



**Yuma County, Arizona**  
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**M E M O R A N D U M**

**TO: Harold Aldrich, Director; Department of Development Services**

**FROM: Monty M. Stansbury, Planning Director** *[Signature]*

**RE: Interpretation of the term "substantial alteration"**

**DATE: May 3, 2002**

Within the 2010 Comprehensive Plan, Appendix D-2.1 the following language begins the definition of major amendment. "A major amendment is an amendment to the *Yuma County General Plan 1986-1996* (hereinafter "General Plan") or the *Yuma County 2010 Comprehensive Plan* (hereinafter "Comprehensive Plan") which represents a **substantial alteration** of the county's land use mixture or balance for that area of the county. Source A.R.S. § 11-824."

The statute referenced above reads, "...For purposes of this subsection, "major amendment" means a **substantial alteration** of the county's land use mixture or balance as established in the county's existing comprehensive plan land use element for that area of the county. The county's comprehensive plan shall define the criteria to determine if a proposed amendment to the comprehensive plan effects a **substantial alteration** of the county's land use mixture or balance as established in the county's existing comprehensive plan land use element for that area of the county."

SUBSTANTIAL by definition, of real worth and importance; of considerable value; valuable. ALTERATION by definition, a substantial change to real estate... And can also be linked with conversion; shift; transition; change; deviation.

Six criteria guide the determination whether a development constitutes a major amendment within the plan. The following would be my interpretation for those criteria that do not have a specific and quantitative approach in making this determination.

**Traffic Capacity** has a direct relationship to a roadways ability to safely and efficiently convey vehicles. Level of Service is the direct corollary that measures this effect.

In part (D), first bullet, the 100 trip ends represents a distinction to what would constitute a platted subdivision containing ten or more lots. It also represents the cumulative impact of traffic that is deemed to require further review within the immediate area and the general vicinity for the road system(s). The second bullet, is directly related to needed conversion of roads from dirt to paved. The concept involves any project that falls within one mile of a YMPO designated road section. The access to the project site has to be either dirt or unimproved by County road standards. This would not include residential parceling, but does get triggered with subdivision activity that involves infrastructure and engineering detail. For our purposes the definition of subdivision would include parceling of acreage that results in property less than 36 acres in size into 5 or more parcels.

**Infrastructure service area boundaries** as permitted by statute, have not been established in Yuma County.

**Sensitive areas and resource lands** are designated for those select areas of Federal and State Land holdings. A.R.S. §11-824(F) reads, "In applying an open space element or a growth element of a comprehensive plan a county shall not designate private or state land as open space, recreation, conservation or agriculture unless the county receives the written consent of the landowner or provides an alternative, economically viable designation in the general plan or zoning ordinance, allowing at least one residential dwelling per acre." Yuma County has adopted the provision of allowing one residence per acre for lands designated Open Space and Recreation Resources. In addition, the intent of the plan is to require lands that transition from trust to private ownership to perform a major amendment if any densities greater than one residence per acre are requested.

**Noise zones** require reporting to the Attorney General when zoning related activity occurs near a military airport. In this instance, the County has relaxed the requirements for an amendment to the 70 DNL rather than the statutory 65 decibel. The test is more oriented toward residential density rather than non-residential. But keep in mind that the noise zones are oriented toward only one aircraft installation (MCAS/Yuma International) that is also within the Joint Land Use Plan area. This fact does provide for added scrutiny concerning the test of "incompatible land uses" by linking the association of the Runway Approach Departure Safety Area/Airport Industrial Overlay Districts Land Use Compatibility Matrix with the intended land use.

**Water resources** is referenced within Section 4.1.3 of the 208 Water Quality Management Plan. There still remains a deficiency with this portion of the 208 Plan. The level of inconsistency would be a measure of obtaining an adequate Certificate of Approval to Construct, making sure that sound design techniques are incorporated by using engineering bulletins and that activities follow jurisdictional agreements between the State and the County.

**Slope** is intended to allow properties that have less than a 12 percent grade to develop without additional review. When the area having more than 12 percent grade exceeds more than two-thirds of the net acreage of the site then a major amendment is necessary. The idea is to attempt some control over cascading development when it occurs on steep terrain that is visually sensitive. This also brings into account emergency vehicle access and subdivision regulations that specifically address access for fire fighting apparatus. A 12 percent slope represents a rise of 12 feet in one hundred linear feet of land.

cc: Long Range Section, Community Planning Section, G. Torok, file  
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