

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 $\frac{3}{4}$, 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-JD) 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.

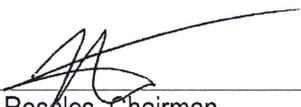
MOTION (WHITE/ZERMENO): Approve tentative map as presented by staff.

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