



Yuma County, Arizona
DEPARTMENT OF DEVELOPMENT SERVICES

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TO: Interpretation File

FROM: Paul Melcher, Planning Director *pm*

DATE: May 29, 2008

RE: Interpretation for General Commercial District (C-2) and permitted uses pertaining to the following definitions: *overnight truck parking; travel plaza/truck stop; and bus, train, or boat depots.*

This interpretation is written to respond to a written inquiry as to the General Commercial District (C-2) as described in Section 612.00 of the Yuma County Zoning Ordinance (Ordinance) allowing the use of agricultural bus storage for contract labor distribution since the permitted uses listed in Section 612.02 include the terms *overnight truck parking, travel plaza/truck stop, and bus, train, or boat depots.*

The specific purpose of the C-2 district as described in the Ordinance is as follows:

The purpose of this district is to allow a full range of retail and wholesale goods, trade services and community businesses, which are not suited to other commercial districts. The district provides for regional retail and wholesale shopping as well as direct consumer service provided on occasion, rather than on a daily basis.

Each of the items as highlighted in the preceding paragraph will be addressed separately since each deals with a distinctly different permitted use listed in Section 612.00. In order to provide an interpretation of the Ordinance as it pertains to the permitted use of *overnight truck parking, and the travel plaza/truck stop* as detailed in Section

612.02(D), one must first establish the definitions for the key terms. The Ordinance defines the *Travel Plaza (or Truck Stop)* in Section 202.00 *Definitions* as follows:

A commercial/industrial use of property for the refueling, maintenance, and/or servicing of large over-the-road vehicles carrying large loads and which may, or may not, have service activities for such vehicles and their drivers.

The other key term requiring definition is *over-the-road vehicles*. A.R.S. §41-1492(7) defines *over-the-road bus* as, *...a bus characterized by an elevated passenger deck located over a baggage compartment, and* A.R.S. §28-101(54) defines *truck* as, *means a motor vehicle designed or used primarily for the carrying of property other than the effects of the driver or passengers and includes a motor vehicle to which has been added a box, a platform or other equipment for such carrying. Moreover, the Merriam Webster Dictionary online (2007-2008) defines a bus as, a large motor vehicle designed to carry passengers usually along a fixed route according to a schedule, and it further defines a truck as, an automotive vehicle with a short chassis equipped with a swivel for attaching a trailer and used especially for the highway hauling of freight.* In short, Section 612.02(D) limits overnight parking to over-the-road vehicles as defined above and details allowed uses pertaining to the global concept of the truck plaza and its associated support businesses for over-the-road vehicles.

It is important to establish the key concept of the term *depot* to provide a determination pertaining to the allowed use of *bus, train, or boat depots* as listed under Section 612.02(M) in the Ordinance. The Merriam Webster dictionary online (2007-2008), the Wordnet© 3.0, and the American Heritage Dictionary of the English Language (Fourth Edition, 2006) are cited for definitions of *depot*, which are, respectively, *a building for railroad or bus passengers or freight, a station where transport vehicles load or unload passengers or goods, and a railroad or bus station.* As one can see, the definitions of *depot* provided in the previous sentence emphasize that a depot is a site to transfer passengers and freight using a particular mode of transportation and establish the concept that a depot is part of a coordinated transportation network.

Further supporting this concept of a coordinated transportation network related to depots is the fact that the sources listed above include within the definitions of *depot* the

synonyms *terminal* and *station*. For example, the Merriam Webster Dictionary online (2007-2008) defines a station as, *a regular stopping place in a transportation route <a bus station>*. Additionally, the American Heritage Dictionary of the English Language (Fourth Edition, 2006) provides a similar definition: *a stopping place for trains or other land conveyances, for the transfer of freight or passengers*. Likewise, A.R.S. §41-1492(9)(g) defines a *terminal* as, *a depot or other station used for specified public transportation*.

Finally, the following description that Greyhound Lines, Inc., provides of its services supports the concept of the coordinated transportation network, and that network contains terminals as defined above:

Terminals and agencies provide the easiest access to frequent schedules and transfers to other bus schedules nationwide. In major cities, our company-operated terminals provide full-service ticketing and package express service, with extensive hours of operation (many are open 24 hours). . . Some of these locations may be at a local airport or transit center, while others may simply be a stop along a highway route, without an enclosed waiting area.

Upon review of the definitions and examples provided above, it is the Planning Director's determination that busses used for contract labor distribution (in this case, for agriculture) do not meet the definition of *over-the-road vehicle* and are not an allowed use as provided in Section 612.02(D). Furthermore, it is also determined that **bus, train, or boat depots** relate to a coordinated transportation network and that bus storage for contract labor distribution is not part of such a network, and thus, is not an allowed use as per Section 612.02(M). In fact, there is no provision for this type of use in the General Commercial (C-2) zoning district of the Ordinance. However, the Ordinance provides for such a use in the Light Industrial (LI) zoning district as per Section 613.01(H) and (Q).