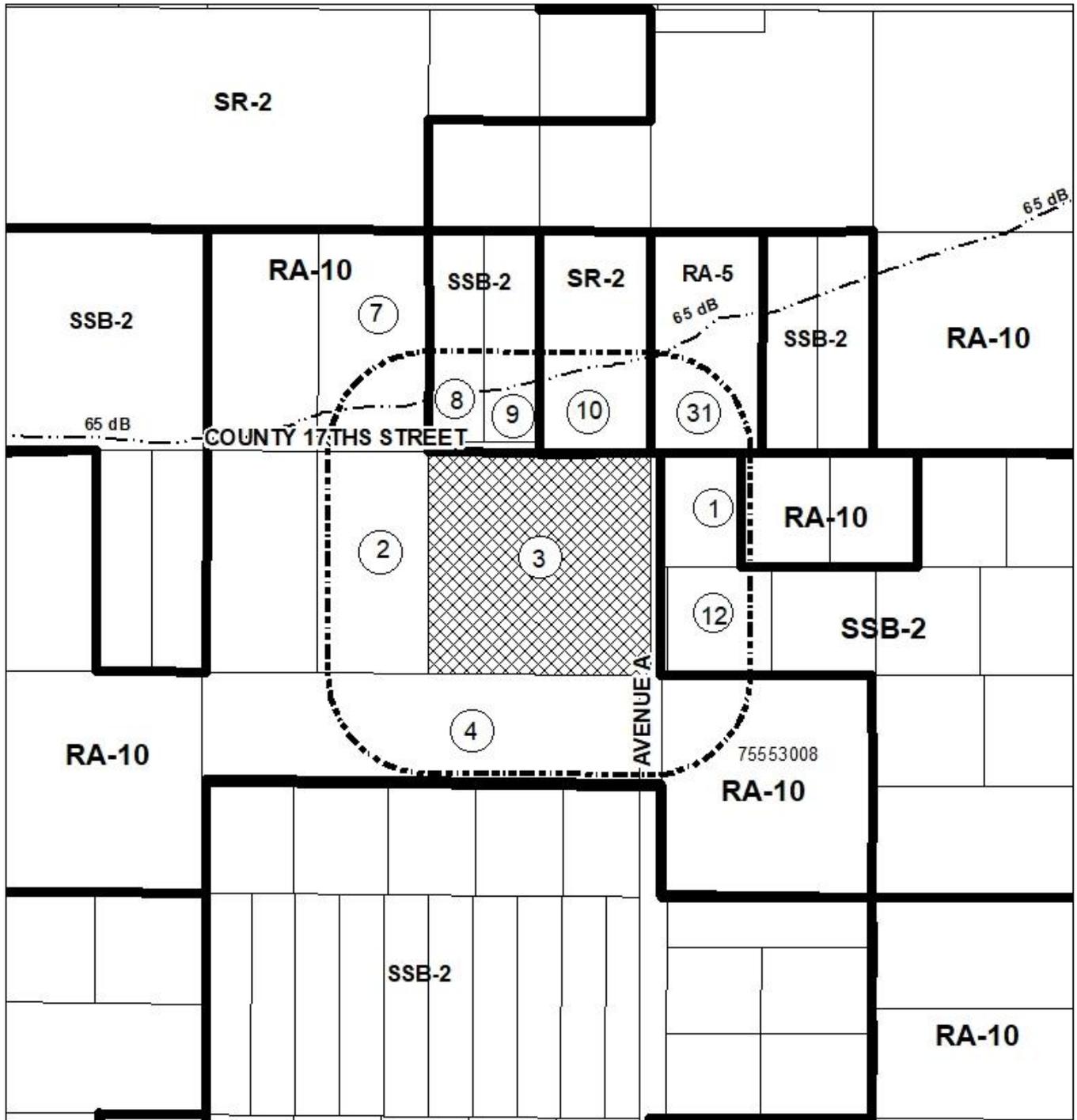
Please complete the comments section below and return or forward your comments via first class mail, fax, or e-mail. For additional information, please contact me at (928) 817-5181.

COMMENT NO COMMENT

The subject property is near the 65 dB noise zone. Please file an aviagation easement recognizing noise, interference and vibrations due to aviation activities at Yuma International Airport/MCAS Yuma.

DATE: 5/28/20 NAME: Gen Grosse, Yuma County Airport Authority

RETURN TO: Please return your response within 10 days to: Fernando Villegas, Senior Planner, Department of Development Services, 2351 W. 26th Street, Yuma, AZ 85364 or by E-mail – Fernando.villegas@yumacountyaz.gov




**DEPARTMENT OF
DEVELOPMENT
SERVICES**
PLANNING & ZONING DIVISION
2351 W. 26TH STREET
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

CASE NO: RZ20-12
LOCATION: Southwest Corner of
Co. 17th St. & Avenue A
APNs: 754-40-003

Case Planner: Fernando Villegas
Drawn by : Fernando V. On 05-27-2020
Reviewed: Juan Leal 05-27-2020

SCALE
1" = 400'



Legend
 Subject Property
 300' NOTIFICATION AREA
 Municipality