

4. **Minor Amendment Case No. 20-03:** Adrian Vega, agent for Judy M. Knowlton, requests to change the land use designation of a 0.46 net acre portion of a parcel 1.46 net acres in size from Rural Density Residential (R-RD) to Suburban Density Residential (R-SD), Assessor's Parcel Number 459-25-005, located 12266 North Eagle Road, Yuma, Arizona.
5. **Rezoning Case No. 20-14:** Adrian Vega, agent for Judy M. Knowlton, requests the rezoning of a 0.46 acre portion of a parcel 1.46 net acres in size from Low Density Residential-40,000 square feet minimum (R-1-40) to Low Density Residential-15,000 square feet minimum (R-1-15), Assessor's Parcel Number 459-25-005, located 12266 North Eagle Road, Yuma, Arizona.
6. **Text Amendment No. 20-01:** A proposed amendment to the Yuma County 2020 Comprehensive Plan, Land Use Conformity Matrix table and the Zoning Comparison table.
7. **Text Amendment No. 20-02:** A proposed text amendment to the Yuma County Zoning Ordinance to add Section 624.00—Suburban Homestead (SH) Zoning District, delete the term "Guest Room" from Section 202.00—Definitions and add Suburban Homestead (SH) to list of Residential Districts, add Suburban Homestead (SH) Zoning District to Section 501.00—Districts Established Plate V-1 District Classes, add Suburban Homestead to Section 505.01---Minimum Area Requirements, add Suburban Homestead to Section 1106.00--Accessory Buildings and Uses, and add Suburban Homestead to Section 1106.01--Cargo Containers
8. **Discussion by the Commission members and Planning Director of events attended, current events, and the schedule for future Planning Commission meetings.**
9. **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 July 28, 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, Gary Black, Paul White, Ron Rice and Alicia Zermeno. Commissioners John McKinley and Wayne Eide were absent. Others present were: Planning Director Maggie Castro, AICP; Senior Planner Juan Leal Rubio; 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 June 23, 2020.

MOTION (ZERMENO/BLACK): Approve as presented.

VOICE VOTE: Mulhern-AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Black- AYE; White- AYE; Rice- AYE; Zermeno-AYE. The motion carried 8-0.

ITEM No. 4: Rezoning Case No. 20-13: Craig Colvin, agent for Charley and Barbara Cranmore, requests the rezoning of a parcel 9.81 gross acres in size from Rural Area-10 acre minimum (RA-10) to Recreational Vehicle Subdivision (RVS), Assessor's Parcel Number 700-47-117, located in the vicinity of the northeast corner of Scottsdale Drive and 34th Place, Yuma, Arizona.

Senior Planner Juan Leal Rubio presented the staff report recommending approval of Rezoning Case No. 20-13 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 a Schedule for Development disclosure statement.
 - c. Record a Range 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. 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.

Deeann Mooney, 11269 East 34th Street, Yuma, Arizona, surrounding property owner, stated her concern with the traffic flow, the condition and width of the road, and there being no sidewalks on Scottsdale Drive. She requested a stop light to be installed at Scottsdale Drive and South Frontage Road. She requested stop signs along 34th Street, 34th Place, 35th Street, and 35th Place to slow traffic down and to impede residents from using the streets as through streets to get to Fortuna Road.

Deborah Degitz, 11573 East 35th Street, Yuma, Arizona, surrounding property owner, questioned the zoning change. She stated she did not want RVs to be placed in the subdivision.

Craig Colvin, 6105 East Alyssa Lane, Yuma, Arizona, developer, stated he is proposing to complete road improvements on Scottsdale Drive. He stated the road would widen along with curb and gutter and sidewalks. He explained why he is requesting a zoning change. The lot size and setbacks requirements for RVS zoning district is compatible with his proposed subdivision plans. He explained the homes will be site built homes.

Senior Planner Juan Leal Rubio explained the intent for the RVS zoning district. He stated the 10E subdivision was RVS zoning district and there are only site built homes although he was unsure if that was regulated through the CC&Rs.

Craig Colvin, 6105 East Alyssa Lane, Yuma, Arizona, developer, stated 10E subdivision was regulated through CC&Rs.

Commissioner White stated he was glad to hear plans to widen Scottsdale Drive. He stated there is a drain east of the intersection on 34th Place that acts as a speed bump which helps with traffic.

Commissioner Rosales inquired if there was any other type of traffic control on those roads.

Land Development Engineer Arturo Alvarez stated he would place an internal request to evaluate the streets. He explained a traffic impact study would be conducted prior to issuing permits for the project.

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

MOTION (WHITE/ BRYANT): Approve Rezoning Case No. 20-13 as presented by staff.

VOICE VOTE: Mulhern-AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Black- AYE; White- AYE; Rice- AYE; Zermeno-AYE. The motion carried 8-0.

ITEM No. 5: 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 5:24 p.m.

Approved and accepted on this 25th day of August 2020.

Matias Rosales, Chairman

ATTEST:

Maggie Castro, AICP, Planning Director

Yuma County
Planning & Zoning
Commission

Item No. 4

AIR-9999

4.

P&Z Commission Agenda

Meeting Date: 08/25/2020

Submitted For: Maggie Castro

Submitted By: Javier Barraza

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Minor Amendment Case No. 20-03: Adrian Vega, agent for Judy M. Knowlton, requests to change the land use designation of a 0.46 net acre portion of a parcel 1.46 net acres in size from Rural Density Residential (R-RD) to Suburban Density Residential (R-SD), Assessor's Parcel Number 459-25-005, located 12266 North Eagle Road, Yuma, Arizona.

2. INTENT:

To change the land use designation in order to rezone a portion of the subject parcel to Low Density Residential-15,000 square feet minimum (R-1-15) to split the parcel into two lots for residential development.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends denial of Minor Amendment Case 20-03 based on:

1. The change will allow for inconsistency with existing zoning and land use development patterns.
 2. The amendment does not address an oversight, inconsistency, or other land uses related inequity.
 3. The amendment is not an overall improvement to the plan and is solely for the good or benefit of this particular owner.
-

Attachments

Att: Staff Report

Att: Land Use and Vicinity Map

Att: Exhibit A - Site Plan

Att: Comment Assessors

Att: Comment WMIDD



STAFF REPORT TO COMMISSION

August 25, 2020

Minor Amendment Case 20-03

REQUEST: Change the land use designation of a 0.46 net acre portion of a parcel 1.46 net acres in size from Rural Density Residential (R-RD) to Suburban Density Residential (R-SD), Assessor's Parcel Number 459-25-005, located 12266 North Eagle Road, Yuma, Arizona.

APPLICANT/AGENT: Adrian Vega, agent for Judy M. Knowlton.

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

LOCATION: From the intersection of Pacific Avenue/Avenue 2E and Highway 95 in the City of Yuma, travel east on Highway 95 approximately 21 miles to the intersection with Martinez Lake Road. Turn northwest (left) at Martinez Lake Road and travel for approximately 10 miles to Red Cloud Mine Road. Turn north (right) on Red Cloud Mine Road and travel 2.10 miles to Snipe Road. Travel on Snipe Road approximately 500 feet and then turn southwest (left) at Eagle Road. Travel on Eagle Road approximately 300 feet to Mallard Road. Travel on Mallard Road approximately 800 feet to the location of the property.

INTENT:

The applicant intends to rezone a portion of the subject parcel to Low Density Residential-15,000 square feet minimum (R-1-15) in order to split it into two lots for residential development. A minor amendment to the change the land use designation to Suburban Density Residential (R-SD) is necessary to allow for the rezoning.

A.R.S. § 11-814(A) requires all zoning and rezoning ordinances, regulations, or specific plans to be consistent with and conform to the adopted county plan. The existing Rural Density Residential (R-RD) land use designation does not support the residential density required for the proposed zoning. Therefore, an amendment to change the land use designation to R-SD is required to allow the rezoning.

SITE CONDITIONS: The subject property is currently the location of one single family dwelling as represented in Figure 1 below.



Figure 1: Aerial View of subject parcel and portion to be rezone



Figure 2: View of subject parcel looking southwest from Mallard Road

Current Land Use Classifications

Rural Density Residential (R-RD): 1 dwelling unit per 2 acres to 1 dwelling unit per 10 acres (minimum 2 acre parcels); allows for second dwelling units: caretaker and/or granny flats; allows for multiple uses: Manufactured and site built.

Zoning Districts Permitted within (R-DR): RA-10, RA-5, SR-4, SR-3, SR-2, SSB-5, SSB-4, SSB-3, SSB-2 and PD

Proposed Land Use Classification

Suburban Density Residential (R-SD): 3 dwelling units per acre to 1 dwelling unit per 2 acres (minimum 1/3 acre parcels): Allows for multiple uses: Manufactured or site built.

Zoning Districts Permitted within R-SD: SR-2, SR-1, SSB-2, SSB-1, R-1-40, R-1-20, R-1-15, R-1-12, MHS-20, MHS-15 and PD.

ANALYSIS:

1. Land Use Compatibility

Is the proposed change compatible with adjoining land use designations, existing land uses and zoning? Is the proposed change logical and harmonious with the land use pattern of the area in question? How would the amendment affect adjacent property owners?

ADJOINING LAND USES

North	Vacant
East	Residential
South	Lake
West	Residential

ADJOINING LAND USE PLAN DESIGNATIONS

North	Rural Density Residential
East	Rural Density Residential
South	No Land Use
West	Rural Density Residential

ADJOINING ZONING DISTRICTS

North	RA-20
East	RA-20
South	RA-20
West	R-1-40

Although the proposed change is compatible with adjoining land use designations, existing land uses and zoning, the proposed change is not logical and harmonious with the land use pattern of the area. The proposed land use designation will increase the density in an area with limited emergency services, road improvements, and water and sewer infrastructure. Changing the land use designation of the subject property will create an isolated area designated R-SD in an area completely surrounded by the R-RD land use designation.

The subject property is located on the Martinez Lake north shore. The northern portion of the property is elevated and slopes down toward the lake. There is an existing house on the south side of the property by the lake.

The subject property consists of soil classified as Ligurta-Cristobal Complex. Ligurta-Cristobal Complex is deep, well drained, strongly saline soil located on old alluvial fans and low terraces along the Colorado River. These soils are moderately limited for urban development because of the shrink-swell potential and are severely limited for recreational development because of the gravel content. They are limited for septic tank development absorption fields because of moderately slow permeability.

2. Protection & Conservation of Natural Resources & Environment

Does the change adversely impact the natural environment or scenic quality of the area in contradiction to the Plan?

The proposed land use designation will increase the density in this area of Martinez Lake where all surrounding parcels are designated as R-RD. Additionally, the change may impact natural environment and scenic quality of the area by allowing a higher density than what is currently in existence.

3. Public Infrastructure, Facilities, and Services

Does the amendment adversely impact that portion of the planning area by requiring public expenditures for infrastructure improvements such as roads, sewer, or water systems needed to support the planned land uses?

The proposed amendment will adversely impact the planning area since there is a lack of public infrastructure improvements such as central sewage collection and water distribution systems. One unimproved vehicular access exists that serves the subject property and five other single-family residences located within 300 feet of the subject property. Lots of less than one acre in size will increase the need for additional septic systems that could have an environmental impact on the lake. For parcels requiring on-site water and sewage disposal facilities, the Yuma County Zoning Ordinance requires a minimum parcel size of one acre. Approval of this request may result in a parcel 20,050 square feet (0.46 acres) in size and a parcel 43,646 square feet (1.002 acres) in size. Other than land owned by the State of Arizona, the average size of parcels within the 300 foot radius is 1.12 acres.

4. Impact on Health, Safety, and General Welfare

Does the amendment adversely affect the health or safety of present or future residents?

Access is by Mallard Road, a private two lane dirt road approximately 30 feet in width located along the north and Eagle Road, a private dirt road about 20 feet in width located to the west. The general area up to Snipe Road is accessed from Red Cloud Mine Road. Currently, Red Cloud Mine road is a dirt road that is being improved with pavement 26 feet in width. The subject parcel is approximately 0.25 miles from Red Cloud Mine Road.

The subject property is within Yuma Elementary School District No. 1 and the nearest elementary school is Mary A. Otondo Elementary School located at 2251 East Otondo Drive in Yuma. The property is also within Yuma Union High School District No. 70 and is served by Gila Ridge High School at 7150 East 24th Street in Yuma.

The property is located within the ten minute time response radius by the Sheriff's Department Substation No. 4 located in Martinez Lake at 11478 North Joe Young Drive. The subject property is also located within the six minute response time radius from Rural-Metro Fire Department Station No. 6 located at 10845 Martinez Lake Road.

The property is partially within Zone AE and Zone X. Zone AE is the Special Flood Hazard Area subject to inundation by the 1% annual chance flood. Zone X is area outside the 0.2% annual chance flood.

5. Consistency with Plan Policies and Priorities.

Is the amendment consistent with the overall intent of the Plan? Is the amendment consistent with specific Policies and Priorities of the Plan?

▪ **Consistency with existing development and zoning patterns.**

The amendment is not consistent with existing development and zoning patterns. The prevailing zoning district that exists within the area is R-1-40. The proposed land use designation would allow densities not consistent with what is found in the area. Other than land owned by the State of Arizona, the average size of parcels within the 300 foot radius is 1.12 acres.

▪ **Maintain Land Use Compatibility**

The Martinez Lake Planning Area has a policy that encourages rural and suburban residential densities on the Martinez Lake north shores, but the proposed amendment is not consistent with existing land use development patterns in the area. Approval of this request may trigger similar requests which could potentially double the density in an area that lacks paved roads and access to central sewage collection and water distribution systems. During the process to approve new development in the Martinez Lake area, Yuma County will require developers to assure that adequate sewer service or another acceptable alternative means of wastewater treatment is provided, will ensure that there is sufficient capacity to adequately serve the new development, and the additional load will not degrade service to existing residents.

6. Additional Factors, Criteria, and Questions for Consideration

- *Is the amendment an overall improvement to the plan and not solely for the good or benefit of a particular landowner?*

No, the amendment is not an overall improvement to the plan and is solely for the good or benefit of this particular owner. The amendment is not considered an improvement because it could increase residential density and vehicular traffic in an area that lacks paved roadways.

- *Does the amendment address an oversight, inconsistency, or other land use related inequity in the plan?*

No, the amendment does not address an oversight, inconsistency, or other land use related inequity. The current land use designation is intended to allow parcels of two acres in size.

- *Is the existing plan designation no longer appropriate due to other plan amendments that have changed the character of the area?*

The existing land use classification continues to be appropriate when considering the existing and surrounding zoning districts and land use densities. If approved, the proposed land use designation could change the character of the area because it would allow higher densities.

SUMMARY NOTES:

SUPPORT STAFF SUMMARY: The Engineering Department, Zoning Enforcement Section, Building Safety Division, and Flood Control District provided a no comment response. The Environmental Programs Division provided the following comment: Pursuant to Section 302.05-- Water and Sewage Systems Requirements: B. For parcels requiring on-site water and sewage disposal facilities, the minimum lot size shall provide sufficient area necessary for the safe accommodation of individual wells and sewage disposal systems as follows: For parcels created after September 25, 2006 where both the water supply and sewage disposal system are to be developed on the same lot, the minimum size shall be at least one (1) acre, excluding streets, alleys and other rights-of-way and be large enough to accommodate the residence, septic system and one hundred percent (100%) reserve/expansion of the septic system.

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

- The Wellton-Mohawk Irrigation and Drainage district provided the following comment: WMIDD has two power poles and distribution line running across Parcel A which serve residences across on Mallard Road (sic). Construction on Parcel A will require relocation of this line, including obtaining a new ROW across State Land. All relocation costs, which may be substantial, will be paid by the customer.
- The Assessor's Office provide the following: The property is improved with a structure on proposed Parcel B. From aerial imagery, it is evident that they are accessing the home from Eagle. The plat (Site Plan) does not show any ingress/egress easement across proposed Parcel A. Recommend property owner to dedicate sufficient land to extend Eagle Road to proposed Parcel B.

PUBLIC INPUT: As of August 3, 2020, no public input has been received.

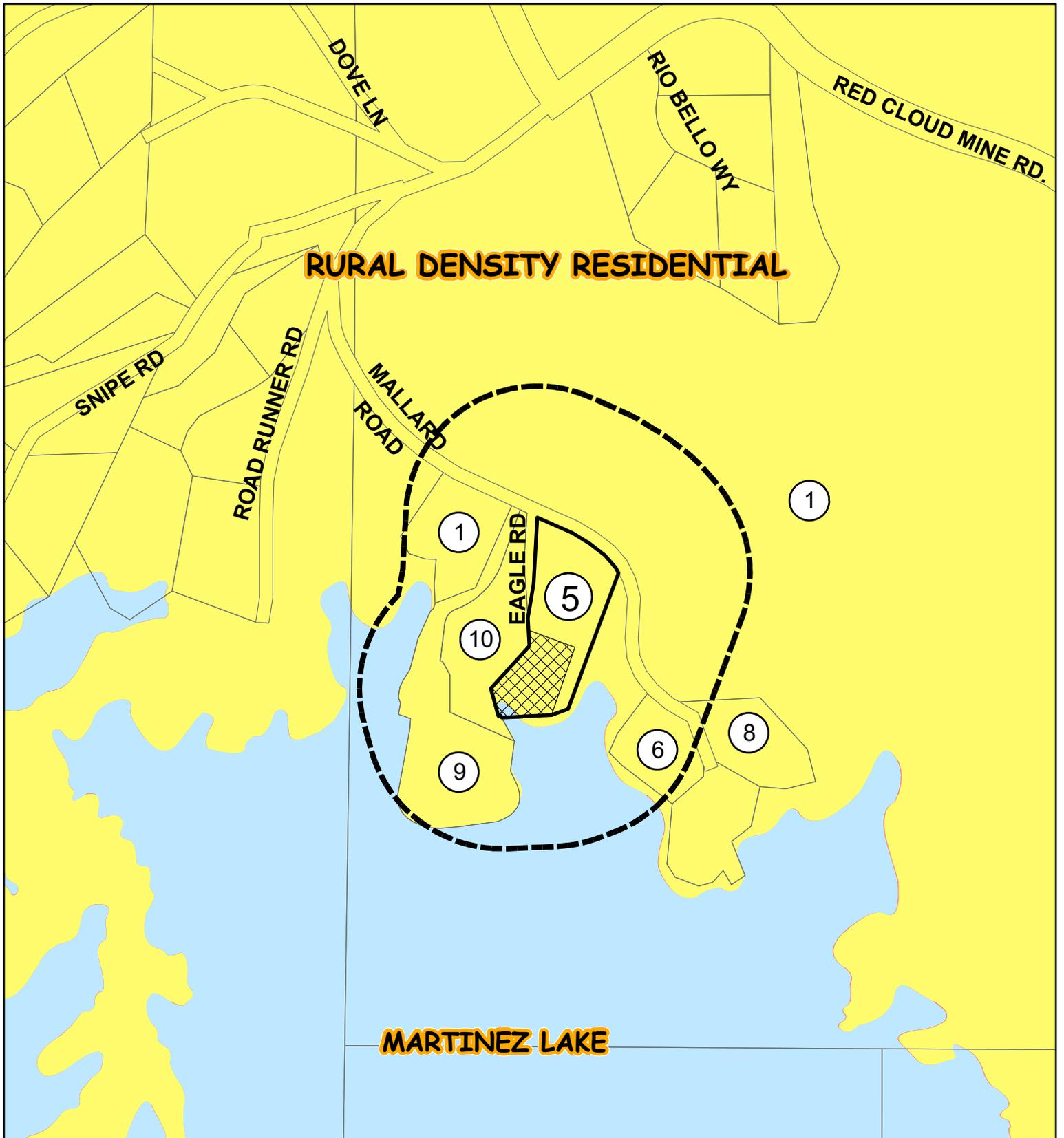
CHRONOLOGY:

07-20-20 Application received
08-06-20 Public Notice published in the Yuma Daily Sun for the P&Z Commission hearing
08-14-20 P&Z Commission notice letters mailed
08-25-20 P&Z Commission public hearing

RECOMMENDATION:

Staff recommends denial of Minor Amendment Case 20-03 based on:

1. The change will allow for inconsistency with existing zoning and land use development patterns.
2. The amendment does not address an oversight, inconsistency, or other land uses related inequity.
3. The amendment is not an overall improvement to the plan and is solely for the good or benefit of this particular owner.




**DEPARTMENT OF
DEVELOPMENT
SERVICES**

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

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

CASE NO: MA20-03
LOCATION: 12266 N EAGLE RD
APNs: 459-25-005

Case Planner: Javier Barraza.
Drawn by : Javier B 07-22-2020
Reviewed: Javier B. 07-22-2020

SCALE
1" = 300"



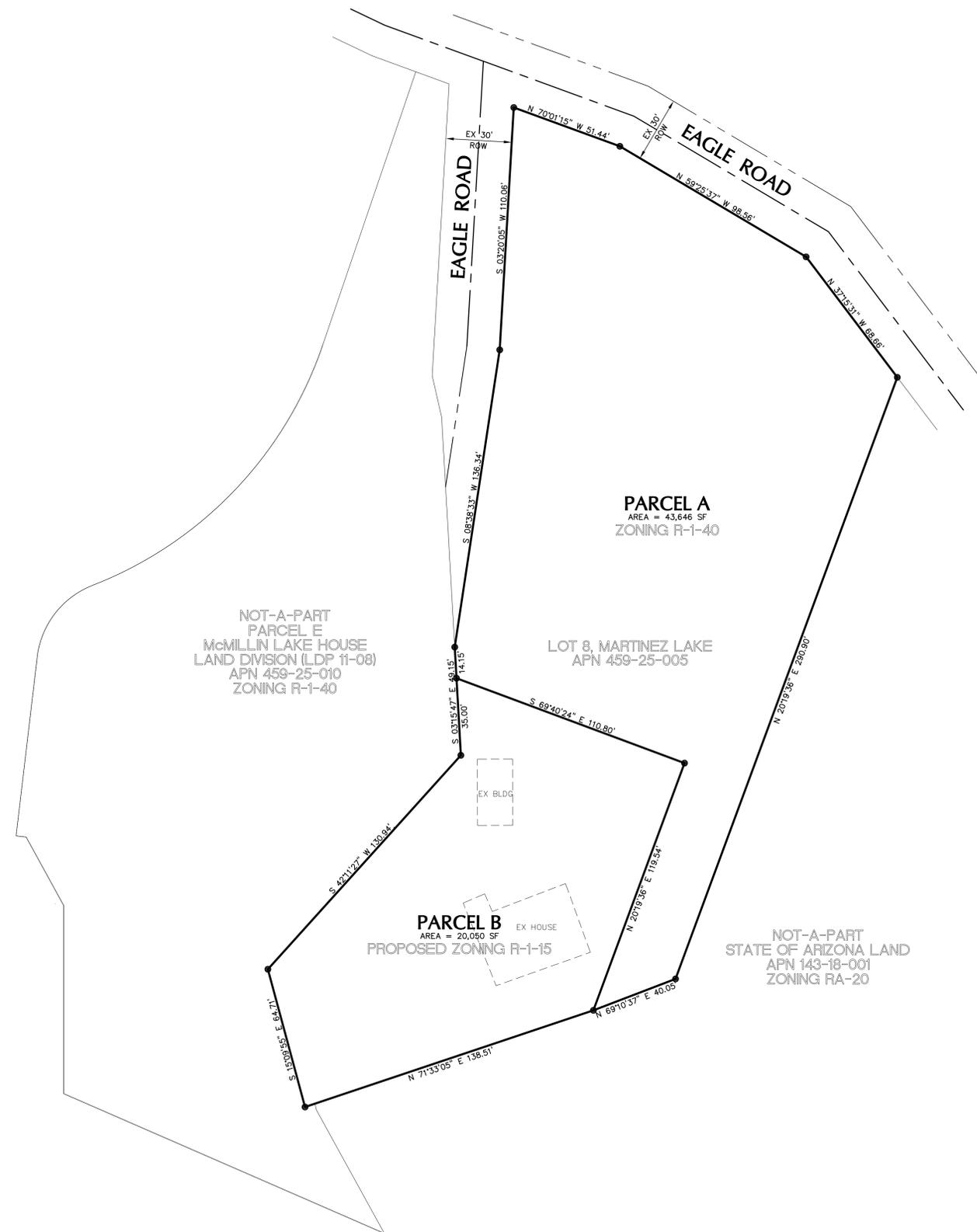
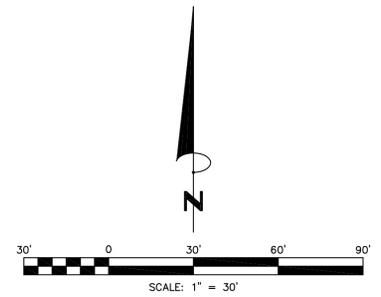
Legend

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

KNOWLTON LAND DIVISION (LDP 20-XX)

A LAND DIVISION OF LOT 8, FORMERLY MARTINEZ LAKE CABIN SITE No. 8, BEING LOCATED IN SECTION 18, TOWNSHIP 5 SOUTH, RANGE 21 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, EXCEPT THE EAST 378.92 FEET THEREOF, CREATING PARCEL A AND PARCEL B

EXHIBIT A SITE PLAN



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: 20153

SHEET 1 OF 1

Z:\D\2020\20153\Drawings\20153_LDP.dwg

Javier Barraza

From: Joe Wehrle
Sent: Friday, July 24, 2020 2:07 PM
To: Javier Barraza
Subject: RE: REQUEST FOR COMMENTS FOR MINOR AMENDMENT MA20-03 AND REZONING CASE NO. 20-14

Javier,

Several concerns here:

1. The road name along the North side of proposed Parcel A is Mallard, not Eagle.
2. The property is improved with a structure that is located on proposed Parcel B. From aerial imagery it is evident that they are accessing the home from Eagle. The plat does not show any ingress/egress easements across proposed Parcel A. Why not ask the property owner to dedicate sufficient land to extend Eagle Road R/W to proposed Parcel B?

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

From: Javier Barraza
Sent: Thursday, July 23, 2020 10:02 AM
To: Anne.camacho@aps.com; grcopeland@antelopeunion.org; Wellton@town.wellton.az.us; BKnowles@azgfd.gov; rjasm09@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; rmolenaar@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.lombay@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; LCVALDEZ@UP.COM; carmenjuarez@somertonaz.gov; antonio.martinez1@usmc.mil
Cc: Javier Barraza <Javier.Barraza@yumacountyaz.gov>
Subject: REQUEST FOR COMMENTS FOR MINOR AMENDMENT MA20-03 AND REZONING CASE NO. 20-14

Please review the attached request for comments.
Your comments will be part of the cases staff reports.

Appreciate your assistance.

Javier Barraza
Senior Planner, Planning & Zoning Division
Department of Development Services
2351 W 26th Street
Yuma, AZ 85364
Telephone: (928) 817-5150
Main Telephone: (928) 817-5000
Javier.Barraza@yumacountyaz.gov





YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

July 23, 2020

CASE NUMBERS: Minor Amendment MA20-03 and Rezoning Case No. 20-14

CASE SUMMARIES:

Minor Amendment Case MA20-03: Adrian Vega, agent for Judy M. Knowlton, requests to change the land use designation of a 0.38 net acre portion of a parcel 1.46 net acres in size from Rural Density Residential to Suburban Density Residential, Assessor’s Parcel Number 459-25-005, located 12266 N. Eagle Road, Yuma, Arizona.

Rezoning Case 20-14: Adrian Vega, agent for Judy M. Knowlton, requests the rezoning of a 0.38 acre portion of a parcel 1.46 net acres in size from Low Density Residential-40,000 square feet minimum to Low Density Residential-15,000 square feet minimum, Assessor’s Parcel Number 459-25-005, located 12266 N. Eagle Road, Yuma, Arizona.

Intended use: Divide into TWO residential lots.

PUBLIC HEARING: August 25, 2020

COMMENTS DUE: July 30, 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.

 X COMMENT NO COMMENT

WMIDD has two power poles and a distribution line running across Parcel A which serve residences across the slough on Mallard Road. Construction on Parcel A will require relocation of this line, including obtaining a new ROW across state land. All relocation costs, which may be substantial, will be paid by the customer.

DATE: July 24, 2020 NAME: Elston K. Grubaugh

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. 5

AIR-10000

5.

P&Z Commission Agenda

Meeting Date: 08/25/2020

Submitted For: Maggie Castro

Submitted By: Javier Barraza

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Rezoning Case No. 20-14: Adrian Vega, agent for Judy M. Knowlton, requests the rezoning of a 0.46 acre portion of a parcel 1.46 net acres in size from Low Density Residential-40,000 square feet minimum (R-1-40) to Low Density Residential-15,000 square feet minimum (R-1-15), Assessor's Parcel Number 459-25-005, located 12266 North Eagle Road, Yuma, Arizona.

2. INTENT:

To rezone a portion of the parcel to R-1-15 in order to split the property into two lots.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Recommends denial of this request based on the following reasons: 1) Although the proposed change is compatible with adjoining zoning, the proposed change is not logical and harmonious with the land use pattern of the area. 2) The proposed zoning will increase the density in an area with limited emergency services, road improvements, and water and sewer infrastructure. 3) Changing the zoning of the subject property will create a small area of R-1-15 zoning in an area that is completely surrounded by RA-20 and R-1-40 zoning. If the Planning Commission recommends approval, staff recommends attaching the following Performance Condition and Schedule for Development listed on the attached staff report.

Attachments

Att: Staff Report

Att: Zoning Map - Vicinity Map

Att: Exhibit A - Site Plan

Att: Development Standards Checklist

Att: Comment Assessors

Att: Comment WMIDD

Att: Comments DDS



STAFF REPORT TO THE COMMISSION

August 25, 2020

Rezoning Case No. 20-14

REQUEST: Rezoning a 0.46 acre portion of a parcel 1.46 net acres in size from Low Density Residential-40,000 square feet minimum (R-1-40) to Low Density Residential-15,000 square feet minimum (R-1-15), Assessor's Parcel Number 459-25-005, located 12266 North Eagle Road, Yuma, Arizona.

APPLICANT: Adrian Vega, agent for Judy M. Knowlton.

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

DIRECTIONS: From the City of Yuma, intersection of Pacific Avenue/Avenue 2E and Highway 95, head east on Highway 95 approximately 21 miles to the intersection with Martinez Lake Road. Turn northwest (left) at Martinez Lake Road and travel for approximately 10 miles to Red Cloud Mine Road. Turn north (right) on Red Cloud Mine Road and travel 2.10 miles to Snipe Road. Travel on Snipe Road approximately 500 feet and then turn southwest (left) at Eagle Road. Travel on Eagle Road approximately 300 feet to Mallard Road. Travel on Mallard Road approximately 800 feet to the location of the property.

INTENT:

To rezone a portion of the parcel to R-1-15 in order split it into two lots.

CURRENT CONDITIONS:

The subject property is improved with a site-built dwelling and a garage both located at the southern portion of the property. The property is served by a septic system for sewage disposal. The owner stated that the water supply for household use is obtained from Martinez Lake. The south side of the parcel are located along the lake and there is a boat dock to access the water.

The subject parcel was part of Commission Initiative Number 93-06 approved by the Board of Supervisors (BOS) on August 2, 1993 which rezoned 38 parcels from Rural Area-20 acre minimum to R-1-40. In 2010, the applicant submitted an application to rezone (RZ20-09) the subject property

from R-1-40 to R-1-20 to allow the parcel to be split into two parcels and a minor amendment to change the land use designation from Rural Density Residential (R-RD) to Suburban Density Residential (R-SD) (2010-MA-04). Both requests were denied by the BOS On August 4, 2011.

Surrounding zoning and land uses: Parcel 143-18-001 to the east and north zoned Rural Area-20 acre minimum (RA-20) is improved with a site-built dwelling and accessory building and is owned by the State of Arizona. Parcels 1 and 10 to the west zoned R-1-40 are improved with site-built dwellings and accessory buildings. Parcel 9 also to the west and southwest is zoned R-1-40 and is vacant. Martinez Lake is located to the south of the subject property.

The purpose of the Low Density Residential zoning district is to provide areas for low density single-family residential. Only those additional uses are permitted which are complimentary and subordinate to, and can existing in harmony with a, residential neighborhood.

The subject property is located in the Martinez Lake Planning Area of the 2020 Comprehensive Plan. The current land use designation is Rural Density Residential (R-RD) which supports residential uses and densities that are rural in nature. The applicant applied for a Minor amendment (MA20-03) to change the land use designation to Suburban Density Residential (S-RD).

Access to the property is by Mallard Road, a private two lane dirt road approximately 30 feet in width, located along the north, and Eagle Road, a private dirt road approximately 20 feet in width, located to the west of the subject property.

The subject property is within Yuma Elementary School District No. 1. The nearest elementary school is Mary A. Otondo elementary school located at 2251 East Otondo Drive, Yuma, Arizona. The property is also within Yuma Union High School District No. 70 and is served by Gila Ridge High School at 7150 East 24th Street, Yuma, Arizona.

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, one residential lot can potentially add 0.17 students to Yuma School District No. 1 and 0.13 students to Yuma Union High School District No. 70 at build-out.

The property is located within the ten minute time response radius by the Sheriff's Department Substation No. 4 located in Martinez Lake at 11478 North Joe Young Drive. The subject property is also located within the six minute response time radius from Rural-Metro Fire Department Station No. 6 located at 10845 Martinez Lake Road.

CRITICAL ISSUES:

Other than land owned by the State of Arizona which is zoned RA-20, the subject property is surrounded by properties zoned R-1-40. The approval of this request could potentially trigger similar requests in this area that could result in a negative impact to the character of the area by

increasing the residential density, creating additional vehicular traffic, and increasing the demand for water and sewage disposal services. There are a total of 51 properties in the area zoned R-1-40 with sizes ranging from 0.306 acres (13,360 ± square feet) to 4.01 acres (175,020± square feet). Out of the 51 parcels, 39 properties could potentially request rezoning to R-1-15 to be able to accommodate a split of two or more new parcels. The total square footage for the 39 parcels is 1,946,408.90± square feet. Further splits can potentially create 90 new parcels 15,000 square feet in size for a total of 129 new parcels in the area.

According to the Institute of Transportation Engineer's Trip Generation Manual, approval of this request could potentially create an additional 10 vehicle trips per day. Access is by Mallard Road, a private two lane dirt road approximately 30 feet in width, located along the north and Eagle Road, a private dirt road approximately 20 feet in width, located to the west. The general area up to Snipe Road is accessed from Red Cloud Mine Road. Currently, Red Cloud Mine Road is a dirt road that is in the process of being improved with pavement 26 feet in width. This road starts at the intersection with Martinez Lake Road and will end at the southern boundary of the Wildlife Refuge. The subject parcel is approximately 0.25 miles from Red Cloud Mine Road.

Pursuant to the Yuma County Zoning Ordinance, Section 302.05, for parcels where both the water supply and sewage disposal system are to be developed on the same lot, the minimum size shall be at least one (1) acre, excluding streets, alleys and other rights-of-way and be large enough to accommodate the residence, septic system and one hundred percent (100%) reserve/expansion of the septic system. According to the site plan provided by the applicant, proposed Parcel B will not have sufficient acreage to accommodate a sewage disposal system and water supply.

The property is located under Restricted Airspace for Yuma Proving Ground. Occupants of the property may be subjected to discomfort, inconvenience, noise and vibrations from military or civilian aircraft operations, military and/or civilian testing, maneuvers, etc., associated with the nearby Yuma Proving Ground.

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 Engineering Department, The Zoning Enforcement Section, Building Safety Division, and Flood Control District provided a no comment response. The Environmental Programs Division provided the following comment: Pursuant to Section 302.05-- Water and Sewage Systems Requirements: B. For parcels requiring on-site water and sewage disposal facilities, the minimum lot size shall provide sufficient area necessary for the safe accommodation of individual wells and sewage disposal systems as follows:

1. For parcels created after September 25, 2006 where both the water supply and sewage disposal system are to be developed on the same lot, the minimum size shall be at least one (1) acre, excluding streets, alleys and other rights-of-way and be large enough to accommodate the residence, septic system and one hundred percent (100%) reserve/expansion of the septic system.

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

- The Wellton-Mohawk Irrigation and Drainage district provided the following comment: WMIDD has two power poles and distribution line running across Parcel A which serve residences across on Mallard Road (sic). Construction on Parcel A will require relocation of this line, including obtaining a new ROW across State Land. All relocation costs, which may be substantial, will be paid by the customer.
- The Assessor's Office provide the following: The property is improved with a structure on proposed Parcel B. From aerial imagery, it is evident that they are accessing the home from Eagle. The plat (Site Plan) does not show any ingress/egress easement across proposed Parcel A. Recommend property owner to dedicate sufficient land to extend Eagle Road to proposed Parcel B.
- In 2010, the United States Bureau of Reclamation provided the following comments in reference to the applicant stating that water for household use is obtained from Martinez Lake: The parcel in question does not hold any type of Colorado River entitlement or contract. The USBR has Colorado River water delivery contracts with three entities in the Martinez Lake area (Fisher's Landing Water and Sewer Works; Shepard Water Company; and the Arizona State Land Department). The subject property does not fall within the contract service area of any of these contractors and any use of Colorado River water on this parcel is considered to be an un-contracted water use. USBR spoke with staff from the Arizona Department of Water Resources (ADWR) to confirm whether or not there were any outstanding recommendations for water delivery contracts for the Martinez Lake area. ADWR advised that there were no immediate plans for further recommendations; however, Reclamation will be furthering its research and monitoring of Colorado River water use in this area in the future to ensure that all water use is legal and accounted for. This will, of course, be in consultation with the ADWR. At this point, it would be very difficult to predict when this will occur. Staff contacted USBR on July 31, 2020 to obtain a status of the water situation on this property. As of the time of this staff report, no comments from the USBR have being received.

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 265.

The Development Evaluation Checklist score is 265, 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.

CHRONOLOGY:

- 07-21-20 Application received
- 08-06-20 Legal ad appears in the Yuma Daily Sun for the Planning Commission's public hearing
- 08-07-20 Property posted for the Planning Commission's public hearing
- 08-07-20 Public notice mailed to properties within 300 feet of the request, the City of Yuma and all relevant agencies/stakeholders
- 08-07-20 Letter mailed informing applicant of item being placed on Planning Commission's public hearing agenda
- 08-14-20 Staff report mailed to applicant and/or agent
- 08-25-20 Planning Commission's public hearing

RECOMMENDATION:

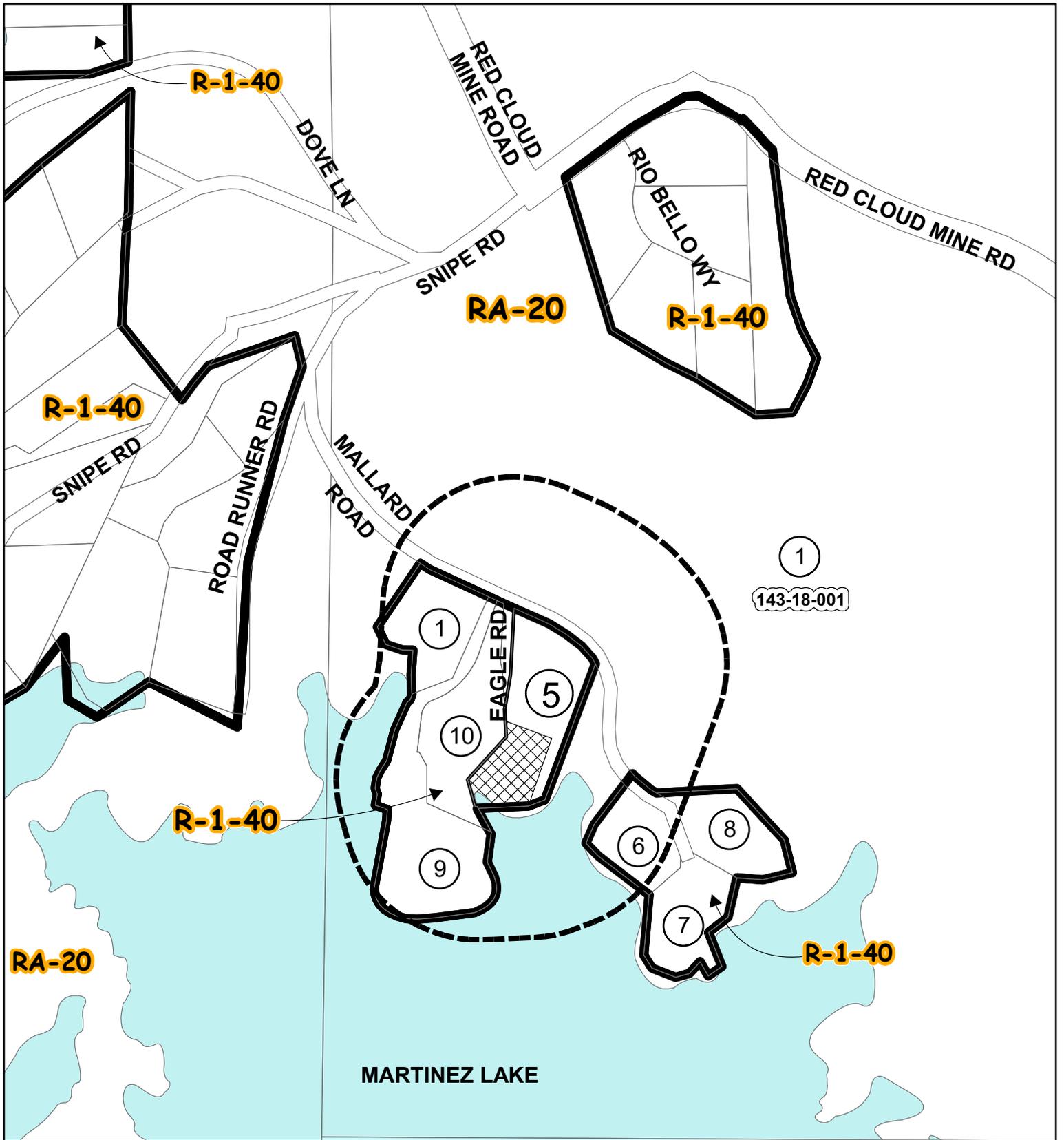
Staff recommends denial of this request based on the following reasons: 1) Although the proposed change is compatible with adjoining zoning, the proposed change is not logical and harmonious with the land use pattern of the area. 2) The proposed zoning will increase the density in an area with limited emergency services, road improvements, and water and sewer infrastructure. 3) Changing the zoning of the subject property will create a small area of R-1-15 zoning in an area that is completely surrounded by RA-20 and R-1-40 zoning. If the Planning Commission recommends approval, staff recommends attaching 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 a Yuma Proving Ground disclosure statement.
 - c. Record an infrastructure disclosure statement.
 - d. Record a Restricted Air Space Disclosure statement.
 - e. Record a Schedule for Development disclosure statement.

Schedule for Development. Prior to development or within one (1) year of approval by the Board of Supervisors, whichever occurs first:

- a) A land division permit shall be applied for and approved in accordance with Section 507.00 of the Yuma County Zoning Ordinance.



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

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

CASE NO: RZ20-14
LOCATION: 12266 N EAGLE RD
APNs: 459-25-005

Case Planner: Javier Barraza.
Drawn by : Javier B 07-22-2020
Reviewed: Javier B. 07-22-2020

SCALE
1" = 300"



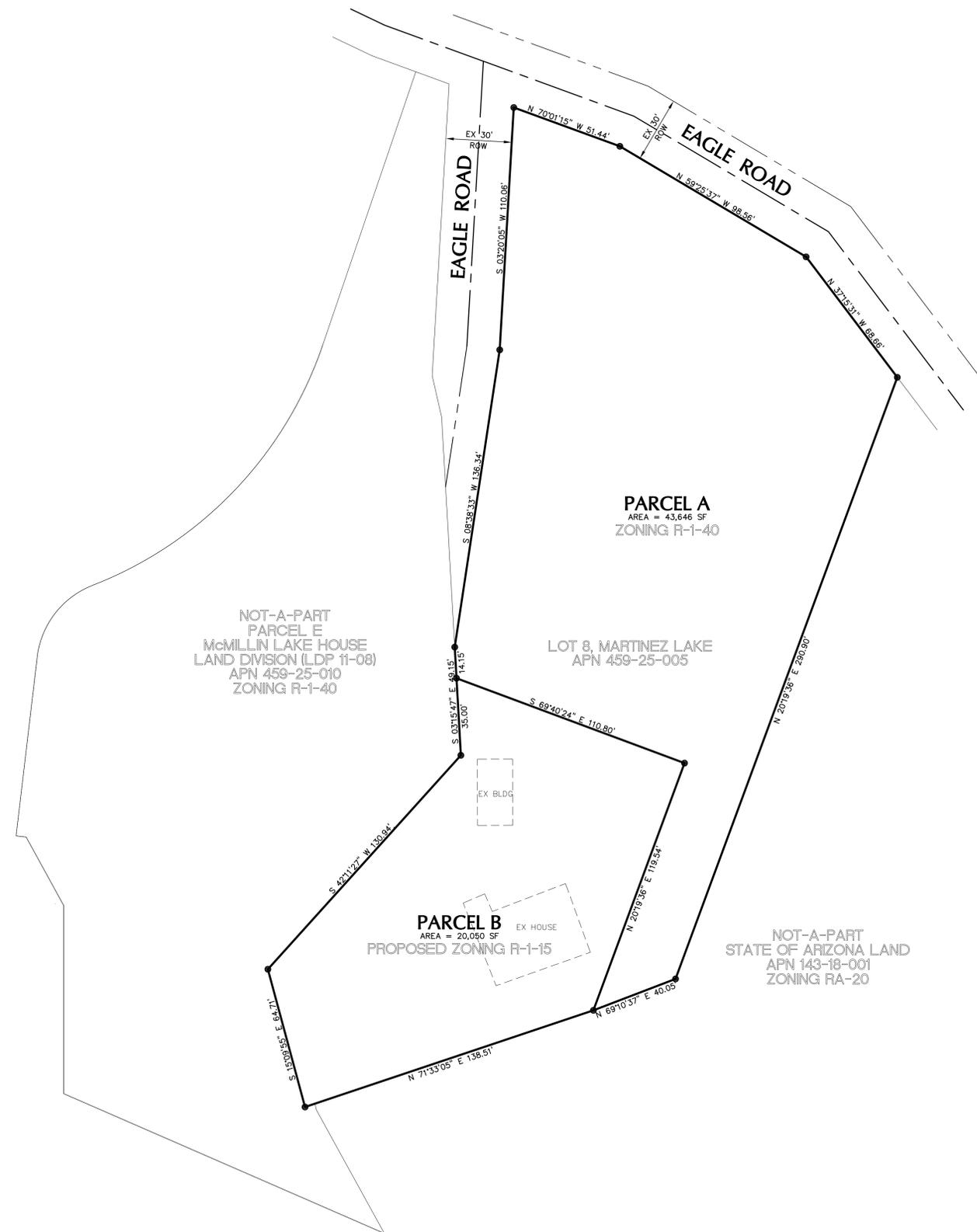
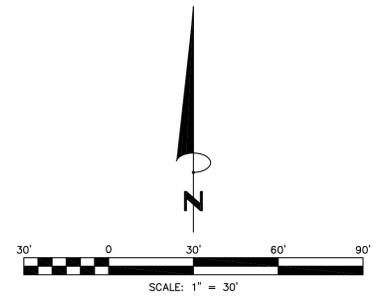
Legend

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

KNOWLTON LAND DIVISION (LDP 20-XX)

A LAND DIVISION OF LOT 8, FORMERLY MARTINEZ LAKE CABIN SITE No. 8, BEING LOCATED IN SECTION 18, TOWNSHIP 5 SOUTH, RANGE 21 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, EXCEPT THE EAST 378.92 FEET THEREOF, CREATING PARCEL A AND PARCEL B

EXHIBIT A SITE PLAN



PRELIMINARY
NOT FOR CONSTRUCTION
OR RECORDATION

LAND SURVEYOR

1560 S. 5th Avenue
Yuma, AZ 85364
Phone: (928) 819-0825
Fax: (928) 819-0826
www.dahlrobins.com
DRA Job: 20153

DAHL, ROBINS & ASSOCIATES, INC.

SHEET 1 OF 1

Z:\Dra\2020\20153\Drawings\20153_LDP.dwg

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

Case No.: RZ20-14	Owner/Agent: <u>JUDY M KNOWLTON</u>		
Parcel #: 459-25-005 PORTION	Agent: <u>ADRIAN VEGA/DAHL, ROBINS</u>		
Current Zoning: R-1-40	Proposed Zoning: R-1-15	Acreage:	20,037.60 SQ. FT.

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	0
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	0
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	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	10

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: _____ Javier Barraza, S.P.

Date: 07/27/20

ver. 1

265

Javier Barraza

From: Joe Wehrle
Sent: Friday, July 24, 2020 2:07 PM
To: Javier Barraza
Subject: RE: REQUEST FOR COMMENTS FOR MINOR AMENDMENT MA20-03 AND REZONING CASE NO. 20-14

Javier,

Several concerns here:

1. The road name along the North side of proposed Parcel A is Mallard, not Eagle.
2. The property is improved with a structure that is located on proposed Parcel B. From aerial imagery it is evident that they are accessing the home from Eagle. The plat does not show any ingress/egress easements across proposed Parcel A. Why not ask the property owner to dedicate sufficient land to extend Eagle Road R/W to proposed Parcel B?

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

From: Javier Barraza
Sent: Thursday, July 23, 2020 10:02 AM
To: Anne.camacho@aps.com; grcopeland@antelopeunion.org; Wellton@town.wellton.az.us; BKnowles@azgfd.gov; rjasm09@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; rmolenaar@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.lombay@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; LCVALDEZ@UP.COM; carmenjuarez@somertonaz.gov; antonio.martinez1@usmc.mil
Cc: Javier Barraza <Javier.Barraza@yumacountyaz.gov>
Subject: REQUEST FOR COMMENTS FOR MINOR AMENDMENT MA20-03 AND REZONING CASE NO. 20-14

Please review the attached request for comments.
Your comments will be part of the cases staff reports.

Appreciate your assistance.

Javier Barraza
Senior Planner, Planning & Zoning Division
Department of Development Services
2351 W 26th Street
Yuma, AZ 85364
Telephone: (928) 817-5150
Main Telephone: (928) 817-5000
Javier.Barraza@yumacountyaz.gov





YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

July 23, 2020

CASE NUMBERS: Minor Amendment MA20-03 and Rezoning Case No. 20-14

CASE SUMMARIES:

Minor Amendment Case MA20-03: Adrian Vega, agent for Judy M. Knowlton, requests to change the land use designation of a 0.38 net acre portion of a parcel 1.46 net acres in size from Rural Density Residential to Suburban Density Residential, Assessor’s Parcel Number 459-25-005, located 12266 N. Eagle Road, Yuma, Arizona.

Rezoning Case 20-14: Adrian Vega, agent for Judy M. Knowlton, requests the rezoning of a 0.38 acre portion of a parcel 1.46 net acres in size from Low Density Residential-40,000 square feet minimum to Low Density Residential-15,000 square feet minimum, Assessor’s Parcel Number 459-25-005, located 12266 N. Eagle Road, Yuma, Arizona.

Intended use: Divide into TWO residential lots.

PUBLIC HEARING: August 25, 2020

COMMENTS DUE: July 30, 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.

 X COMMENT NO COMMENT

WMIDD has two power poles and a distribution line running across Parcel A which serve residences across the slough on Mallard Road. Construction on Parcel A will require relocation of this line, including obtaining a new ROW across state land. All relocation costs, which may be substantial, will be paid by the customer.

DATE: July 24, 2020 NAME: Elston K. Grubaugh

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

COMMENTS RECEIVED FOR RZ20-14

PAT HEADINGTON BUILDING TECHNICAL

No Comment

07/23/2020

ARTURO ALVAREZ ENGINEERING TECHNICAL

No comment

08-03-2020

DAVID RUVALCABA

FLOOD CONTROL TECHNICAL

No comment

08-02-2020

GEORGE AMAYA

HEALTH
TECHNICAL

302.05--Water and Sewage Systems Requirements:

B. For parcels requiring on-site water and sewage disposal facilities, the minimum lot size shall provide sufficient area necessary for the safe accommodation of individual wells and sewage disposal systems as follows:

1. For parcels created after September 25, 2006 where both the water supply and sewage disposal system are to be developed on the same lot, the minimum size shall be at least one (1) acre, excluding streets, alleys and other rights-of-way and be large enough to accommodate the residence, septic system and one hundred percent (100%) reserve/expansion of the septic system.

7/30/2020 8:38:56 AM

Yuma County
Planning & Zoning
Commission

Item No. 6

AIR-10002

6.

P&Z Commission Agenda

Meeting Date: 08/25/2020

Submitted For: Maggie Castro

Submitted By: Juan Leal-Rubio

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Text Amendment No. 20-01: A proposed amendment to the Yuma County 2020 Comprehensive Plan, Land Use Conformity Matrix table and the Zoning Comparison table.

2. INTENT:

This is a request to amend the Yuma County 2020 Comprehensive Plan, Land Use Conformity Matrix table and the Zoning Comparison table in Section Fifteen on Pages 9 and 22. These changes will update both tables to include the proposed Suburban Homestead (SH) zoning district.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of Text Amendment No. 20-01.

Attachments

Memo

1.22.20 NOBA

BOS minutes

3.3.20 P&Z Minutes



MEMORANDUM

TO: Yuma County Planning and Zoning Commission

FROM: Juan Leal Rubio, Senior Planner

RE: **Text Amendment No. 20-01:** A proposed amendment to the Yuma County 2020 Comprehensive Plan, Land Use Conformity Matrix table and the Zoning Comparison table

DATE: July 17, 2020

This is a request to amend the Yuma County 2020 Comprehensive Plan, Land Use Conformity Matrix table and the Zoning Comparison table in Section Fifteen on Pages 9 and 22. These changes will update both tables to include the proposed Suburban Homestead (SH) zoning district.

The proposed changes are shown below in **BOLD (HIGHLIGHTED IN YELLOW)** format in the Land Use Conformity Matrix table and Zoning Comparison table.

15.5 Zoning Comparison Table

Land Use Designation	Comparison of Zoning	
	2000	Appendix 2011
	Total Acres	Total Acres
RA-40 - Rural Area - 40 acre minimum parcels	659,929	704,051
RA-20 - Rural Area - 20 acre minimum parcels	330,766	253,045
RA-10 - Rural Area - 10 acre minimum parcels	28,198	54,399
RA-5 - Rural Area - 5 acre minimum parcels	1,697	2,092
SR-4 - Suburban Ranch - 4 acre minimum parcels	124	151
SR-3 - Suburban Ranch - 3 acre minimum parcels	126	179
SR-2 - Suburban Ranch - 2 acre minimum parcels	3,187	3,291
SR-1 - Suburban Ranch - 1 acre minimum parcels	2,212	2,295
SSB-20 - Suburban Site Built - 20 acre minimum parcels	-	0
SSB-10 - Suburban Site Built - 10 acre minimum parcels	-	0
SSB-5 - Suburban Site Built - 5 acre minimum parcels	65	390
SSB-4 - Suburban Site Built - 4 acre minimum parcels	0	106
SSB-3 - Suburban Site Built - 3 acre minimum parcels	3	57
SSB-2 - Suburban Site Built - 2 acre minimum parcels	562	2,273
SSB-1 - Suburban Site Built - 1 acre minimum parcels	11	132
SH-20 - Suburban Homestead - 20 acre minimum parcels	-	-
SH-10 - Suburban Homestead - 10 acre minimum parcels	-	-
SH-5 - Suburban Homestead - 5 acre minimum parcels	-	-
SH-4 - Suburban Homestead - 4 acre minimum parcels	-	-
SH-3 - Suburban Homestead - 3 acre minimum parcels	-	-
SH-2 - Suburban Homestead - 2 acre minimum parcels	-	-
R-1-40 - Low Density Residential - 40,000 sq. ft. minimum parcels	2,793	3,196
R-1-20 - Low Density Residential - 20,000 sq. ft. minimum parcels	624	648
R-1-15 - Low Density Residential - 15,000 sq. ft. minimum parcels	-	0
R-1-12 - Low Density Residential - 12,000 sq. ft. minimum parcels	149	316
R-1-8 - Low Density Residential - 8,000 sq. ft. minimum parcels	230	382
R-1-6 - Low Density Residential - 6,000 sq. ft. minimum parcels	1,583	1,326

Staff Recommendation:

Staff recommends approval of Text Amendment No. 20-01.

1. **Yuma County Board of Supervisors**
NOTICE of OFFICIAL BOARD ACTION (NOBA)
REZONINGS, SPECIAL USE CASES, MAJOR & MINOR AMENDMENTS
and COMMISSION INITIATIVES* *Non- Zoning Ordinances/Amendments

Meeting Date: 01-22-20	To:	P&Z DIRECTOR MAGGIE CASTRO	Date sent:
Item No: ZF2	Agency:	DEVELOPMENT SERVICES	01-24-20

Agenda Wording: *Development Services/Planning & Zoning Division:* Discussion concerning possible text amendments to the Yuma County Zoning Ordinance to consider the following: a) Adding Section 624.00—Suburban Homestead (SH) Zoning District; b) Deleting the term "Guest Room" from Section 202.00—Definitions, and adding Suburban Homestead (SH) to under list of Residential Districts; c) Adding Suburban Homestead (SH) Zoning District to Section 501.00—Districts Established Plate V-1 District Classes; d) Adding Suburban Homestead to Section 505.01—Minimum Area Requirements; e) Adding Suburban Homestead to Section 1106.00--Accessory Buildings and Uses, and; f) Adding Suburban Homestead to Section 1106.01--Cargo Containers.

2. **RECORD OF ACTION(S)**

Public hearing conducted: In matters requiring public hearing, this certifies the below constitutes official action after a legally advertised public hearing and duly called meeting of the Yuma County Board of Supervisors (or Board of Directors per agenda wording) and will be recorded without amendment or modification in the official records of said political body. •Public comments: ___ In favor ___ Opposed ___ Neutral No comments

<input type="checkbox"/> Approved on <i>Consent</i> . <input type="checkbox"/> Approved as recommended by <i>Staff</i> . <input type="checkbox"/> Approved recommendation of Planning Commission. <input type="checkbox"/> Denied <input checked="" type="checkbox"/> No Action <input type="checkbox"/> Approved as amended*: <input type="checkbox"/> Other: _____ *Amendment: _____ CONDITIONS OF APPROVAL: _____	Vote Results: ___ Motion ___ Second <input type="checkbox"/> Passed <input type="checkbox"/> Voice Vote: <u>N/A</u> Ayes ___ Dissent <input type="checkbox"/> Roll Call: ___ Ayes ___ Nays <input checked="" type="checkbox"/> Supermajority Vote Required
---	---

<input type="checkbox"/> Item continued:	Date & Time:	<input type="checkbox"/> Agency submits AIR-Form for future meeting.
<input type="checkbox"/> Public Hearing set:	Date & Time:	<input type="checkbox"/> Agency submits AIR-Form for future meeting.

3. **CLERK OF THE BOARD CERTIFICATION**

Signature: <u><i>Susan K. Thorpe</i></u> Susan K. Thorpe, County Administrator/Clerk of the Board	Date: 01-22-20
--	----------------

4. **FOLLOW-UP (FU) ACTIONS REQUIRED:**

Agency notifies agent/applicant regarding Board action.
 Agency* Clerk of Board causes publication of _____
 Agency Clerk of Board causes recordation of (list): _____
 Other instructions/actions: _____

For minor and major amendments only: The *Certification of Minutes* will be forwarded under separate cover after the minutes for this meeting have been approved on _____.

ENCLOSURES	<input type="checkbox"/> Resolution: <input type="checkbox"/> Original(s) <input type="checkbox"/> Copy(ies) <input type="checkbox"/> Resolution will be recorded <input type="checkbox"/> Resolution will not be recorded <input type="checkbox"/> Other (list): _____
COPIED TO	<input type="checkbox"/> County Attorney <input checked="" type="checkbox"/> Craig Sellers <input checked="" type="checkbox"/> Juan Leal-Rubio <input type="checkbox"/> Others (list): _____

Questions/information regarding this agenda item contact:
 Name/Title: Barbara Villanuda - Admin. Specialist Phone #: 373-1103

No. 2: *Development Services/Planning & Zoning Division*: Discussion concerning possible text amendments to the Yuma County Zoning Ordinance to consider the following:

- a) Adding Section 624.00—Suburban Homestead (SH) Zoning District;**
- b) Deleting the term “Guest Room” from Section 202.00—Definitions, and adding Suburban Homestead (SH) to under list of Residential Districts;**
- c) Adding Suburban Homestead (SH) Zoning District to Section 501.00—Districts Established Plate V-1 District Classes;**
- d) Adding Suburban Homestead to Section 505.01---Minimum Area Requirements;**
- e) Adding Suburban Homestead to Section 1106.00--Accessory Buildings and Uses, and;**
- f) Adding Suburban Homestead to Section 1106.01--Cargo Containers.**

Mr. Leal Rubio reported there has been concern expressed by the Board regarding the increase in density by allowing accessory dwelling units on properties located within the noise zones. He provided information about the proposed text changes to include a Suburban Homestead (SH) as a new residential zoning district.

Supervisor McCloud questioned how this would address existing 2 or 5 acre lots. Mr. Leal Rubio explained this will only be for new zoning petitions and staff will be supportive of the Suburban Homestead (SH) designation. He explained that the new zoning district would prohibit the construction of accessory dwelling units on properties located within the noise zones.

Supervisor Pancrazi stated that someone could still apply for Suburban Ranch (SR) zoning designation and have an accessory dwelling. Mr. Leal Rubio confirmed that was accurate, however staff would recommended they apply for a Suburban Homestead (SH).

Discussion ensued between the Board and staff concerning their abilities to deny applications and/or amend the General Plan. Ms. Castro indicated the latter would be a long process with the application deadline to make changes on June 15th and the item would come back to the Board in December. She also explained that the densities currently established in the Comprehensive Plan in noise zones are in the Joint Land Use Plan which was an effort between the City of Yuma, Yuma County and the Marine Corps Air Station Yuma (MCAS) established in 1996.

The Board asked the County Attorney to look into the legal ramifications moving forward and directed staff to send the item back to the Planning Commission to initiate a text amendment to the zoning ordinance

No legal action was taken.

water.

Chairman Rosales opened the public hearing.

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

MOTION (MCKINLEY/ZERMENO): Approve Rezoning Case No. 20-01 as presented by staff.

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

ITEM No. 8: Request to initiate a text amendment to the Yuma County Zoning Ordinance to consider adding Section 624.00—Suburban Homestead (SH) Zoning District, deletion of the term “Guest Room” from Section 202.00—Definitions, add Suburban Homestead (SH) to list of Residential Districts, add Suburban Homestead (SH) Zoning District to Section 501.00—Districts Established Plate V-1 District Classes, add Suburban Homestead to Section 505.01—Minimum Area Requirements, add Suburban Homestead to Section 1106.00—Accessory Buildings and Uses, and add Suburban Homestead to Section 1106.01—Cargo Containers.

Senior Planner Juan Leal Rubio presented the staff report with the text that is proposed to be deleted in strikethrough font and text that is proposed to be added in bold font and recommended the Planning Commission initiate a Commission Initiative to amend the Yuma County Zoning Ordinance as presented.

Commissioner Bryant received clarification on the intent of the Suburban Homestead Zoning District associated with MCAS and the noise zones.

Staff explained why the section referring to cargo containers was being modified.

MOTION (BRYANT/BOWERS): Approve to initiate a text amendment as presented by staff.

VOICE VOTE: Mulhern-AYE; Rice- AYE; McKinley- AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Zermeno- AYE; White- AYE. The motion carried 8-0.

ITEM No. 9: Request to initiate a minor amendment to amend the Land Use Conformity Matrix table and the Zoning Comparison table of the Yuma County 2020 Comprehensive Plan.

Senior Planner Juan Leal Rubio presented the staff report with the proposed changes in bold (highlighted in yellow) format recommending the Planning Commission initiate a minor amendment to the Yuma County 2020 Comprehensive Plan as presented.

MOTION (BRYANT/RICE): Approve to initiate a minor amendment to the Land Use Conformity Matrix table as recommended by staff.

VOICE VOTE: Mulhern-AYE; Rice- AYE; McKinley- AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Zermeno- AYE; White- AYE. The motion carried 8-0.

ITEM No. 10: Review and approval of the Calendar Year 2019 Annual Report.

Planning Director Maggie Castro, AICP, presented the Calendar Year 2019 Annual Report recommending approval.

Commissioner Bryant suggested a comparison to other municipalities on future Annual Reports.

Planning Director Maggie Castro, AICP, explained comparisons to other municipalities has not been conducted in the past. She explained the purpose of the report and stated she would forward the suggestion to the Director of Development Services.

MOTION (WHITE/BRYANT): Approve Calendar Year 2019 Annual Report as presented by staff.

VOICE VOTE: Mulhern-AYE; Rice- AYE; McKinley- AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Zermeno- AYE; White- AYE. The motion carried 8-0.

ITEM No. 11: Discussion by the Commission members and Planning Director of events attended, current events, and the schedule for future Planning Commission meetings.

There being no further business to come before the Commission, the Chairman adjourned the meeting at 6:10 p.m.

Approved and accepted on this 28th day of April 2020.

Matias Rosales, Chairman

ATTEST:

Maggie Castro, AICP, Planning Director

Yuma County
Planning & Zoning
Commission

Item No. 7

AIR-10003

7.

P&Z Commission Agenda

Meeting Date: 08/25/2020

Submitted For: Maggie Castro

Submitted By: Juan Leal-Rubio

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Text Amendment No. 20-02: A proposed text amendment to the Yuma County Zoning Ordinance to add Section 624.00—Suburban Homestead (SH) Zoning District, delete the term “Guest Room” from Section 202.00—Definitions and add Suburban Homestead (SH) to list of Residential Districts, add Suburban Homestead (SH) Zoning District to Section 501.00—Districts Established Plate V-1 District Classes, add Suburban Homestead to Section 505.01—Minimum Area Requirements, add Suburban Homestead to Section 1106.00—Accessory Buildings and Uses, and add Suburban Homestead to Section 1106.01—Cargo Containers

2. INTENT:

The proposed changes are the result of recommendations made by the Planning & Zoning Commission and Board of Supervisors.

At the regular meeting of October 7, 2019, staff was asked to look into a possible amendment to the Zoning Ordinance to create a new zoning district which would prohibit the construction of accessory dwelling units on properties located within the noise zones. Staff presented its findings at the regular meeting of January 22, 2020. The Board of Supervisors directed staff to proceed with initiating a text amendment for the proposed changes. The Planning Commission initiated a text amendment to the Zoning Ordinance on February 25, 2020.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of Text Amendment No. 20-02.

Attachments

Staff Report
P&Z Minutes
P&Z Minutes
P&Z Minutes
NOBA



MEMORANDUM

TO: Yuma County Planning & Zoning Commission

FROM: Juan Leal Rubio, Senior Planner

RE: **Text Amendment No. 20-02:** A proposed text amendment to the Yuma County Zoning Ordinance to add Section 624.00—Suburban Homestead (SH) Zoning District, delete the term “Guest Room” from Section 202.00—Definitions and add Suburban Homestead (SH) to list of Residential Districts, add Suburban Homestead (SH) Zoning District to Section 501.00—Districts Established Plate V-1 District Classes, add Suburban Homestead to Section 505.01---Minimum Area Requirements, add Suburban Homestead to Section 1106.00--Accessory Buildings and Uses, and add Suburban Homestead to Section 1106.01--Cargo Containers

DATE: July 17, 2020

There has been concern expressed by the Board of Supervisors and Marine Corps Air Station-Yuma regarding the increase in density with the allowance of accessory dwelling units on properties located within the noise zones. In January 2019, staff presented a discussion item to the Board of Supervisors about prohibiting the construction of accessory dwelling units on properties located within the noise zones. However, it was determined that such a text amendment may result in Proposition 207 claims pursuant to A.R.S. § 12-1131 through -1138. The Board of Supervisors consequently directed staff to not proceed with making any changes to the Zoning Ordinance at that time.

At the regular meeting of October 7, 2019, staff was asked to look into a possible amendment to the Zoning Ordinance to create a new zoning district which would prohibit the construction of accessory dwelling units on properties located within the noise zones. Staff presented its findings at the regular meeting of January 22, 2020. The Board of Supervisors directed staff to proceed with initiating a text amendment for the proposed changes. The Planning Commission initiated a text amendment to the Zoning Ordinance on February 25, 2020.

The proposed changes are shown below. Text that is proposed to be deleted is in ~~striketrough~~ font and text that is proposed to be added is in **bold** font.

Section 202.00--Definitions

~~Guest Room: A room which is designed or intended for occupancy by, or which is occupied~~

by, one (1) or more guests, but in which no provision is made for cooking, and not including dormitories for sleeping purposes. (Also see: bed and breakfast home stay)

Residential District: includes the following districts:

- Suburban Ranch (SR),
- Suburban Site Built (SSB),
- **Suburban Homestead (SH),**
- Low Density Residential (R-1),
- Medium Density Residential (R-2),
- High Density Residential (R-3),
- Manufactured Home Park (MHP),
- Manufactured Home Subdivision (MHS),
- Recreational Vehicle Subdivision (RVS). and
- Planned Development (PD)

Article V--Establishment of Zoning Districts

Section 501.00--Districts Established

Plate V-1 District Classes

Yuma County is hereby divided into the following classes of districts:

Districts	Abbreviations
Rural Area - 40 acre minimum parcels	RA-40
Rural Area - 20 acre minimum parcels	RA-20
Rural Area - 10 acre minimum parcels	RA-10
Rural Area - 5 acre minimum parcels	RA-5
Suburban Homestead-20 acre minimum parcels	SH-20
Suburban Homestead-10 acre minimum parcels	SH-10
Suburban Homestead-5 acre minimum parcels	SH-5
Suburban Homestead-4 acre minimum parcels	SH-4
Suburban Homestead-3 acre minimum parcels	SH-3
Suburban Homestead-2 acre minimum parcels	SH-2
Suburban Ranch - 4 acre minimum parcels	SR-4
Suburban Ranch - 3 acre minimum parcels	SR-3
Suburban Ranch - 2 acre minimum parcels	SR-2
Suburban Ranch - 1 acre minimum parcels	SR-1
Suburban Site Built - 20 acre minimum parcels	SSB-20
Suburban Site Built - 10 acre minimum parcels	SSB-10
Suburban Site Built - 5 acre minimum parcels	SSB-5
Suburban Site Built - 4 acre minimum parcels	SSB-4
Suburban Site Built - 3 acre minimum parcels	SSB-3
Suburban Site Built - 2 acre minimum parcels	SSB-2

Suburban Site Built - 1 acre minimum parcels	SSB-1
Low Density Residential- 40,000 square feet minimum parcels	R-1-40
Low Density Residential- 20,000 square feet minimum parcels	R-1-20
Low Density Residential – 15,000 square feet minimum parcels	R-1-15
Low Density Residential- 12,000 square feet minimum parcels	R-1-12
Low Density Residential- 8,000 square feet minimum parcels	R-1-8
Low Density Residential - 6,000 square feet minimum parcels	R-1-6
Medium Density Residential	R-2
High Density Residential	R-3
Manufactured Home Subdivision - 20,000 square feet minimum	MHS-20
Manufactured Home Subdivision - 15,000 square feet minimum parcels	MHS-15
Manufactured Home Subdivision - 12,000 square feet minimum parcels	MHS-12
Manufactured Home Subdivision - 10,000 square feet minimum parcels	MHS-10
Manufactured Home Subdivision - 8,000 square feet minimum parcels	MHS-8
Manufactured Home Subdivision - 6,000 square feet minimum parcels	MHS-6
Manufactured Home Subdivision - 4,500 square feet minimum parcels	MHS-4.5
Manufactured Home Park	MHP
Recreational Vehicle Subdivision	RVS
Recreational Vehicle Park	RVP
Residential Commercial	RC
Local Commercial	C-1
General Commercial	C-2
Light Industrial-8,000 square foot minimum	LI-8,000
Light Industrial-20,000 square foot minimum	LI-20,000
Light Industrial-1 acre minimum	LI-1
Light Industrial-2 acre minimum	LI-2
Light Industrial-5 acre minimum	LI-5
Heavy Industrial-8,000 square foot minimum	HI-8,000
Heavy Industrial-20,000 square foot minimum	HI-20,000
Heavy Industrial-1 acre minimum	HI-1
Heavy Industrial-2 acre minimum	HI-2
Heavy Industrial-5 acre minimum	HI-5
Intensive Industrial	II
Planned Development	PD
Public Facilities	PF

Section 505.01---Minimum Area Requirements

Gross and Net Acreage Calculation: For the purpose of this regulation, minimum acreages in the Rural Area, Suburban Ranch, ~~and Suburban Site Built districts,~~ **and Suburban Homestead** districts shall be deemed gross acres including rights-of-way. The minimum acres required in all other districts shall be considered net acreage exclusive of rights-of-way.

Section 624.00--Suburban Homestead (SH)

624.01--Purpose

The purpose of this 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. These regulations apply to all six (6) of the Suburban Homestead districts: Suburban Homestead-20 Acre Minimum Parcels (SH-20), Suburban Homestead-10 Acre Minimum Parcels (SH-10), Suburban Homestead-5 Acre Minimum Parcels (SH-5), Suburban Homestead-4 Acre Minimum Parcels (SH-4), Suburban Homestead-3 Acre Minimum Parcels (SH-3), and Suburban Homestead-2 Acre Minimum Parcels (SH-2).

624.02--Permitted Uses

The following are allowed uses on properties in any of the six (6) Suburban Homestead (SH) zoning districts subject to compliance with the design standards listed below.

- A. One single-family site-built residence per parcel.
- B. Raising of field, bush or tree crops.
- C. The raising of poultry, rabbits, and other small farm animals for domestic use, as well as 4H and FFA (Future Farmers of America) are permitted. The keeping of horses and other large farm animals shall be limited to one (1) animal per ten thousand (10,000) square feet of side and rear yard area.
- D. Home occupations.
- E. Uses customarily accessory to the above uses such as garages and carports, storage sheds, barns, private swimming pools, walls and fences and parking subject to the provisions found in appropriate sections of this ordinance.

624.03--Special Uses

The following are allowed as Special Uses in any of the six (6) Suburban Homestead (SH) districts:

- A. Public schools, hospitals, convalescent homes, homes for the aged, nursing homes, churches and institutions of an educational, charitable or philanthropic nature.
- B. Golf courses, community swimming pools, and other recreational or community facilities.

C. Kennels.

D. Public parks, buildings and utility installations.

E. Wireless Communication Facilities (See Section 1115.00)

624.04--Parcel Size Requirements

Minimum parcel size for each of the six (6) Suburban Site Built districts are shown in Plate VI-28.

Plate VI-28: Minimum Parcel Sizes

SH-2	2 acre minimum parcel size
SH-3	3 acre minimum parcel size
SH-4	4 acre minimum parcel size
SH-5	5 acre minimum parcel size
SH-10	10 acre minimum parcel size
SH-20	20 acre minimum parcel size

624.05--Minimum Lot Width & Principal Buildings Setback Requirements

Minimum lot width and setback requirements for all principal buildings in the Suburban Homestead Districts are shown in Plate VI-29.

Plate VI-29: Minimum Lot Width & Setbacks

District	Minimum Width	Minimum Front yard Setback	Minimum Side yard Setback	Minimum Rear yard Setback
SH-2	120 feet	25 feet	10 feet	25 feet
SH-3	120 feet	25 feet	10 feet	25 feet
SH-4	120 feet	25 feet	10 feet	25 feet
SH-5	120 feet	25 feet	10 feet	25 feet
SH-10	220 feet	25 feet	10 feet	25 feet
SH-20	220 feet	25 feet	10 feet	25 feet

624.06--Building Height

Structures in any of the Suburban Homestead districts shall not exceed forty feet (40') in height except as provided in Section 1103.00 of this ordinance.

624.07--Accessory Buildings and Uses

See Section 1106.02 of this ordinance.

Section 1106.00--Accessory Buildings and Uses

Accessory buildings, accessory uses or the storage of recreational vehicles are allowed up- on a lot when the principal residential building, inclusive of recreational vehicles, manufactured homes and site built homes, has been established.

A stored manufactured home is not allowed in any of the following residential zoning districts: Rural Area, Suburban Ranch, Suburban Site-Built, **Suburban Homestead**, Low Density Residential, Medium Density Residential, High Density Residential, Manufactured Home Subdivision, Recreation- al Vehicle Subdivision, Manufactured Home Park, Recreational Vehicle Park and Residential Commercial.

1106.01--Cargo Containers

Cargo containers are not allowed as accessory uses in any zoning district, except as provided below:

- A. Cargo Containers are permitted in Suburban Ranch (SR), ~~and~~ Suburban Site Built (SSB), **and Suburban Homestead (SH)** Districts for lots of two acres or greater in size, Local Commercial (C-1) lots greater than 20,000 square feet in size, Rural Area (RA), General Commercial (C-2) Industrial Districts subject to the following conditions:
1. Cargo containers shall meet all setback requirements for the district.
 2. Cargo containers may not occupy any required off-street parking spaces.
 3. Outdoor cargo containers may not be stacked, except when used for cargo purposes in the industrial districts.
 4. Cargo containers are not allowed for human occupancy.
 5. Licensed contractors may use cargo containers in any zoning district for temporary storage of equipment and/or materials at a construction site during construction that is authorized by a County building permit.
 6. In the Suburban Ranch (SR), Suburban Site Built (SSB), **Suburban Homestead (SH)**, and Local Commercial (C-1) districts, cargo containers shall be limited to one (1) per parcel, shall not be larger than four hundred feet in size, shall be painted in a mono-color and shall not be used for advertisements.

Staff Recommendation:

Staff recommends approval of Text Amendment No. 20-02.

Solarcity Corporation et al., v. ADOR et al., TX2018-000929; Sunnova SAP I LLC v. Yuma County et al., TX2018-001147; Helios Issuer, LLC v. Yuma County et al., TX2018-001149; Sunnova LAP II LLC v. Yuma County et al., TX2018-001150; and, Sunrun, Inc. v. ADOR et al., TX2018-001151, upon the same terms as set forth in the previously approved and executed Legal Representation Agreement.

At 9:28 a.m. the Chairman recessed the Yuma County Board of Supervisors and convened as the Yuma County Housing Governing Board.

HOUSING GOVERNING BOARD - CONSENT CALENDAR:

No. 1: *Housing*: a) Authorize the Chairman to execute the Agreement for Water Vending Kiosks between PKC Enterprises, Inc., dba Diamond Brooks Bottled Water and Yuma County effective January 23, 2019, and; b) Authorize the Housing Department Director as the Yuma County representative to approve all necessary documentation relating to the installation and operation of water vending kiosks at each of the following three (3) apartment complexes: Valley Vista Apartments-Somerton; Pecan Shadows Apartments-Yuma; Moctezuma Apartments-San Luis, AZ. c) authorize the Yuma County Housing Department Central Advisory Resident Council to retain all payments received.

Supervisor Reyes reported that staff asked for the item to be pulled to allow further review by the legal department. Mr. Smith confirmed the recommendation was to take no action.

No legal action was taken.

At 9:28 a.m. the Chairman adjourned the Yuma County Housing Governing Board and reconvened the Yuma County Board of Supervisors in Regular Session.

DISCUSSION AND ACTION ITEMS:

No. 1: *Development Services*: Discussion concerning a possible amendment to the Zoning Ordinance to remove the ability to construct an Accessory Dwelling Unit in the noise zones.

Ms. Castro stated this item came about based on discussion which took place during a board meeting on November 5, 2018 where staff was asked to look into the possibility of amending the Zoning Ordinance to prohibit the construction of Accessory Dwelling Units on properties located within noise zones. Ms. Castro explained that by amending the Zoning Ordinance to prohibit Accessory Dwelling Units in the noise zones that could pose potential issues with Prop 207 because the current ordinance includes a provision for the applicable districts to apply for a permit.

Ms. Castro provided information regarding Prop 207 which was a 2006 ballot initiative officially titled "Private Property Rights Protection Act", which required the government to reimburse land owners when regulations result in a decrease in the property's value, and also prevents government from exercising eminent domain on behalf of a private party. She reported that when staff process rezoning cases one of the requirements is for that the applicant sign a waiver stating they will not file a lawsuit for reduction of property value.

Supervisor Reyes asked legal counsel for their advice. Mr. Feheley explained that the Board could amend the Zoning Ordinance and not allow second dwellings in high noise areas, however if a claim is filed Yuma County will be required to pay. Therefore if you maintain the status quo and a permit is denied there is no basis for the claim.

The Board agreed they did not want staff to proceed with making any changes to the Yuma County Zoning Ordinance.

No legal action was taken.

PLANNING & ZONING AGENDA:

EXPEDITED REZONING and PUBLIC HEARINGS:

No. 1: *Development Services/Planning & Zoning*: Rezoning Case No. 18-13: Adrian Vega, agent for Timothy Samuelson, requests the rezoning of the west 167.67 feet of a parcel 28,889 square feet in size from Local Commercial (C-1) to Low Density Residential-8,000 square feet minimum (R-1-8) and the east 145.00 feet to Low Density Residential-6,000 square feet minimum (R-1-6), Assessor's Parcel No. 664-01-061, located at 851 South Avenue C, Yuma, Arizona.

Supervisor Reyes opened the public hearing.

Francisca Raya, 830 Eleanor Avenue, stated she was opposed to the parcel being split to create a multi-family apartment unit.

Supervisor Reyes stated he did not see anything about an apartment complex and explained the zoning would be changed from Local Commercial (C-1) to Low Density Residential (R-1-8 & R-1-6) for regular residential homes.

MOTION (PANCRAZI/SIMMONS): Approve Rezoning Case No. 18-13 as recommended by the Planning Commission.

VOICE VOTE: The motion carried 4-0, with Supervisor McCloud excused.

The following conditions were approved: **Performance Condition: 1.** The owner shall submit a signed and notarized A.R.S. §12-1134 waiver to the Department of

that windows will be re-opened and aligned with planned offices with awnings made of metal. In addition the exterior paint will be refreshed and doors replaced.

Chairman Reyes suggested adding signage where the previous windows were on the second/third floor West elevation such as digital screens which could be used for advertising.

Ms. Thorpe reported she recently met with Interim City Administrator Jay Simonton who talked about an area of the building where an artist could paint a mural since the City of Yuma is seeking more areas downtown to display art.

Historic photos provided by Supervisor McCloud were displayed and discussed.

No legal action was taken

PLANNING & ZONING AGENDA: Full legal descriptions of property sites for all Rezoning Cases are available for public review at the Yuma County Board of Supervisors' Office.

REZONING -- REGULAR PUBLIC HEARING ITEMS: Staff will make a full presentation on each of the following items, followed by separate discussion, public hearing, and action by the Board of Supervisors.

No. 1: *Development Services/Planning & Zoning Division: Rezoning Case No. 19-06: Craig Colvin, agent for Dane & Danelle Palmer, requests the rezoning of a parcel 5.0 gross acres in size from Suburban Site Built-5 acre minimum (SSB-5) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel No. 724-18-004, located at 12568 South Avenue 4½E, Yuma, Arizona; located in the 65-69 dB and 70-74 dB noise zones.*

Mr. Leal-Rubio provided the staff presentation.

Supervisor Pancrazi declared a conflict and stepped down from the dais.

Supervisor McCloud asked staff if this land division would result in two lots and when it is time to build, would the applicant be required to not build within the 70 dB noise zone. Mr. Leal-Rubio confirmed the lot split and explained that only a small portion of the parcel is located within the noise zone and is not a buildable area.

Chairman Reyes opened the public hearing.

Mary Ellen Fitch, Marine Corps Air Station Yuma (MCAS), spoke in opposition to the request.

Supervisor McCloud questioned whether MCAS's claim that any new residential development violates the conditions of A.R.S. §28-8481 was the same opinion as the County Attorney. Mr. Kerekes stated it was not because the Board has the authority to approve the item under the current statute and regulations to accept or deny the case, make changes or add conditions.

Craig Colvin reported the owner has lived on the adjacent parcel for twenty years and is more than happy to sign the aviation agreements.

Ms. Castro was present to answer Supervisors questions concerning the zoning ordinance.

MOTION (MCCLOUD/PORCHAS): Approve as recommended by Planning Commission.

VOICE VOTE: The motion carried 4-0, with Supervisor Pancrazi abstaining.

The following conditions were approved: Performance Conditions: **1.** The owner shall submit a signed and notarized A.R.S. §12-1134 waiver to the Department of Development Services within 60 days of approval of this rezoning case by the Board of Supervisors. **2.** The owner or applicant shall record the following disclosure statements within 60 days of Board of Supervisors' approval of this rezoning case and submit them to the Department of Development Services: **a.** An agricultural disclosure statement. **b.** An avigation disclosure statement. **c.** An infrastructure disclosure statement. Yuma County will be held harmless and not obligated to make improvements to the roadway infrastructure supporting the subject property. **d.** A Schedule for Development: disclosure statement. Schedule for Development. **1.** Within one year of approval by the Board of Supervisors and prior to approval of a Land Division Permit, the owner shall apply for and obtain a Grading Permit from the Department of Development Services to improve the ingress/egress easement referred to in item 3 of the Schedule for Development with a gravel roadway (refer to attached Standard C-Gravel Roadway). The northern end of the ingress/egress easement shall also contain the means for emergency vehicles to turn around. The turn-around shall be a culde-sac or hammerhead installed in compliance with the Fire Department Apparatus Access Roadway Policy. **2.** Within one year of approval by the Board of Supervisors, the property shall be split in accordance with the attached site plan labeled as "Exhibit A" 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 along the east property line. **4.** Within one year of approval by the Board of Supervisors, the owner shall submit certification from a licensed engineer confirming the gravel roadway referred to in item 1 of the Schedule for Development was constructed according to Standard C-Gravel Roadway. **5.** Prior to development of any of the future parcels or within one year of approval by the Board of Supervisors, whichever occurs first, all lots resulting from the proposed land division shall be provided with the means of irrigation and access to irrigation water.

that windows will be re-opened and aligned with planned offices with awnings made of metal. In addition the exterior paint will be refreshed and doors replaced.

Chairman Reyes suggested adding signage where the previous windows were on the second/third floor West elevation such as digital screens which could be used for advertising.

Ms. Thorpe reported she recently met with Interim City Administrator Jay Simonton who talked about an area of the building where an artist could paint a mural since the City of Yuma is seeking more areas downtown to display art.

Historic photos provided by Supervisor McCloud were displayed and discussed.

No legal action was taken

PLANNING & ZONING AGENDA: Full legal descriptions of property sites for all Rezoning Cases are available for public review at the Yuma County Board of Supervisors' Office.

REZONING -- REGULAR PUBLIC HEARING ITEMS: Staff will make a full presentation on each of the following items, followed by separate discussion, public hearing, and action by the Board of Supervisors.

No. 1: *Development Services/Planning & Zoning Division:* Rezoning Case No. 19-06: Craig Colvin, agent for Dane & Danelle Palmer, requests the rezoning of a parcel 5.0 gross acres in size from Suburban Site Built-5 acre minimum (SSB-5) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel No. 724-18-004, located at 12568 South Avenue 4½E, Yuma, Arizona; located in the 65-69 dB and 70-74 dB noise zones.

Mr. Leal-Rubio provided the staff presentation.

Supervisor Pancrazi declared a conflict and stepped down from the dais.

Supervisor McCloud asked staff if this land division would result in two lots and when it is time to build, would the applicant be required to not build within the 70 dB noise zone. Mr. Leal-Rubio confirmed the lot split and explained that only a small portion of the parcel is located within the noise zone and is not a buildable area.

Chairman Reyes opened the public hearing.

Mary Ellen Fitch, Marine Corps Air Station Yuma (MCAS), spoke in opposition to the request.

Supervisor McCloud questioned whether MCAS's claim that any new residential development violates the conditions of A.R.S. §28-8481 was the same opinion as the County Attorney. Mr. Kerekes stated it was not because the Board has the authority to approve the item under the current statute and regulations to accept or deny the case, make changes or add conditions.

Craig Colvin reported the owner has lived on the adjacent parcel for twenty years and is more than happy to sign the aviation agreements.

Ms. Castro was present to answer Supervisors questions concerning the zoning ordinance.

MOTION (MCCLOUD/PORCHAS): Approve as recommended by Planning Commission.

VOICE VOTE: The motion carried 4-0, with Supervisor Pancrazi abstaining.

The following conditions were approved: Performance Conditions: **1.** The owner shall submit a signed and notarized A.R.S. §12-1134 waiver to the Department of Development Services within 60 days of approval of this rezoning case by the Board of Supervisors. **2.** The owner or applicant shall record the following disclosure statements within 60 days of Board of Supervisors' approval of this rezoning case and submit them to the Department of Development Services: **a.** An agricultural disclosure statement. **b.** An avigation disclosure statement. **c.** An infrastructure disclosure statement. Yuma County will be held harmless and not obligated to make improvements to the roadway infrastructure supporting the subject property. **d.** A Schedule for Development: disclosure statement. Schedule for Development. **1.** Within one year of approval by the Board of Supervisors and prior to approval of a Land Division Permit, the owner shall apply for and obtain a Grading Permit from the Department of Development Services to improve the ingress/egress easement referred to in item 3 of the Schedule for Development with a gravel roadway (refer to attached Standard C-Gravel Roadway). The northern end of the ingress/egress easement shall also contain the means for emergency vehicles to turn around. The turn-around shall be a culde-sac or hammerhead installed in compliance with the Fire Department Apparatus Access Roadway Policy. **2.** Within one year of approval by the Board of Supervisors, the property shall be split in accordance with the attached site plan labeled as "Exhibit A" 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 along the east property line. **4.** Within one year of approval by the Board of Supervisors, the owner shall submit certification from a licensed engineer confirming the gravel roadway referred to in item 1 of the Schedule for Development was constructed according to Standard C-Gravel Roadway. **5.** Prior to development of any of the future parcels or within one year of approval by the Board of Supervisors, whichever occurs first, all lots resulting from the proposed land division shall be provided with the means of irrigation and access to irrigation water.

1. **Yuma County Board of Supervisors**
NOTICE of OFFICIAL BOARD ACTION (NOBA)
REZONINGS, SPECIAL USE CASES, MAJOR & MINOR AMENDMENTS
and COMMISSION INITIATIVES* *Non- Zoning Ordinances/Amendments

Meeting Date: 01-22-20	To:	P&Z DIRECTOR MAGGIE CASTRO	Date sent:
Item No: ZF2	Agency:	DEVELOPMENT SERVICES	01-24-20

Agenda Wording: *Development Services/Planning & Zoning Division:* Discussion concerning possible text amendments to the Yuma County Zoning Ordinance to consider the following: a) Adding Section 624.00—Suburban Homestead (SH) Zoning District; b) Deleting the term "Guest Room" from Section 202.00—Definitions, and adding Suburban Homestead (SH) to under list of Residential Districts; c) Adding Suburban Homestead (SH) Zoning District to Section 501.00—Districts Established Plate V-1 District Classes; d) Adding Suburban Homestead to Section 505.01—Minimum Area Requirements; e) Adding Suburban Homestead to Section 1106.00--Accessory Buildings and Uses, and; f) Adding Suburban Homestead to Section 1106.01--Cargo Containers.

2. **RECORD OF ACTION(S)**

Public hearing conducted: In matters requiring public hearing, this certifies the below constitutes official action after a legally advertised public hearing and duly called meeting of the Yuma County Board of Supervisors (or Board of Directors per agenda wording) and will be recorded without amendment or modification in the official records of said political body. •Public comments: ___ In favor ___ Opposed ___ Neutral No comments

<input type="checkbox"/> Approved on <i>Consent</i> . <input type="checkbox"/> Approved as recommended by <i>Staff</i> . <input type="checkbox"/> Approved recommendation of Planning Commission. <input type="checkbox"/> Denied <input checked="" type="checkbox"/> No Action <input type="checkbox"/> Approved as amended*: <input type="checkbox"/> Other: _____ *Amendment: _____ CONDITIONS OF APPROVAL: _____	Vote Results: ___ Motion ___ Second <input type="checkbox"/> Passed <input type="checkbox"/> Voice Vote: <u>N/A</u> Ayes ___ Dissent <input type="checkbox"/> Roll Call: ___ Ayes ___ Nays <input checked="" type="checkbox"/> Supermajority Vote Required
---	---

<input type="checkbox"/> Item continued:	Date & Time:	<input type="checkbox"/> Agency submits AIR-Form for future meeting.
<input type="checkbox"/> Public Hearing set:	Date & Time:	<input type="checkbox"/> Agency submits AIR-Form for future meeting.

3. **CLERK OF THE BOARD CERTIFICATION**

Signature: <u>Susan K. Thorpe, Deputy Clerk for:</u> Susan K. Thorpe, County Administrator/Clerk of the Board	Date: 01-22-20
--	----------------

4. **FOLLOW-UP (FU) ACTIONS REQUIRED:**

Agency notifies agent/applicant regarding Board action.
 Agency* Clerk of Board causes publication of _____
 Agency Clerk of Board causes recordation of (list): _____
 Other instructions/actions: _____

For minor and major amendments only: The *Certification of Minutes* will be forwarded under separate cover after the minutes for this meeting have been approved on _____.

ENCLOSURES	<input type="checkbox"/> County Attorney	<input type="checkbox"/> Resolution: <input type="checkbox"/> Original(s) <input type="checkbox"/> Copy(ies)
		<input type="checkbox"/> Resolution will be recorded <input type="checkbox"/> Resolution will not be recorded <input type="checkbox"/> Other (list): _____
COPIED TO	<input checked="" type="checkbox"/> Craig Sellers <input checked="" type="checkbox"/> Juan Leal-Rubio	<input type="checkbox"/> Others (list): _____

Questions/information regarding this agenda item contact:
 Name/Title: Barbara Villanuda - Admin. Specialist Phone #: 373-1103