

4. **Rezoning Case No. 20-15:** Adrian Vega, agent for Halifax Investments, LLC., requests the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 748-13-011, located in the vicinity of the northeast corner of Avenue 5E and County 14½ Street, Yuma, Arizona.

5. **Discussion by the Commission members and Planning Director of events attended, current events, and the schedule for future Planning Commission meetings.**

6. **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 August 25, 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, John McKinley, Tim Bowers, Danny Bryant, Matias Rosales, Gary Black, Wayne Eide, Paul White, and Ron Rice. Commissioner Alicia Zermeno was absent. Others present were: Planning Director Maggie Castro, AICP; Senior Planner Juan Leal Rubio; Senior Planner Javier Barraza; 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 July 28, 2020.

MOTION (RICE/BLACK): Approve as presented.

VOICE VOTE: Mulhern-AYE; McKinley- AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Black- AYE; Eide- AYE; White- AYE; Rice- AYE. The motion carried 9-0.

ITEM No. 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.

Commissioner Scott Mulhern recused himself from Minor Amendment Case No. 20-03 due to conflict of interest.

Senior Planner Javier Barraza presented the staff report recommending 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 venefit of this particular owner.

ITEM No. 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.

Commissioner Scott Mulhern recused himself from Rezoning Case No. 20-14 due to conflict of interest.

Senior Planner Javier Barraza presented the staff report recommending denial of Rezoning Case No. 20-14 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 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:

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

Chairman Rosales opened the public hearing for both Minor Amendment Case No. 20-03 and Rezoning Case No. 20-14.

Judy Knowlton, 12266 North Eagle Road, Yuma, Arizona, applicant, stated her agent was present to answer any questions.

Adrian Vega, 1560 South 5th Avenue, Yuma, Arizona, agent, explained the applicant attended a project assessment meeting at the Department of Development Services and obtained positive feedback. He stated the intent of the project is to build another house on the proposed new parcel. There would be an increase of density of one more home.

Commissioner Bryant inquired about the purpose of the 15,000 square feet parcel and what the applicant plans to do with that parcel.

Senior Planner Javier Barraza explained there is a requirement of 1-acre minimum for lots with a septic system. He explained there is currently septic system on the 15,000 square foot parcel. He stated the applicant was retrieving water from Martinez Lake.

Commissioner Bryant inquired if retrieving water from Martinez Lake was permissible.

Senior Planner Javier Barraza explained he was unable to receive updated comments from the Bureau Land Management (BLM). However, comments from BLM, from ten years ago when the previous case was first presented stated there were no rights to obtain water from Martinez Lake.

Commissioner Bryant asked what the agent thought of staff's recommendation of denial of the Minor Amendment based on incompatible with the surrounding land use.

Adrian Vega, 1560 South 5th Avenue, Yuma, Arizona, agent, stated one residence would not be a big impact on the neighborhood. The intent is to build only one more residence.

Commissioner Rice inquired if the existing septic system was capable of handling another house.

Adrian Vega, 1560 South 5th Avenue, Yuma, Arizona, agent, explained a new system would be used for the proposed new residence.

Commissioner White inquired about the Assessor's comments in the staff report of the dedicated right of way.

Adrian Vega, 1560 South 5th Avenue, Yuma, Arizona, agent, stated there would be a private easement on parcel A.

Commissioner McKinley stated that according to the Arizona Water Resources Department, it is not legal to retrieve water from Martinez Lake.

Judy Knowlton, 12266 North Eagle Road, Yuma, Arizona, applicant, explained she has a small pump that supplies water from Martinez Lake. She explained there are several other places that pump from Martinez Lake. She stated the house was designed that way when she bought it. She explained the new house would have a well.

Kevin Dahl, 1560 South 5th Avenue, Yuma, Arizona, agent, explained it is one home in a neighborhood of six homes. He stated that visually the home will not be seen from the roadway. He stated the applicant went to a project assessment and received positive feedback and then staff recommended denial. He reviewed the aerial image and pointed out the surrounding homes with multiple buildings on those lots. He stated one home would not be an impact in the area.

Planning Director Maggie Castro, AICP, explained that from a planning perspective, staff views things from a wider perspective. She stated that the applicant's position is that there will be only one additional home in the area. She stated that staff look at a wider range or bigger area. As stated on page three of the staff report, there are 51 properties in the general area which are zoned R-1-40. Those properties range in size from 13,360 square feet to a little over 4 acres. She explained future owners could request the same proposal as the agent/applicant resulting in over a 100 new residences in the area. She stated that during project assessments, staff does not review the rezoning or minor amendment cases. Staff provide a cursory review of the case or provide what needs submitted if the applicant would like to proceed with a rezoning or minor amendment. Staff recommendations come after research and analysis of a case which is well into the application process.

Commissioner Black stated the major issue is the increased density. He explained his concern with grandfathering in the sewage system.

Commissioner White asked if there were any oppositions from neighbors in the 300 foot radius of the subject property.

Senior Planner Javier Barraza showed the slide in his presentation that indicated the three properties in opposition. He gave the parcel size for lots number one, six, and eight.

Commissioner Bryant stated he would like to have the cases continued until meetings can be in person.

Commissioner Black suggested having a neighborhood meeting to resolve some issues.

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

MOTION (RICE/BLACK): Deny Minor Amendment Case 20-03 as presented by staff.

VOICE VOTE: McKinley- AYE; Bowers- AYE; Bryant- NAY; Rosales- NAY; Black- AYE; Eide- AYE; White- AYE; Rice- AYE. The motion carried 6-2.

MOTION (RICE/BLACK): Deny Rezoning Case No. 20-14 as presented by staff.

VOICE VOTE: McKinley- AYE; Bowers- AYE; Bryant- NAY; Rosales- NAY; Black- AYE; Eide- AYE; White- AYE; Rice- AYE. The motion carried 6-2.

ITEM No. 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.

Senior Planner Juan Leal Rubio presented the staff report recommending approval of Text Amendment No. 20-01.

ITEM No. 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.

Senior Planner Juan Leal Rubio presented the staff report recommending approval of Text Amendment No. 20-02.

Chairman Rosales opened the public hearing for both Text Amendment Case No. 20-01 & Text Amendment Case No. 20-02.

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

MOTION (MCKINLEY/BOWERS): Approve Text Amendment No. 20-01 as presented by staff.

VOICE VOTE: Mulhern-AYE; McKinley- AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Black- AYE; Eide- AYE; White- NAY; Rice- AYE. The motion carried 8-1.

MOTION (MCKINLEY/BOWERS): Approve Text Amendment No. 20-02 as presented by staff.

VOICE VOTE: Mulhern-AYE; McKinley- AYE; Bowers- AYE; Bryant- AYE; Rosales- AYE; Black- AYE; Eide- AYE; White- NAY; Rice- AYE. The motion carried 8-1.

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

Commissioner Bryant inquired about resuming in person meetings. He inquired about the Board of Supervisors holding in person meetings.

Planning Director Maggie Castro, AICP, explained the difficulty of holding in person meetings with the current social distancing mandates. She explained technology does not allow an in person meeting and a Zoom meeting to be conducted at the same time. She stated the Board of Supervisors hold in person meetings. Changes were made to their auditorium layout to accommodate the social distancing requirements that are mandated.

Commissioner Bryant inquired if the Health Director could do an assessment for Aldrich Hall to accommodate social distancing requirements for in person meetings.

Planning Director Maggie Castro, AICP, explained staff has conducted an assessment of Aldrich Hall to accommodate social distancing for Commissioners, staff and the public. It would be difficult to meet social distancing requirements in Aldrich Hall for Planning and Zoning Commission meetings because there would only be room for four Commissioners, limited staff and limited public to hold in person meetings. Technology will not allow a Zoom meeting and an in person meeting to take place at the same time. She stated the DDS Director could send the constraints that staff has to the Chairman for his review.

Chairman Rosales stated the constraints can be sent to Commissioner Bryant.

There being no further business to come before the Commission, the Chairman adjourned the meeting at 5:49 p.m.

Approved and accepted on this 22nd day of September 2020.

Matias Rosales, Chairman

ATTEST:

Maggie Castro, AICP, Planning Director

Yuma County
Planning & Zoning
Commission

Item No. 4

AIR-10091

4.

P&Z Commission Agenda

Meeting Date: 09/22/2020

Submitted For: Maggie Castro

Submitted By: Juan Leal-Rubio

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Rezoning Case No. 20-15: Adrian Vega, agent for Halifax Investments, LLC., requests the rezoning of a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 748-13-011, located in the vicinity of the northeast corner of Avenue 5E and County 14½ Street, Yuma, Arizona.

2. INTENT:

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

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

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

Attachments

Staff Report

Case Map

Site Plan

Dev Eval Checklist

Internal Comments

External Comments

Standard B Road



STAFF REPORT TO THE COMMISSION

September 22, 2020

Rezoning Case No. 20-15

REQUEST: Rezone a parcel 10.0 gross acres in size from Rural Area-10 acre minimum (RA-10) to Suburban Site Built-2 acre minimum (SSB-2), Assessor's Parcel Number 748-13-011, located in the vicinity of the northeast corner of Avenue 5E and County 14½ Street, Yuma, Arizona.

APPLICANT: Adrian Vega, agent for Halifax Investments, LLC

Application is within Supervisor District 4: Marco A “Tony” Reyes; Planning Commissioners: Matias Rosales and Gary Black. Staff report prepared by Juan Leal Rubio, Senior Planner.

DIRECTIONS: From the intersection of 32nd Street and Avenue 5E, travel south 3.5 miles on Avenue 5E to County 14½ Street. Turn east (left) on County 14½ Street and travel approximately 660 feet to the southwest corner of the property.

INTENT:

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

SITE CONDITIONS:

The subject property is currently in citrus. Irrigation ditches are located along the north and west side of the property.

The property appears to have no legal access. Physical access is along County 14½ Street, a dirt road 30 feet in width, located on the south side that stops 20 feet short of providing physical access to the subject property.

Surrounding zoning and land uses consist of the following: Parcels 6 and 7 to the north are zoned SSB-2 and are developed with site built homes. Parcel 8 to the northwest is zoned SSB-2 and is developed with a site built home. All three parcels are within Goldwater Ranch subdivision. Parcels 5, 17, 18, and 19 to the east, southwest, south, and southeast are in desert terrain, are within the Barry M. Goldwater Range under the City of Yuma jurisdiction, and are zoned Military Reservation. Parcel 10 to the west was recently rezoned to SSB-2 with Rezoning Case No. 20-10 and is currently in alfalfa.

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

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

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

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

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

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

The subject property is not under the High Noise or Accident Potential Zone, however, it is located within the Territory in the Vicinity of a Military Airport.

CRITICAL ISSUES:

Parcel 10 to the west of the subject property is in the process of being split into five residential lots with Land Division Permit No. 20-11 (LDP20-11). LDP20-11 shows a new access and utility easement 40 feet in width proposed to be named Ethan Place running from Avenue 5E to the subject property. The intent of the new access and utility easement is to install utilities and provide vehicular access to the proposed new residential lots on Parcel 10, as well as the new residential lots being proposed on the subject parcel. Overall, the five lots being created on Parcel 10 with LDP20-11 and the five lots being proposed with Rezoning Case No. 20-15 will increase the vehicular access off of Avenue 5E. Based on these two proposals resulting in the creation of ten new lots, a left turn lane should be required along Avenue 5E to provide a safer transition for vehicles on a roadway with a speed limit of 50 miles per hour. The left turn lane will prevent vehicles from cueing in the travel way, thus slowing down the vehicular movement along Avenue 5E and eliminating rear-end accidents. If a left turn lane is not required as a condition of approval, it could possibly result in a liability for the County.

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

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

Ordinances, codes and regulations that pertain to the application:

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

SUMMARY NOTES:

SUPPORT STAFF SUMMARY: The Yuma County Assessor's Department provided the following comments: 1. Halifax Investments does not own this property. It is owned by Kenneth & Lurline Perry Trust. The Perry's were the trustees of the trust and they are now both deceased. There is no record that names the successor trustee who is the only person allowed to transfer this property to anyone; 2. The proposed ingress/egress crosses Parcel 748-13-010 which is owned by TDI Holdings, LLC. Halifax will need to secure easement from TDI Holdings, LLC. The Environmental Programs Division made no comments. The Flood Control District stated future division into different parcels will require a grading permit. The Building Safety Division provided the following comment: All weather access shall be provided in accordance with 2003 IFC and current policy. Fire apparatus shall be provided with turn-around at intervals not

exceeding 500 feet in accordance with 2003 IFC and current policy. The Engineering Department provided various comments which are shown on the attached memo.

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

- Antonio Martinez from MCAS provided the following comment: The subject parcel is located adjacent to the western boundary of the Barry M. Goldwater Range ...subject to the requirements of the BMGR Buffer Zone. Within this location an acceptable density is 1 home per 2 acres, however it is requested that an Avigation Easement and Range Disclosure Statement be recorded...

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

DEVELOPMENT EVALUATION CHECKLIST: The Development Evaluation Checklist identifies the following Impact Categories: Conformance to Existing Plans; Land Use Compatibility; Natural Resources; Public Infrastructure; Natural Environmental Conditions; Manmade Environmental Conditions; and Health, Safety & Welfare. A point system is used to score whether a proposal should likely be approved or denied. Of a possible high score of 300, the total score for this proposal is 290. A score falling in this category represents a proposal that likely should be approved. The proposal is likely to be in compliance with adopted land use plans, policies and objectives, has good access, and is compatible with surrounding development. This request scored well on the following development standards: Conformance to existing plans, land use compatibility, impact to natural resources, and impact to public infrastructure, as well as impact to environmental conditions. The request received a regular score on the impact to health, safety and welfare category due to the fact that the project site is located outside the 10-minute or less law enforcement response.

CHRONOLOGY:

- | | |
|----------|--|
| 08-14-20 | Application received |
| 09-01-20 | Property posted for the Planning Commission's public hearing |
| 09-02-20 | Legal ad appears in the Yuma Daily Sun for the Planning Commission's public hearing |
| 09-04-20 | Public notice mailed to properties within 300 feet of the request, the City of Yuma and all relevant agencies/stakeholders |
| 09-04-20 | Letter mailed informing applicant of item being placed on Planning Commission's public hearing agenda |
| 09-12-20 | Staff report emailed to applicant and/or agent |
| 09-22-20 | Planning Commission's public hearing |

RECOMMENDATION:

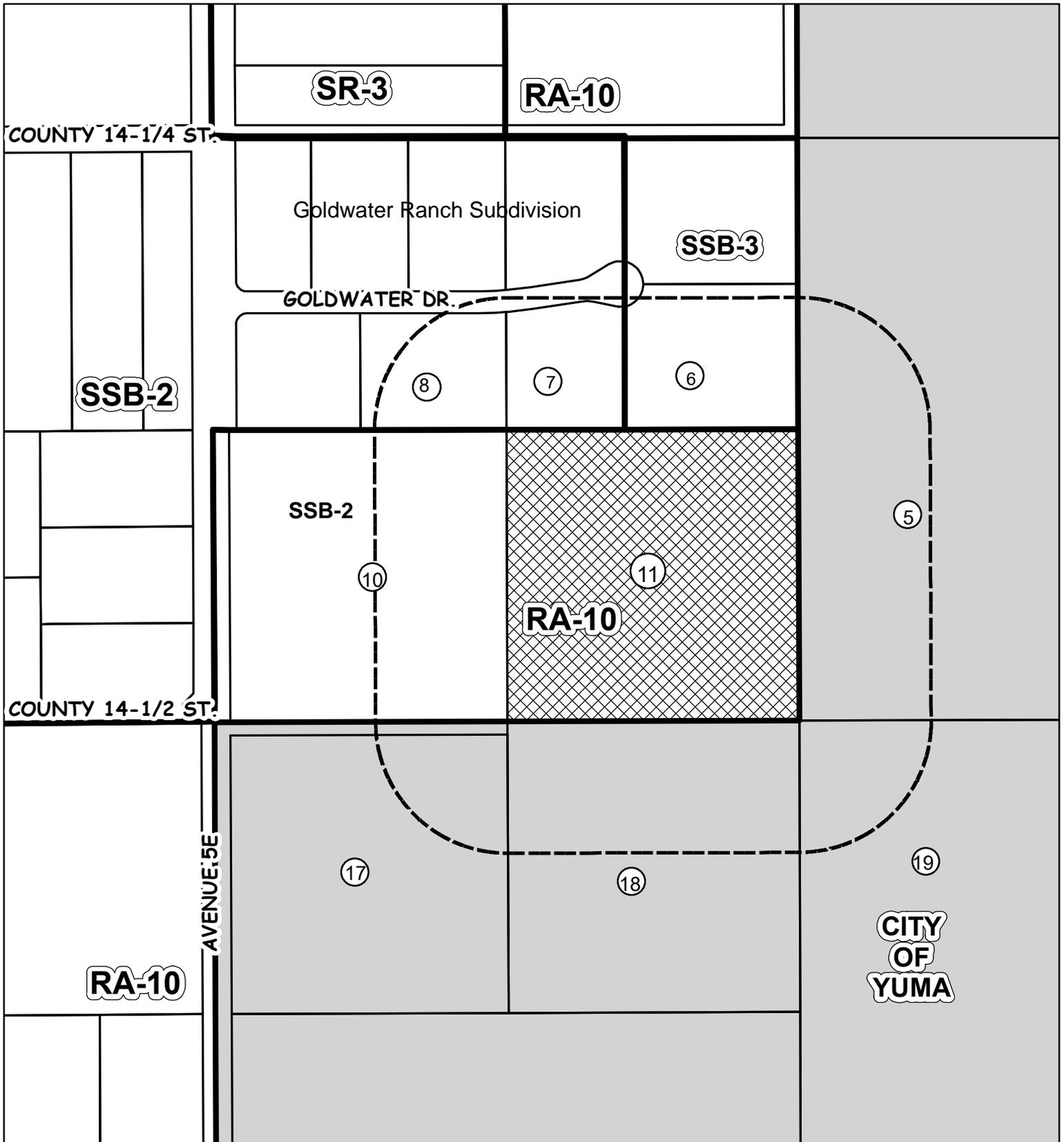
Staff recommends approval of this request based on the request being within the range of identified uses, densities and intensities of the Comprehensive Plan subject to the following Performance Condition and Schedule for Development:

Performance Condition.

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

Schedule for Development:

1. Within one (1) year of approval by the Board of Supervisors and prior to approval of the Land Division Permit, the owner shall apply for a Grading Permit with Yuma County Department of Development Services to improve the ingress/egress easement depicted on the site plan submitted by the applicant in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat (refer to attached Standard Number B-Penetration and Chip Seal). The eastern end of the ingress/egress easement shall also contain the means for emergency vehicles to turn around. The turn-around shall be in accordance with 2003 International Fire Code and current Yuma County policies.
2. Within one (1) year of approval by the Board of Supervisors and prior to the approval of the Land Division Permit, the owner shall construct a left turn lane along Avenue 5E pursuant to Yuma County Standards and specifications.
3. Within one (1) year of approval by the Board of Supervisors, the property shall be split in accordance with the site plan submitted by the applicant by means of a Land Division Permit pursuant to Section 507.00 of the Yuma County Zoning Ordinance and an ingress/egress easement twenty (20) feet in width along the center of the subject properties and an irrigation easement along the north property line shall be recorded.
4. Within one (1) year of approval by the Board of Supervisors, the owner shall submit certification from a licensed engineer confirming the roadway referred to in item 1 of the Schedule for Development was constructed according to Standard B-Penetration and Chip Seal.
5. All lots shall be provided with means of irrigation and access to irrigation water prior to development of any of the existing parcels. The owner/applicant will submit a letter from the irrigation district to the Department of Development Services confirming that a satisfactory irrigation system is installed and the individual lots will have access to irrigation water



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

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

CASE NO:
LOCATION:
APNs:

RZ20-15
NORTHEAST CORNER OF
AVENUE 5E & CO. 14-1/2 ST.
748-13-011

Case Planner: Juan Leal Rubio
Drawn: 8/20/20
Reviewed: N/A

SCALE
1" = 300"



Legend

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

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

Case No.: RZ20-15	Owner/Agent: <u>Halifax Investments, LLC</u>		
Parcel #: 748-13-011	Agent: <u>Adrian Vega</u>		
Current Zoning: RA-10	Proposed Zoning: SSB-2	Acreage: 10.00	<u>GROSS AC</u>

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

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

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

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

	development has been or is proposed to be dedicated.			
12	A traffic impact study is either not required, or if required has been completed indicating the conclusions and recommendations for improvements.	5	0	5
13	A public or private water system, or an on-site water source, will adequately serve the proposed development	5	0	5
IMPACT CATEGORY V.				
NATURAL ENVIRONMENTAL CONDITIONS				
14	The project site contains endangered or threatened animal or plant species, or contains ecologically sensitive land.	0	5	5
15	The project site contains earthquake fault lines, fissures, cracks, sinkholes, craters, or is within an earthquake liquefaction area.	0	5	5
16	Soils within the project area are stable and suitable for the proposed development.	5	0	5
17	There are visual indications of previous slides, slumps or other soil problems (cracked walls and foundations, tilted trees or fences, settling, flooding, etc.) in the project area.	0	5	5
18	The site contains slopes of 12% or greater.	0	5	5
IMPACT CATEGORY VI.				
MANMADE ENVIRONMENTAL CONDITIONS				
19	The site contains fossils, artifacts, relics, monuments, or structures of archaeological or cultural significance.	0	5	5
20	Given the existing noise and estimated future noise levels of the area, the site is appropriate for the proposed activities and facilities.	5	0	5
21	The project will increase PM10 (particulate matter 10 microns or less diameter) or other air pollution levels in the vicinity.	0	5	5
22	The proposed project will release emissions such as nitrates, sulfates, or organic carbons into the air, which may reasonable be anticipated to causes or contribute to regional haze or impairment of visibility.	0	15	15
IMPACT CATEGORY VII.				
HEALTH, SAFETY, AND WELFARE				
23	Physical access to the site is traversable by a two-wheel drive passenger motor vehicle.	15	0	15
24	Access to or within the site is via a non-paved surface (which increases the amount of particulates such as soot or dust in the air).	0	10	10
25	Response time for emergency vehicles (Rural/Metro ambulance and fire) is 6 minutes or less, and 10 minutes or less for law enforcement (Sheriff's Dept.).	10	0	0

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

HIGH SCORE

Total score is 275 to 300.

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

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

MODERATE SCORE

Total score is 250 to 274.

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

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

LOW SCORE

Total score is 249 or less

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

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

PAT HEADINGTON

BUILDING
TECHNICAL

All weather access shall be provided in accordance with 2003 IFC and current policy. Fire apparatus shall be provided with turn-around at intervals not exceeding 500 feet in accordance with 2003 IFC and current policy

8/20/2020 1:28:37 PM

DAVID RUVALCABA

GRADING
TECHNICAL

No Comment on the rezone, but the future division into different parcels will require a grading permit.

8/21/2020 2:18:58 PM

From: Joe Wehrle
Sent: Tuesday, August 25, 2020 8:15 AM
To: Maggie Castro; Juan Leal Rubio
Cc: Fernando Villegas
Subject: RE: RFC-RZ20-15

Good Morning!

Please be careful about this. The documents need to be recorded in the right sequence for this to work.

Thanks!

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

From: Maggie Castro
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Cc: Joe Wehrle <Joe.Wehrle@yumacountyaz.gov>; Fernando Villegas <Fernando.Villegas@yumacountyaz.gov>
Subject: Re: RFC-RZ20-15

The rezoning case can continue. The transfer/split can be addressed during the LDP.

Sent from my iPhone

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sjones@town.wellton.az.us; BKnowles@azgfd.gov; rjrm09@msn.com;
Bfenske@azdot.gov; chuck.wullenjohn@us.army.mil; bklee@craneschools.org;
agui2400@yahoo.com; Gen@yumaairport.com; gramirez@azdot.gov;
IGarcia@azdot.gov; Jeff_humphrey@fws.gov; jennifer.albers@yumaaz.gov;
esperodriguez@ssd11.org; jcampa@cityofsanluis.org; JHeidrich@aol.com;
mstraub@wmidd.org; sjohnson@mohawk17.org; rmolenaar@yumasun.com;
Rick.rohrick@swgas.com; bryank@unitBIRR.com; ttyree@apscc.org;
yid@mindspring.com; Pmorgan@ymidd.org; gthompson@yumaunion.org;
Cgutierrez@ympo.org; daniel.m.steward.civ@mail.mil; Stephanie.Laborin@aps.com;
Joe Wehrle <Joe.Wehrle@yumacountyaz.gov>; jmacdona@blm.gov;
judith.e.movilla.civ@mail.mil; lkillman@town.wellton.az.us; info@ssd11.org;
Robert.blevins@yumaaz.gov; sfajardo@mohawk17.org; tony.lomboy@charter.com;
usarmy.ypg.atec.list.public-affairs-office@mail.mil; openunuri@ycwua.org;
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bobette.m.bauermann.civ@mail.mil; Mary.e.finch@usmc.mil; jperez@cityofsanluis.org;

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Subject: RE: RFC-RZ20-15

No comment on this one, Juan.

Rachel Stallworth
Improvement District Coordinator
4343 S. Avenue 5 1/2E
Yuma, AZ 85365
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Direct Line: (928) 341-2511
Mobile: (928) 581-5889
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Hello,

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

Regards,

Juan Leal Rubio, Senior Planner



Yuma County, Arizona
DEPARTMENT OF ENGINEERING

2351 W. 26TH Street, Yuma, Arizona

Phone: (928) 817-5000

Fax: (928) 817-5109

Chris Young, P.E.
Director/County Engineer

MEMORANDUM

TO: Juan Rubio, Senior Planner

FROM: Arturo Alvarez, Land Development Engineer

RE: Rezoning Case Number RZ20-015

DATE: September 1, 2020

On July 27, 2020 the Board of Supervisors approved rezoning case number 20-10, Assessor's Parcel Number 748-13-010. The conditions of approval was to construct a five lot (5) lot cul-de-sac with access along Avenue 5E, refer to Exhibit "A". This parcel is immediately west of the proposed rezoning.

For rezoning case number 20-15, Assessor's Parcel Number 748-13-011, the Developer proposes to extend the approved cul-de-sac of rezoning case 20-10 and adding five (5) additional lots, refer to Exhibit "B", thus increasing the total lots accessing this roadway to ten (10).

Gold Water Ranch Subdivision (9 lots) adjacent to this development was approved by the Board of Supervisors May 7, 2001. One of the conditions of approval was to construct a left turn lane along Avenue 5E.

Left turning lane provides a safer transition for vehicles on 50 mph roadway. They also prevent vehicles from cueing in the travel way, thus slowing down the vehicular movement along Avenue 5E and eliminating rear-end accidents. Not requiring a left turn lane could possibly be a liability for the County.

Engineering recommends the following conditions;

1. The Developer shall construct a left turn lane along Avenue 5 E, similar of what the Board approve in other developments.
2. Submit an encroachment permit for the above work along Avenue 5E.

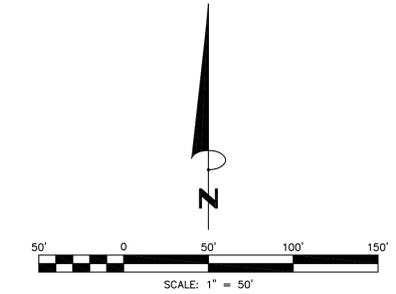
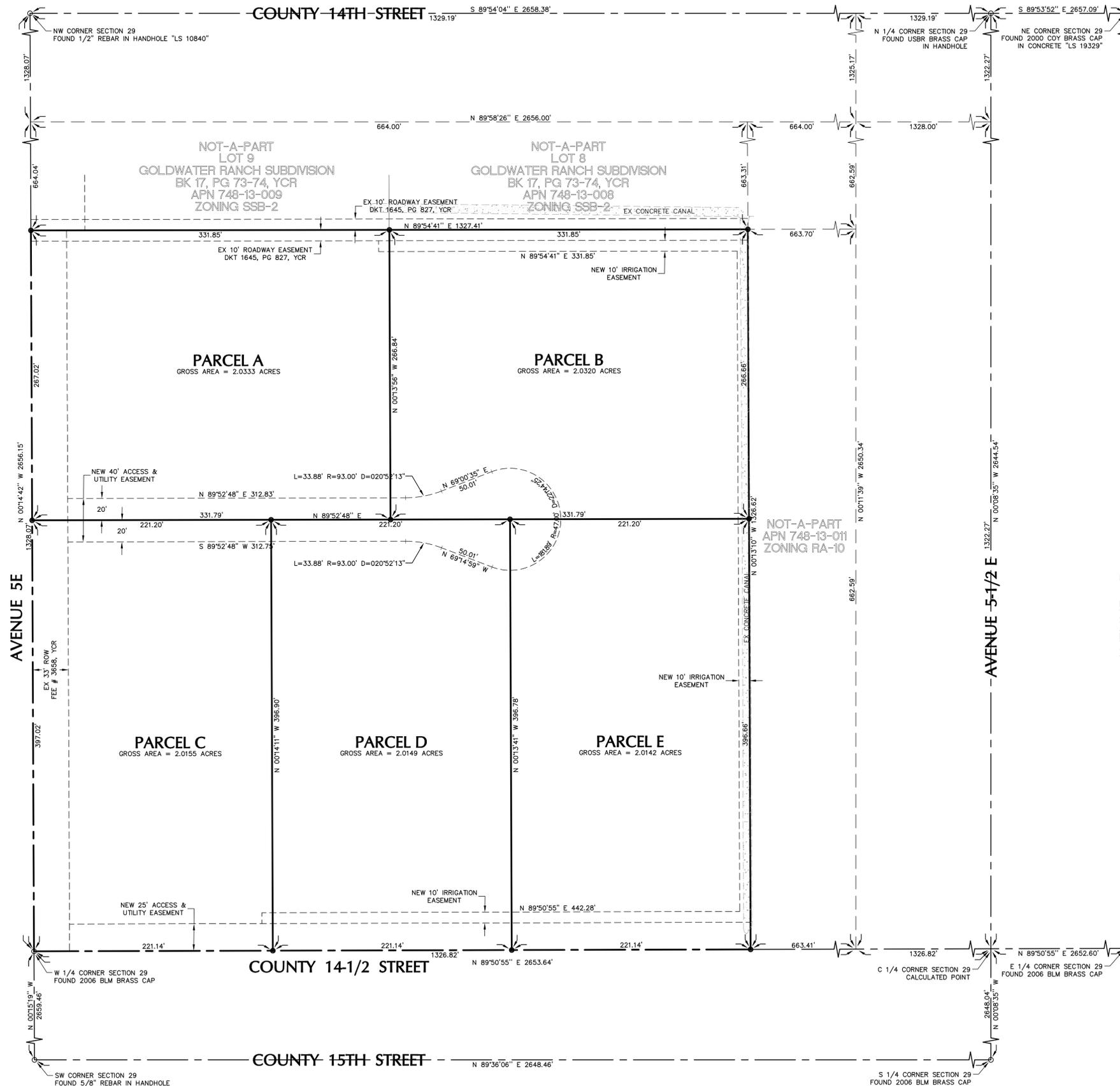
P:\Engineering\PROJECTS-SUBDIVISIONS\12 East\1st review comments.docx.

Attachments exhibit A and B

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- APN ASSESSOR'S PARCEL NUMBER
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BASIS OF BEARINGS

1983 US STATE PLANE COORDINATE SYSTEM (ARIZONA WEST) AS MEASURED BY KINEMATIC GPS OBSERVATIONS

CURRENT ZONING

SUBURBAN SITE BUILT SSB-2

SITE CONSTRAINT

- DRIVEWAY ACCESS TO ALL PARCELS SHALL BE IN ACCORDANCE WITH YUMA COUNTY PUBLIC WORKS STANDARDS VOLUME 1 SECTION 7.2.8

OWNER OF RECORD

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2591 S. AVENUE 2-1/2E, SUITE 1
YUMA, AZ 85365

TRIGUNA ISRAEL _____ DATE _____

ACKNOWLEDGEMENT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2020 BY TRIGUNA ISRAEL

NOTARY PUBLIC _____

MY COMMISSION WILL EXPIRE _____

APPROVED

LAND DIVISION APPROVED IN ACCORDANCE WITH YUMA COUNTY ZONING ORDINANCE SECTION 507.00

MAGGIE CASTRO, AICP, PLANNING DIRECTOR _____ DATE _____

CHRIS YOUNG, P.E., COUNTY ENGINEER _____ DATE _____

DATE OF PREPARATION

JUNE 2020



LAND DIVISION PERMIT # 20-XX

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: 20084

PAT HEADINGTON

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TECHNICAL

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agui2400@yahoo.com; Gen@yumaairport.com; gramirez@azdot.gov;
IGarcia@azdot.gov; Jeff_humphrey@fws.gov; jennifer.albers@yumaaz.gov;
esperodriguez@ssd11.org; jcampa@cityofsanluis.org; JHeidrich@aol.com;
mstraub@wmidd.org; sjohnson@mohawk17.org; rmolenaar@yumasun.com;
Rick.rohrick@swgas.com; bryank@unitBIRR.com; ttyree@apscc.org;
yid@mindspring.com; Pmorgan@ymidd.org; gthompson@yumaunion.org;
Cgutierrez@ympo.org; daniel.m.steward.civ@mail.mil; Stephanie.Laborin@aps.com;
Joe Wehrle <Joe.Wehrle@yumacountyaz.gov>; jmacdona@blm.gov;
judith.e.movilla.civ@mail.mil; lkillman@town.wellton.az.us; info@ssd11.org;
Robert.blevins@yumaaz.gov; sfajardo@mohawk17.org; tony.lomboy@charter.com;
usarmy.ypg.atec.list.public-affairs-office@mail.mil; openunuri@ycwua.org;
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Chris Young, P.E.
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TO: Juan Rubio, Senior Planner

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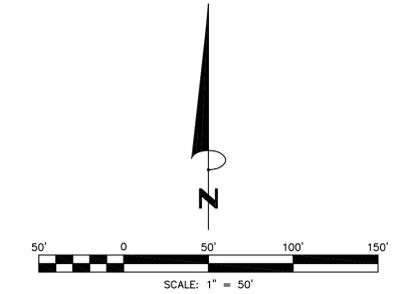
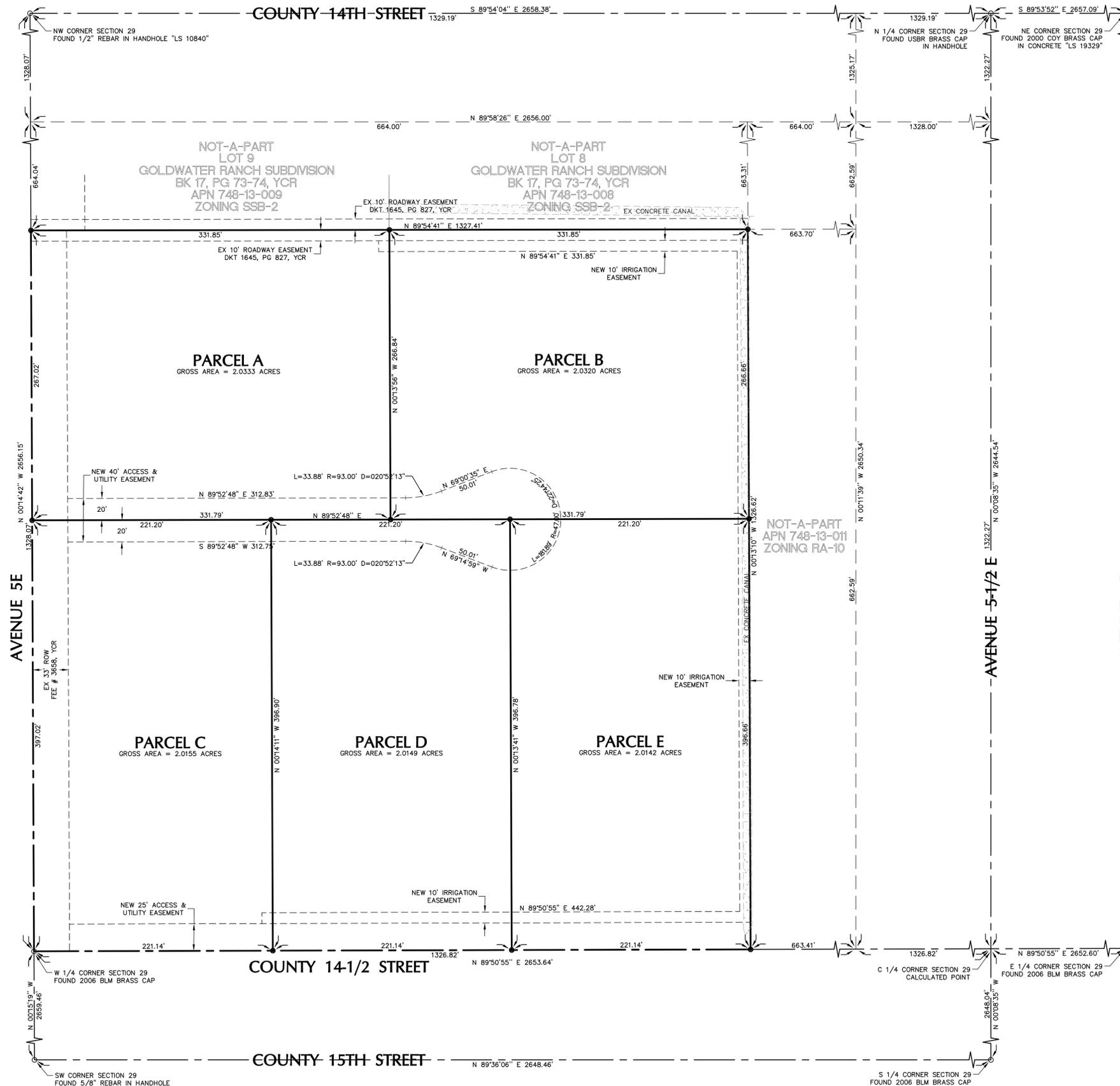
P:\Engineering\PROJECTS-SUBDIVISIONS\12 East\1st review comments.docx.

Attachments exhibit A and B

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LEGEND

- CENTERLINE / SECTION LINE
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CURRENT ZONING

SUBURBAN SITE BUILT SSB-2

SITE CONSTRAINT

- DRIVEWAY ACCESS TO ALL PARCELS SHALL BE IN ACCORDANCE WITH YUMA COUNTY PUBLIC WORKS STANDARDS VOLUME 1 SECTION 7.2.8

OWNER OF RECORD

TDI HOLDINGS, LLC
2591 S. AVENUE 2-1/2E, SUITE 1
YUMA, AZ 85365

TRIGUNA ISRAEL _____ DATE _____

ACKNOWLEDGEMENT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2020 BY TRIGUNA ISRAEL

NOTARY PUBLIC _____

MY COMMISSION WILL EXPIRE _____

APPROVED

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MAGGIE CASTRO, AICP, PLANNING DIRECTOR _____ DATE _____

CHRIS YOUNG, P.E., COUNTY ENGINEER _____ DATE _____

DATE OF PREPARATION

JUNE 2020



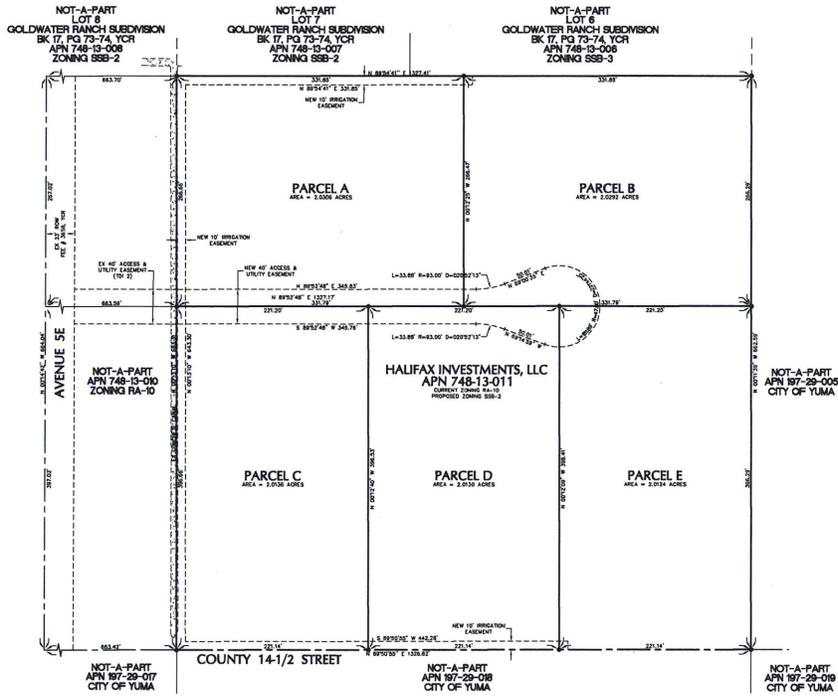
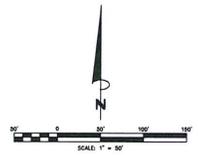
LAND DIVISION PERMIT # 20-XX

LAND SURVEYOR

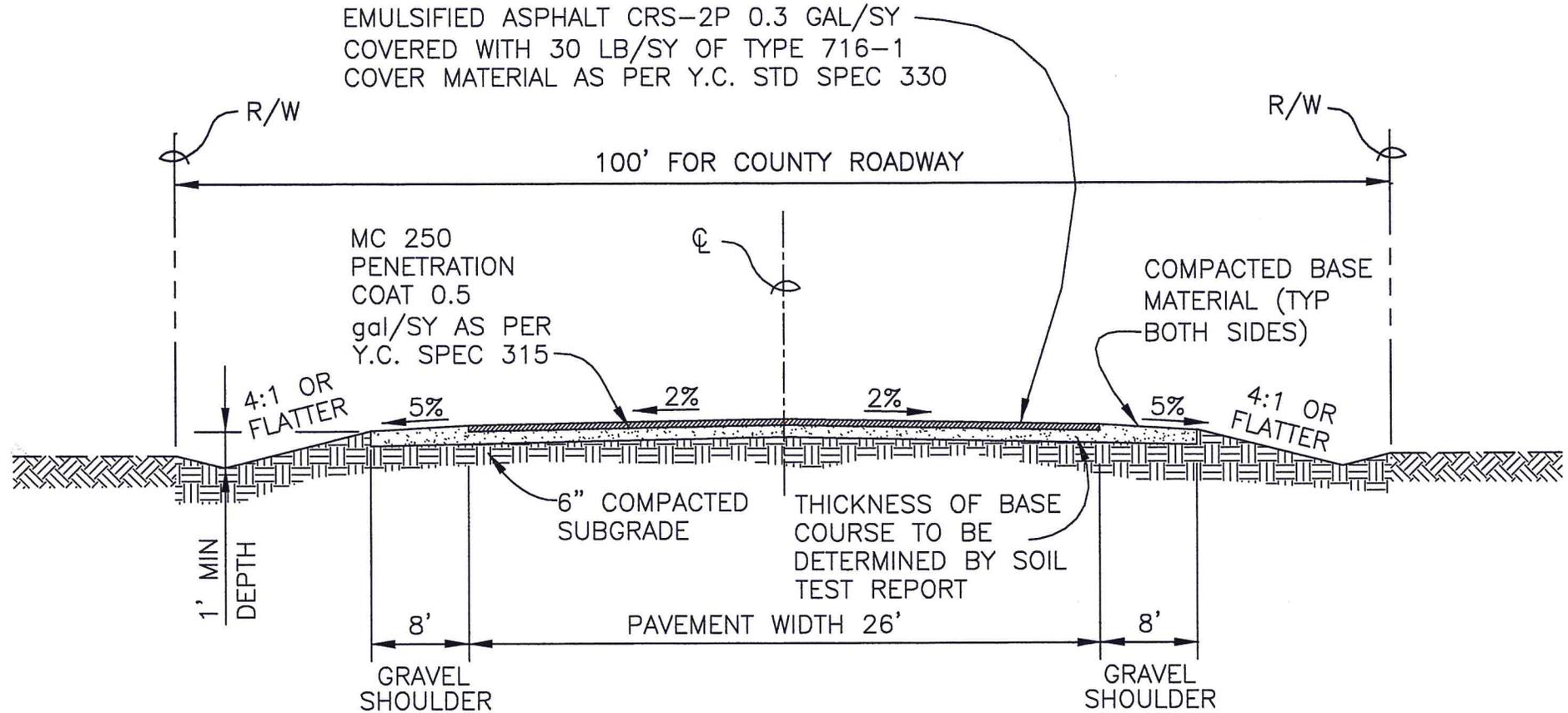
DAHL, ROBINS & ASSOCIATES, INC.

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www.dahlrobs.com
DRA Job: 20084

Exhibit B



PRELIMINARY
NOT FOR CONSTRUCTION
OR RECORDATION



NOT TO SCALE

05/16/2012

INTENDED TO IMPROVE EXISTING COUNTY HIGHWAYS, SUBJECT TO COUNTY ENGINEER APPROVAL.

STRUCTURAL DESIGN OF BASE TO BE DETERMINED BY SOIL TEST (SEE SECTION 3.2 PUBLIC WORKS STANDARDS Vol.I)

SEAL COAT REQUIRED

DEPTH OF STORMWATER BORROW DITCH SUBJECT TO DRAINAGE REPORT

YUMA COUNTY
DEPT. OF DEVELOPMENT SERVICES
CONSTRUCTION STANDARDS

EXHIBIT "B"
PENETRATION AND CHIPSEAL
RURAL ROAD SECTION