

The Yuma County Planning and Zoning Commission met in a regular session on November 18, 2025. The meeting was held in Aldrich Auditorium at 2351 West 26th Street, Yuma, Arizona.

CALL TO ORDER: At 5:31 p.m. Chairman Danny Bryant convened the Planning and Zoning Commission meeting. Commissioners present were: A-J Mosqueda, Ron Rice, Tim Bowers, Jim Allen, Danny Bryant, Ron Van Why, Matias Rosales, Scoot Mulhern, Bobbi McDermot, and Hugo Garcia. Others present were: Deputy County Attorney Minda Davy; Senior Planner Javier Barraza; Senior Planner Jesus Carrillo; Senior Planner Richard Munguia and PZ Commission Administrative Specialist Heidi Ramirez. Planning Director Maggie Castro, AICP, was absent.

PLEDGE OF ALLEGIANCE: Chairman Bryant led the Pledge of Allegiance.

ITEM No. 3: Approval of Planning and Zoning Commission regular meeting minutes of October 28, 2025.

MOTION (RICE/ MOSQUEDA): Approve as presented.

VOICE VOTE: Mosqueda-AYE; Rice-AYE; Allen-AYE; Bowers-AYE; Bryant-AYE; Rosales-AYE; Van Why-AYE; Mulhern-AYE; McDermott- AYE; Garcia-AYE

The motion carried 10-0.

ITEM No. 4: Rezoning Case No. 25-18: JPM Development, LLC, requests the rezoning of a parcel 16,000 square feet in size from Manufactured Home Subdivision-10,000 square feet minimum (MHS-10) to Manufactured Home Subdivision-6,000 square feet minimum (MHS-6), Assessor's Parcel Number 632-34-017, located at 3024 West Columbia Street, Yuma, Arizona.

Senior Planner Jesus Carrillo presented the staff report recommending approval of the request based on the request being in compliance within the Comprehensive Plan subject to the following Performance Condition.

Performance Condition

1. Within 60 days of approval by the Board of Supervisors, the owner shall submit the following documents to the Department of Development Services:
 - a. A recorded avigation disclosure statement;
 - b. A recorded Schedule for Development disclosure statement.

Schedule for Development

Prior to development of the subject property or within five (5) years of Board of Supervisors' approval, whichever comes first:

1. The property shall be split by means of a Land Division Permit pursuant to Section 507.00 of the Yuma County Zoning Ordinance.

Chairman Bryant asked staff if there were any comments from neighbors.

Senior Planner Jesus Carrillo stated he received a call from a neighbor requesting information as to what the applicant was proposing.

Chairman Bryant opened the discussion to the public.

There being no one to come forward, Chairman Bryant closed the discussion to the public.

MOTION (VAN WHY/ BOWERS) Approve as presented.

VOICE VOTE: Mosqueda-AYE; Rice-AYE; Allen-AYE; Bowers-AYE; Bryant-AYE; Rosales-AYE; Van Why-AYE; Mulhern-AYE; McDermott- AYE; Garcia-AYE

Motion carried 10-0.

ITEM No. 5: Rezoning Case No. 25-19: A&G Builders requests the rezoning of a parcel 4 gross acres in size from Suburban Ranch – 4 acre minimum (SR-4) to Suburban Ranch – 2 acre minimum (SR-2), Assessor's Parcel Number 724-35-005, located at the northwest corner of Avenue 4 $\frac{3}{4}$ E and County 13 $\frac{1}{4}$ Street, Yuma, Arizona.

Senior Planner Richard Munguia presented the staff report recommending approval 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 180 days of approval by the Board of Supervisors, the owner shall submit the following documents to the Department of Development Services:
 - a. A recorded avigation disclosure statement;
 - b. A recorded Schedule for Development disclosure statement.

Schedule for Development

Prior to development of the subject property or within (5) years of the Board of Supervisors' approval, whichever comes first:

1. The property shall be split by means of a Land Division Permit pursuant to Section 507.0 of the Yuma County Zoning Ordinance.
2. 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.

Commissioner McDermott asked staff regarding the division of the parcel and the location of the ditch and where the irrigation was located, if it was to the north.

Senior Planner Richard Munguia stated it was to the west of the property.

Commissioner McDermott asked staff as to how the irrigation water would get to the property.

Senior Planner Richard Munguia pointed out that one of the conditions for schedule for development is that all lots would have to submit a letter from the irrigation district confirming that a satisfactory irrigation system and access to irrigation water is in place prior to development of any of the existing parcels.

Commissioner McDermott also inquired regarding the 60-foot right of way and if it was included in the size of the parcel.

Senior Planner Richard Munguia stated the information was correct and explained that Section 505 of the Yuma County Zoning Ordinance outlines minimum area requirements for zoning districts. It specifies that in rural-area districts including Suburban Ranch (SR) and Suburban Homestead (SH), the required minimum acreage is measured as gross acres, meaning the total acreage including rights-of-way. In contrast, other zoning districts calculate their minimum acreage without including rights-of-way, meaning their measurements use net acres instead of gross acres.

Commissioner McDermott commented the ordinance says that Suburban Ranch and Suburban Homestead districts use gross acres including rights-of-way for their minimum acreage requirements and all other zoning districts are required to meet minimum acreage based on the net area meaning excluding rights-of-way and believes it creates an unusual situation since the parcel in question is already under 4 acres, that total acreage is divided among multiple lots, the net acreage per home becomes around 1-point something acres, which is significantly smaller than the surrounding parcels, the difference in how acreage is calculated is what makes the situation feel strange to her.

Senior Planner Richard Munguia stated the property without the right-of-way is 3.3 and that was the net acres of the property.

Commissioner McDermott also commented that dividing it would be a one and a half acre parcel and not getting two-acre parcels.

Senior Planner Javier Barraza explained the zoning would be considered gross acreage and they have to include the dedications for the gross acreage, so whatever area in the right-of-way that the property is it would be included for purposes of zoning. For instance, if the gross acreage is 2.0, it will comply with zoning requirements. It's one of the provisions in the zoning ordinance that allows Suburban Ranch and Suburban Homestead zoning to use gross acreage.

Chairman Bryant opened the discussion to the public.

Kelly Leigh, 13316 South Avenue 4 $\frac{3}{4}$ E, Yuma Arizona, member of the public, objects to the proposed development and asks the Board to read the letter he previously submitted, which explains his concerns in detail. He urges Commissioners to consider how they would feel if they owned the adjacent property and someone planned to place multiple houses next to theirs. His primary concerns include increased traffic on the small dirt road/easement next to his home, a road he personally maintains and the likelihood of three times the current traffic, which he believes is unfair and disruptive.

Senior Planner Richard Munguia clarified that the property owner will be allowed to build multiple homes after the first of the year due to new state law.

Chairman Bryant also explained that under Arizona State Law (House Bill 2928), the property owner will soon have by-right authority to build multiple dwelling units. On parcels one acre or larger, the owner may build at least one primary home, one attached unit, one detached unit, and potentially an additional unit if acreage allows, meaning up to four total homes on the property starting next year, with one required to be attached.

David Daniels, 13240 South Avenue 4 $\frac{3}{4}$ E, Yuma Arizona, member of the public, who lives directly north of the subject parcel, expressed several concerns regarding the proposed development. His primary concern is groundwater impact and how two new wells on the property could worsen groundwater depletion and contamination already affecting the Mesa. He shared his well pump had to be lowered because water levels had significantly dropped. Mr. Daniels believed more neighbors were opposed than presented and stated eight of the eleven property owners within the 300-foot notification area filed protests and many additional residents on surrounding streets also submitted objections. Mr. Daniels expressed concern the development will decrease surrounding property values. He referenced the county's environmental report, stating the parcel received a score of 260, below the required 275, meaning it fails to meet environmental suitability standards.

Scooter Goodwin, 13444 South Avenue 4 $\frac{3}{4}$ E, Yuma Arizona, member of the public, lives approximately four lots down from the subject property, he bought their property in 1998 under CC&Rs that required single-family homes only, minimum 2,500 square foot homes, no subdivision or splitting of lots. He stated there are 10 lots, each 4 acres, with custom-built homes, and the neighborhood has followed these standards since at least 2005. He stated his main concern mirrors Mr. Daniels' and allowing subdivision of the subject parcel would lower surrounding property values and undermine the neighborhood's long-standing character and investment. He stated that Board members are employed by the county and funded by county taxpayers, expressing an expectation that they consider residents' concerns.

Commissioner Bowers stated the Commissioners are volunteers and do not get paid.

Mr. Goodwin apologized for the comment, but he reiterated that the proposal would change the character of an area originally sold as 4-acre custom home lots, disrupting the established environment. He also expressed concern about a potential predetermined outcome, stating that during a recent visit to the county office to obtain deed-restriction information, he was told the project would likely be approved even before the public meeting occurred and left him questioning the fairness and transparency of the process.

Deanna Buoniconti, 13480 South Avenue 4 $\frac{3}{4}$ E, Yuma Arizona, member of the public, who lives five homes down from the subject property, spoke in opposition to the proposed lot split and rezoning and stated adding two more lots would significantly increase traffic on the privately maintained dirt roads and how residents are responsible for upkeep, so more households would mean higher maintenance costs for existing property owners. Mrs. Buoniconti also commented on how splitting it would create lots barely over an acre, which she argues is inconsistent with the area and would set a precedent for future lot splits not originally intended. She expressed frustration that the rezoning would likely decrease property values despite homeowners investing in improving their land and residences. She pointed to a nearby development on 5 E, where five small houses were built on one lot and the homes are out of aesthetic character, have mostly not sold, and have sat vacant for months and how it is a concern that vacant homes can attract squatters and criminal activity. She urged the Commission to reconsider the

rezoning, emphasizing that the lot is not large enough to be split in a way that maintains the community's rural character and integrity.

Steve Macintosh, 13354 South Avenue 4 $\frac{3}{4}$ E, Yuma Arizona, member of the public, opposed the proposed lot split and rezoning and noted that the nearby area labeled SSB-2 on the map is still active agricultural land, even though it is zoned for 2-acre parcels. He stated the easement at 13 $\frac{3}{4}$ is not a functional road and it is soft sand since he regularly gets stuck while driving through it and without significant improvement, there would be very limited access to the rear parcel and questions whether the property owner is willing or able to upgrade the road. He also expressed concern with increased housing density brings a higher risk of fire, yet the area has no fire hydrants and minimal fire protection. He emphasized that the neighborhood has a strong sense of community and that subdividing would undermine this character.

Chairman Bryant asked staff about the comment about the SSB-2 not being built and if those houses were in the SSB-2, directly to the east is SSB-2, and if there were homes there already.

Senior Planner Richard Munguia stated the Chairman was correct and they are number three and number four are both 1.82 net acres, and number five is 1.61. So they are two gross acres.

Chairman Bryant asked if there were houses built there already.

Senior Planner Richard Munguia stated the Chairman was correct.

Bob Woodman, 13388 Avenue 5 E, Yuma Arizona, member of the public, spoke in opposition to the proposed development. He stated he did not receive the official notice letter, but expressed concern for community input. Although traffic along 5 E does not affect him, he emphasized that Commissioners should respect the wishes of neighbors. Mr. Woodman noted that the area consists of large lots and highlighted SSB-2, which is already built out and lacks irrigation ditches, making it one of the few undeveloped spots on the mesa.

Harolyn Deason, 4679 E County 13 $\frac{1}{2}$ Street, Yuma Arizona, member of the public, spoke in opposition and commented her husband purchased their property 15–16 years ago to live in a quiet, rural community with larger lots suitable for animals. She expressed concerns that smaller homes and higher density bring disruptive activity, like increased noise from vehicles, barking dogs, and shouting which changes the peaceful character of the area. Mrs. Deason also expressed concern regarding access to some parcels and existing small roads are insufficient for increased traffic. She questioned whether the subject property even meets a two-acre minimum, implying it's too small for additional lots.

James McNeill, 13197 South Avenue 4 $\frac{3}{4}$ E, Yuma Arizona, member of the public, raised several concerns about the proposed lot split and potential development. He stated the notification letter did not specify the size or type of homes to be built and how residents are concerned about the impact on property values. He requested clarification on whether the development would increase or decrease surrounding property values. Mr. McNeil emphasized that water availability and management should be documented and clearly explained before approval and shared how, starting January, homeowners could build additional dwelling units (mom's houses, cottages, or rental units)

and how splitting the lot could allow more homes on the property than currently understood, raising concerns about density and unknown future development. Mr. McNeill also commented the property is less than four acres, so splitting could create multiple lots under one acre each. He stressed the need to consider several effects: additional splits on neighboring properties could eventually lead to six or more houses, changing the character of the area. He cited a nearby development on 6 E where residents later regretted signing approvals, highlighting the need for careful review before approving changes.

Steve Wyant, 4529 East County 13½ Street, Yuma Arizona, member of the public, stated his main concern was water and how they are all domestic wells and irrigation water, and believed that this subdividing sets a precedent that it would be hard for them to live within four to five, 10 years from now. He mentioned Mrs. Bobby McDermott can talk for hours on water issues in the state, and if they keep drilling domestic wells and keep subdividing, they would be in a bad way in the years to come.

Greg Perry, 13400 South Avenue 4¾ E, Yuma Arizona, member of the public, spoke in opposition to the proposed lot split and rezoning. He explained that originally, there were ten 4-acre lots in the neighborhood; nine have been developed according to zoning. Mr. Perry expressed confusion and concern over differences between gross acres and net acres, noting inconsistency with surrounding properties. He also noted Yuma County has dust issues on unpaved roads and increasing traffic from additional homes would exacerbate dust problems, affecting all nearby properties. Mr. Perry also questioned whether the county plans any road improvements. Mr. Perry reviewed the county report, which awarded points for being "compatible and similar" and he argued that most surrounding parcels are 4–5 acres, while the proposed split would create 2-acre lots, which are not comparable. He concluded that only 17% of parcels are similar, which would reduce the compatibility score, potentially failing approval. He also stated nine other homeowners followed the original zoning rules, and approving this lot split would contradict the neighborhood's intended design.

Eliceo Aguilair, 13540 South 5 E, Yuma Arizona, applicant, and his son Eliceo Aguilar, 1027 West 33rd Street, Yuma Arizona, son and interpreter for the applicant, stated the only reason he wants to rezone is because he is currently building a home for his son and wants to build another home for his other son.

Chairman Bryant asked the applicant if he was a home builder and that's what he did for a living.

Mr. Eliceo Aguilar stated that was correct.

Chairman Bryant asked if that was the reason why he wanted to rezone, to just build homes for his sons.

Mr. Aguilar stated he was correct.

Chairman Byrant asked how big the homes were going to be.

Mr. Aguilar stated the homes would be around 2,300 square feet.

Commissioner Rice asked the applicant if he had plans on building one house per property.

Mr. Aguilar stated he did not want to build more homes on the property.

Commissioner McDermott asked the applicant what direction the properties would be facing.

Mr. Aguilar stated both homes would be facing the front, meaning east.

Commissioner Van Why asked if they would be able to irrigate from that canal for both because of the split.

Mr. Aguilar stated yes, they would.

Commissioner Garcia asked the applicant how long it would take to build the second home.

Mr. Aguilar stated it would take around six more months.

Commissioner McDermott asked if there were speculative houses and if there were buyers for them.

Chairman Bryant stated the houses were for Mr. Aguilar's sons.

Scott Jeffrey, 4680 East County 13th Street, Yuma Arizona, member of the public, spoke regarding concerns related to the proposed development although he does not live directly adjacent. He commented he operates two acres of active citrus orchards with over 200 lemon trees contracted to Sunkist and potential restrictions on Colorado River water could affect irrigation and residential properties would likely be the first cut off from canal water, forcing them to rely on well water, which could impact both residents and local groundwater. Mr. Jeffrey stated residents, including himself, maintain private roads themselves for access and for walking animals and the east-west path behind the property is not a proper road, raising concerns about access to potential new lots. He questioned who will maintain roads for the additional lots if development occurs.

Chairman Bryant closed the discussion to the public.

Commissioner McDermott stated she reviewed the county's chart for evaluating the property and raised concerns about scoring and Health and safety impact and non-paved roads were given 10 points, but the roads are very rough, requiring a four-wheel drive in some areas. She stated if scored accurately (zero points), the property would fall below the minimum standard for approval. She stressed that a group of longstanding homeowners have followed all rules, including CC&Rs, which are not fully considered by the county and adding two houses on small lots would be incompatible with the surrounding area. Commissioner McDermott opposed subdividing the lot, arguing that it is not a compatible use in the established neighborhood.

Commissioner Rosales asked staff if the four acres were all split lots or a subdivision.

Senior Planner Richard Munguia stated he did not believe it was a subdivision since the legal description did not identify it as such.

Commissioner Rosales clarified misunderstandings about the proposed lot split. Many residents assume two houses will automatically be built on the lot, but the rezoning itself does not mandate two homes. Any future additional dwelling units (ADUs) could potentially be built on any parcel, not just the subject property.

Commissioner Van Why stated that if two homes are built, they would be side by side, not one behind the other and access would be via Avenue 4¾ E, ensuring proper entry points for both lots and emphasized the need for the public and Commissioners to understand the actual scope of the split and avoid assumptions about development density.

Commissioner Rice commented that his understanding that with the new law in January, that basically the owner could build anything he wants and he could build another house. On that are two houses, three houses on that property anyway.

Chairman Bryant stated there are conditions to abide by.

Commissioner Rice asked why the applicant wants to rezone now when he'll be able to do that in January.

Chairman Bryant commented it was most likely to have two separate mortgages.

Chairman Bryant asked staff if anyone explored in the county if in order to obtain favorable zoning, someone could give up the rights that will be given to them January 1st to build accessory dwelling units.

Senior Planner Richard Munguia stated that has not occurred at this point.

Chairman Bryant commented they didn't don't know if they could or not, for instance, hypothetically, he could just build two units on there and call one accessory dwelling unit. That's not the best way to create affordable housing in Yuma. But if they gave up their right to build accessory dwelling units, then they could have built two units and no more and it wouldn't be increasing possible density,

Deputy County Attorney Minda Davy stated they are not going to ask somebody to give up their legal rights at this point in time. It's not an option to put as a condition.

Chairman Bryant stated he didn't ask if they were going to ask. He asked if staff could explore that.

MOTION (MCDERMOTT/ A-J MOSQUEDA): Deny.

VOICE VOTE: Mosqueda-AYE; Rice-AYE; Allen-NAY; Bowers-AYE; Bryant-AYE; Rosales-NAY; Van Why-NAY; Mulhern-AYE; McDermott- AYE; Garcia-NAY

Motion carried 6-4.

ITEM No. 6: Special Use Case No. 25-19: Robin Walters of State 48 Development Consulting, requests a Special Use Permit per Section 601.03(X) of the Yuma County Zoning Ordinance to allow a wireless communication facility on a parcel 20.0 gross acres in size zoned Rural Area-20 acre minimum (RA-20), Assessor's Parcel Number 168-36-017, located on the southwest corner of the alignment of County 2½ Street and Avenue 16 E. Yuma, Arizona.

Senior Planner Javier Barraza presented the staff report recommending approval of the request for the following reasons: 1) The proposed development conforms to existing plans; 2) The proposed use will not materially affect or endanger the public health, safety or welfare; 3) The proposal is perceived as a public necessity in the area. Staff recommends attaching the following Performance and Operational Conditions:

Performance Condition.

1. The owner/applicant shall submit the following documents within 60-days of Board of Supervisor approval:
 - a) A YPG disclosure statement.

Operational Conditions.

1. The approval of the Special Use Permit is based on the site plan submitted by the applicant. Any change from the site plan will require approval by the County Planning Director pursuant to Section 402.04 of the Yuma County Zoning Ordinance.
2. The Special Use Permit is limited to a self-supported lattice tower.
3. The proposed tower must be lit with a red beacon at the top of the infrastructure for operation from dusk to dawn (night-time operations) and with an additional steady burning red light placed on the tower at 50% of the tower's total height.
4. The applicant must comply with all Federal Aviation Administration (FAA) and Federal Communications (FCC) regulations, including marking, lighting, and notification requirements.
5. The proposed tower must be removed with the cessation of its use.

Commissioner Rice stepped out of the meeting at 6:36 p.m.

Commissioner Van Why asked staff if the tower was built closer to homes.

Senior Planner Javier Barraza stated that was correct.

Commissioner McDermott noted that the subject property is in the middle of prime farmland and mentioned that nearby crop-dusting activity highlights the agricultural nature of the area, questioned aspects of potential development, and if the tower would require electricity to run.

Senior Planner Javier Barraza stated they usually have generators as back up, but they use power.

Chairman Bryant opened the discussion to the public.

Thomas Wright, 721 East Deer Creek, Phoenix Arizona, agent, addressed responses to opposition letters regarding the proposed development. He stated that local authorities cannot deny development solely based on aesthetics. He noted that the current facility design was reviewed by Yuma County and setbacks were determined according to the zoning code.

Chairman Bryant addressed the issue of aesthetics raised earlier and noted that while the valley is beautiful, any tower or structure may be visually intrusive. He emphasized that some towers or structures could be less objectionable than others, suggesting that design and placement matter, even if aesthetics alone cannot legally block a project. Chairman Bryant asked what kind of tower would be placed.

Mr. Wright stated it would be a 150-foot self-support tower.

Chairman Bryant asked if it was an industrial standard tower.

Mr. Wright stated it was industrial.

Chairman asked if there were other options they could use.

Mr. Wright highlighted that the height of the proposed tower is necessary to provide adequate coverage. Natural and man-made obstacles like mono palms, pine trees, or other concealed towers limit the effectiveness of shorter or aesthetically "nicer" towers. Therefore, achieving the required coverage in this location necessitates a taller structure.

Mr. Wright proceeded to read the following statement:

The facility will be enclosed. Ensure community safety. With about 300 feet between the facility and the stop vertical bridge is required to adhere to strict FCC requirements regarding the design and placement of the facility, while also placing facilities in carefully curated locations to ensure that there are no gaps in coverage, a gap in reliable mobile service near a place where children congregate as a genuine safety issue.

This facility closes that gap ensuring that parents, school officials, and first responders can communicate instantly and reliably in the event of accident, health issue or local emergency. Um, the next question or the next response we have is, uh, in response to safety and, uh, FAA regulations you mentioned they, there are regulations in place for flight zones and the facility will, will adhere to all FAA regulations.

FAA determines if the structure presents a hazard to air navigation. The final FAA determination is a legal statement that the structure as proposed is safe for error navigation. Vertical bridge, along with major wireless carriers have carefully set this, this location to place a facility because there are no co-location opportunities in the area that meet the needed coverage objective.

However, the facility is designed to accommodate several colocators to reduce the need for additional facilities in the area. This, the design of this facility will accommodate three caters, one acre tenant, and two additional."

Chairman Bryant stated that what he was understanding about what was read by Mr. Wright, is that there could have probably gone with two attractive sites, but this one is tall, so you don't have to do two more attractive sites.

Mr. Wright stated that it was correct and it would maintain three carriers, Verizon being the tenant and it's being assumed that AT&T and T-Mobile will join.

Commissioner McDermott commented this was in the middle of prime farmland and there are crop dusters working in the night. And questions why.

Commissioner Matias Rosales emphasized the importance of reliable cellular service for the agricultural community in Yuma County, which produces 95% of the lettuce. Modern farming technology and equipment require strong reception to operate efficiently, reducing labor and water usage and criticized opposition based on aesthetics and noted that one tower on 640 acres is minimal. He stressed that the tower provides essential service for farmers, residents, and first responders.

Commissioner McDermott believed the tower would cause problems because of birds and food safety problems on all of the farmland around it.

Commissioner Rosales stated that it would be mitigated and taken care of by the company and no one would mess with the technology. And asked if anyone sees antennas full of pigeons. He emphasized that broadband and cellular technology are essential for modern farming in the area, for self-controlled tractors, drones, and other precision farming tools rely on reliable connectivity. And the tower is needed to support agricultural operations, not just a small number of residents. The installation is driven by farmers' needs and industry demand, and not residential convenience and commented that restricting the tower would hinder the community's ability to improve agricultural technology and efficiency.

Mr. Wright explained they looked at a number of different areas to put the tower and this just eliminates a little corner of this farmland, which he does understand that there's a concern with the crop dusters, but it was put here specifically to not cut off any more of their property.

Commissioner Van Why asked who owned the property.

Senior Planner Javier Barraza stated the owners were "Virginia Farms Incorporated".

Commissioner McDermot asked the agent what is the difference between that point and a quarter of a mile north.

Mr. Wright acknowledged that he is not an RF engineer and cannot provide technical specifics about the site selection, but emphasized that extensive research went into determining the location. He stated that the chosen site was selected because it would provide better coverage, though the technical rationale was not detailed.

Commissioner Rosales explained that tower placement is based on engineering science, not personal preference or requests from individual property owners. And engineers use overlapping coverage circles to determine the optimal location for antennas. The site is selected to address areas with poor or lacking service, ensuring reliable

connectivity. He noted that similar presentations have been made multiple times over the past year, emphasizing that the methodology is standard and well studied.

Mr. Wright explained the "search ring" process for tower placement: A search ring is a defined area being considered for a tower. Property owners within the ring are contacted to explore availability and the optimal location is selected within the ring based on coverage needs and available property, like an engineering "best fit" process. He emphasized that site selection is systematic and data-driven, not arbitrary.

Commissioner McDermott commented that according to their scale it failed to beat the standard.

Mr. Wright responded to another question regarding electricity and read the following statement:

"Vertical Bridge is investing in the Dome Valley community to increase coverage and access to emergency 9 1 1 services. The placement of this facility now benefits the community in that regard but also increases safety. The premise that the tower compromises safety is unfounded as established. The facility is designed, cited, and operated under strict federal regulations set forth by the FAA and FCC federal regulations. We are investing in safety by providing a resilient high speed communication infrastructure required for emergency dispatch rapid response on everyday personal safety."

Dawn Sheppard, 2537 South View Park, Yuma Arizona, president of Virginia Farms, addressed the proposed tower location on her family's property. The site is on Virginia Farms, historically part of the Ramsey family farm. She has been working with the developers for about 15 months to find a location that minimizes impact on her family and operations. Mrs. Sheppard stated she is leasing about two acres of property for the tower. She explained the initial proposed location was in the middle of the farm, which she worked to move to a more suitable area and ensured power access and a short road for maintenance and considered crop dusting and farm operations to minimize interference. She thoroughly questioned the developers about safety, electromagnetic exposure, and impacts on neighbors and animals and confirmed that the tower would not put her family, neighbors, or animals at risk. Mrs. Sheppard emphasized that the process has been careful, thoughtful, and collaborative, prioritizing safety and minimizing disruption.

Shannon Ventimiglia, 16294 E County 3rd Street, Yuma Arizona, member of the public, longtime resident, talked about the values the open farmland, mountains, and peaceful setting and how the proposed tower would dominate the skyline, be an industrial eyesore, and alter views permanently and how it could lower surrounding property values and diminish the valley's character. Mrs. Ventimiglia expressed concern about how the tower would be next to a school bus stop, posing a risk to children. She also spoke about how active farmland and crop dusters create flight hazards; the tower could increase risk for pilots, homes, and roads. She suggested co-locating antennas on existing structures or choosing a less visible, safer location and requested the council deny or reconsider approval and collaborate with the service provider for a better solution.

Briana Dods, 16070 East County 3rd Street, Yuma Arizona, member of the public, commented she lived directly on the property shown in the submitted picture; her son enjoys the open farmland and crop duster activity and is concerned that the tower and related development would eliminate the open space for her family. She stated that the decision directly affects her home, her son, and her family legacy, not just surrounding properties. She warned that approving the tower would introduce infrastructure, buildings, and people, potentially changing the rural character of Dome Valley.

MOTION (ROSALES/ GARCIA): Approve as presented.

VOICE VOTE: Mosqueda-AYE; Allen-AYE; Bowers-AYE; Bryant-AYE; Rosales-AYE; Van Why-AYE; Mulhern-AYE; McDermott- AYE; Garcia-AYE

Motion carried 9-0.

ITEM No. 7: Discussion and action concerning possible adoption of the 2024 International Fire Code.

Ty Martinez, Chief Building Fire Code Official for Yuma County, approached the Board and spoke regarding the county's fire code adopted in 2005 is over 20 years old and outdated. It does not cover modern developments like large-scale solar projects or electric vehicles and scooters. Due to rapid growth, stakeholders have raised concerns, especially since the city uses a more current code and the state is updating theirs. The proposal is to forward the issue to the Board of Supervisors for input and consider updating the county's fire code.

Chairman Bryant asked whether a comparison has been done highlighting the major changes in the updated fire code that would affect residential and commercial construction in the county.

Ty Martinez, Chief Building Fire Code Official for Yuma County, confirmed that a comparison was done. The major base requirements, like property access and hydrant requirements, have not changed since 2003. The updates mainly add coverage for items the old code didn't address, making inspections and plan reviews easier. Aligning with the city's fire code will simplify things for builders, allowing them to follow a single code for both county and city projects.

Chairman Bryant emphasized caution, noting that while updating the code and aligning with the city has advantages, the county shouldn't lose practical benefits it currently has. They support sending the update to the Board of Supervisors for feedback and creating an easy comparison for stakeholders to understand what changes are being proposed.

Ty Martinez, Chief Building Fire Code Official for Yuma County, stated that county's fire code will still differ slightly from the city's because the county plans to adopt it without amendments, whereas the city's code includes amendments and is more restrictive due to zoning. The county can adopt the fire code independently, but cannot adopt the building code without the city's amendments.

Chairman Bryant expressed concern about moving too quickly with changes. It's important to ensure all stakeholders have a chance to comment and understand the updates. He suggested creating a clear summary of the major changes affecting residential, commercial, and development projects so stakeholders can respond appropriately. The Board of Supervisors still has the option to retain the old 2003/2005 code if they choose.

Commissioner Rosales acknowledged concerns, but emphasized that updating the fire code is beneficial, as the building industry has requested it. Aligning with city codes will simplify processes for builders and architects and ensure safety remains the top priority. The goal is to bring the county's codes up to standard with the rest of the community.

Ty Martinez, Chief Building Fire Code Official for Yuma County, explained the updated fire code will affect commercial projects more than residential ones. Residential construction will continue to follow the International Residential Code, which is less strict than the new commercial requirements.

Chairman Bryant noted that some requirements, like sprinklers, are more challenging in the county due to limitations such as the lack of a municipal water system. They want to ensure that fire code updates do not unnecessarily hinder commercial development.

Commissioner Rosales clarified that sprinkler and fire suppression requirements aren't always stricter in the county; some city projects also face challenges due to limited water volume or flow needed for certain fire suppression systems.

Ty Martinez, Chief Building Fire Code Official for Yuma County, highlighted that certain modern developments, like large-scale solar projects with battery storage systems, pose unique fire risks. The current fire code does not address these, and such incidents could impact residential areas, making proper code updates critical for firefighter safety.

Chairman Bryant expressed support for the process and asked that the county's interests and protections be maintained as the fire code updates move forward.

MOTION (VAN WHY/ GARCIA): Approve.

VOICE VOTE: Mosqueda-AYE; Allen-AYE; Bowers-AYE; Bryant-AYE; Rosales-AYE; Van Why-AYE; Mulhern-AYE; McDermott- AYE; Garcia-AYE

The motion carried 9-0.

ITEM No. 8: Request to initiate an amendment to the Yuma County Comprehensive Building Safety Code to adopt the 2024 International Codes which include the 2024 International Building Code, 2024 International Residential Code, and 2024 International Existing Building Code pursuant to ARS § 11-861 .

Pursuant to Arizona Revised Statutes (ARS) § 11-861, the Chief Building/Fire Code Official respectfully requests that the Planning & Zoning Commission initiate an amendment to the Yuma County Comprehensive Building Safety Code.

The City of Yuma has recently adopted the 2024 International Codes, which include the following:

- 2024 International Building Code
- 2024 International Residential Code
- 2024 International Existing Building Code

In order to comply with the requirements of ARS § 11-861, Yuma County must amend its Comprehensive Building Safety Code to maintain consistency with the City of Yuma's adopted codes. Adoption of the City of Yuma's codes, along with their respective local amendments, will update construction regulations within the unincorporated areas of Yuma County and promote regional uniformity.

Contractors, design professionals, and other stakeholders have expressed a desire for consistent building standards throughout the county, allowing them to operate under a unified code framework.

Staff recommends initiating an amendment to the Yuma County Comprehensive Building Safety Code to adopt the 2024 International Codes which include 2024 International Building Code, 2024 International Residential Code, and 2024 International Existing Building Code pursuant to ARS § 11-861

Ty Martinez, Chief Building Fire Code Official for Yuma County, explained that under Arizona Revised Statutes 11-861, the county can either adopt the amended building code from the largest municipality or a national building code. The county has historically followed the city's amended code, which allows local builders to provide input through a building advisory board. The proposal is to initiate an amendment to the Yuma County Comprehensive Building Safety Code to adopt the 2024 International Codes, including the International Building Code, National Residential Code, and International Existing Building Code.

Chairman Bryant inquired when the City adopted the code.

Ty Martinez, Chief Building Fire Code Official for Yuma County, stated the city adopted it in October.

Chairman Bryant asked how long the county has to either adopt the city's new code or to adopt the residential code.

Ty Martinez, Chief Building Fire Code Official for Yuma County stated they have 90 days.

Commissioner McDermott asked if staff had received a letter from the contractor's association.

Ty Martinez, Chief Building Fire Code Official, stated receiving support from the Yuma Southwest Contractors Association, which favors adopting codes consistent with the city. This alignment simplifies plan preparation and permit submissions, especially in areas where county and city jurisdictions intersect.

Commissioner Allen asked about the city having issues with the elevators in certain buildings and if this part of this encompass that as well.

Ty Martinez, Chief Building Fire Code Official for Yuma County, explained recent building code challenges related to accessibility requirements. The updated code includes stricter ADA rules and still requires elevators for buildings where the public needs access, such as stores or mercantile spaces, even if they are under 3,000 square feet. However, the intent is not to require elevators for non-public areas like equipment rooms, storage rooms, machine rooms, or IT rooms. Requiring elevators in these spaces would place an unnecessary burden on small local builders. The concern arose from a misconception that elevators would be required everywhere, but the requirement only applies to public-access spaces.

Chairman Bryant confirmed that these accessibility clarifications are part of the 2024 code. The city has already made the necessary adjustments in their amended version, so by adopting the city's version, the county would automatically resolve the issue as well.

Ty Martinez, Chief Building Fire Code Official for Yuma County, noted that the county is unlikely to see many of these types of developments right now, but when such projects do occur, the updated code would appropriately exempt non-public rooms like storage or equipment rooms from unnecessary elevator requirements.

Chairman Bryant opened the discussion to the public.

There being no one else to come forward, Chairman Bryant closed the discussion to the public.

MOTION (VAN WHY/ GARCIA): Approve as presented.

VOICE VOTE: VOICE VOTE: Mosqueda-AYE; Allen-AYE; Bowers-AYE; Bryant-AYE; Rosales-AYE; Van Why-AYE; Mulhern-AYE; McDermott- AYE; Garcia-AYE

The motion carried 9-0.

There being no further business to come before the Commission, Vice-Chairman Van Why adjourned the meeting at 7:14 p.m.

Approved and accepted on this 16th day of December 2025.



Ron Van Why, Vice- Chairman

ATTEST:

Maggie Castro, AICP, Planning Director


