

4. **Action to ratify the action taken by the Planning Commission on February 24, 2026 to recommend approval of Rezoning Case No. 25-23:** A request by Raul Garcia Molina, agent for Escondido Holdings, LLC, to rezone a parcel 10 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 724-19-002, located at the northeast corner of Avenue 4½ E and the 45th Street alignment, Yuma, Arizona; located within the 65 dB noise zone.
5. **Text Amendment Case No. 26-01:** Adoption of the 2024 International Fire Code.
6. **Discussion and possible action regarding the proposed Yuma County Noise Control Ordinance, which is intended to protect public health, safety, and welfare by regulating excessive, unnecessary, and unreasonable noise in the unincorporated areas of Yuma County.**
7. **Discussion by the Commission members and Planning Director of events attended, current events, and the schedule for future Planning Commission meetings.**
8. **Call to the Public**
9. **Adjourn.**

The Committee may vote to hold an Executive Session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda, pursuant to Arizona Revised Statute §38-431.03(A)(3).

Pursuant to A.R.S. §38-431.02(H), the public will have access to the meeting room at 4:30 p.m.

Persons with disabilities may request reasonable accommodations by contacting Erica Lopez, Enterprise Risk Coordinator, at 928.373.1079 or by email at erica.lopez@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 February 24, 2026. The meeting was held in Aldrich Auditorium at 2351 West 26th Street, Yuma, Arizona.

CALL TO ORDER: At 5:00 p.m. Chairman Ron Van Why convened the Planning and Zoning Commission meeting. Commissioners present were: A-J Mosqueda, Ron Van Why, Danny Bryant, Matias Rosales, Bobbi McDermot, and Hugo Garcia. Commissioners absent were Jim Allen, Scott Mulhern, and Tim Bowers. Others present were Planning Director Maggie Castro, AICP; Senior County Attorney Kesia Morrison; Senior Planner Javier Barraza; Senior Planner Jesus Carrillo; Senior Planner Richard Munguia and PZ Commission Administrative Specialist Heidi Ramirez.

PLEDGE OF ALLEGIANCE: Chairman Ron Van Why led the Pledge of Allegiance.

ITEM No. 3: Approval of Planning and Zoning Commission regular meeting minutes of January 27, 2026.

MOTION (MOSQUEDA/ MCDERMOTT): Approve as presented.

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

Motion carried 6-0.

ITEM No. 4: Rezoning Case No. 25-23: Raul Garcia Molina, agent for Escondido Holdings, LLC, requests the rezoning of a parcel 10 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 724-19-002, located at the northeast corner of Avenue 4½ E and the 45th Street alignment, Yuma, Arizona; located within the 65 dB noise zone.

Senior Planner Richard Munguia presented Rezoning Case No. 25-23 recommending approval of the 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 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.
2. Within 60 days of approval by the Board of Supervisors, the owner shall record the following dedication of right of way and submit it to the Department of Development Services;
 - a. Dedication of 25 feet along Avenue 4½ E.

Schedule for Development

Prior to the 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 Land Division Permit. Pursuant to Section 507.00 of the Yuma County Zoning Ordinance.

2. The owner shall apply for a Grading Permit and an Encroachment Permit to improve the access easement along the north boundary in a dust-free condition by applying aggregate base course (ABC) covered by a penetration and chip seal coat (refer to attached Standard Number B – Penetration and Chip Seal) prior to approval of the Land Division Permit. The end of the roadway shall also contain the means for emergency vehicles to turn around, designed in accordance with the 2003 International Fire Code and current Yuma County policies.
3. 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.

Vice-Chairman Bryant opened the discussion to the public.

Raul Garcia, 10561 East 36th Street, Yuma Arizona, agent, stated that the request is to create five additional lots. He noted that the surrounding zoning is consistent with the requested zoning and indicated the proposal should be straightforward. He offered to answer any questions.

Board member McDermott requested to review the aerial image and asked staff if it was irrigated land and if each parcel would have an outlet on the ditch.

Raul Garcia, applicant, stated there was a canal in the back and that it was on county 13th Street, west side.

Chairman Van Why asked for clarification regarding access to the parcels, specifically whether the entrance on 4½ E would serve as the access point and how property owners would reach their parcels.

Raul Garcia, agent, stated that an existing unpaved roadway provides access to the property and is currently adequate for ingress and egress. A recommendation was made to implement dust control measures on the new roads.

Antonio Martinez, MCAS, Yuma Arizona, stated the station is in opposition to the request. He referenced Arizona Revised Statutes in effect since 2005 and Attorney General Opinion No. 108-003 (2008), which prohibits new residential development within high noise or accident potential zones unless certain approvals or permits were in place prior to December 31, 2004. Based on this, the station recommended denial of the case.

Joseph Stefan, 626 Las Dunas Street, Imperial California, member of the public, stated he intends to purchase the 10-acre property to build a residence for himself, with additional homes planned for his brother and parents. He noted the proposed two-acre lots are consistent with the surrounding neighborhood and stated the homes would enhance the area. He requested approval of the application.

Commissioner Garcia asked the applicant if the three lots were going to be used by family members and if the other two lots were going to be also used for family or be sold.

Joseph Stefan stated they might be used for family, but most likely would be sold.

Dane Palmer, 12568 South Avenue 4 ½ E, Yuma, Arizona, member of the public, stated he lives across from the subject property. He stated that while he acknowledged that development may be inevitable due to growth in the area, he expressed that he and neighboring property owners would prefer the property remain 10 acres. He requested that CC&Rs be established to preserve the rural character of the neighborhood.

Bob Woodman, 13388 South Avenue 5 E, Yuma, Arizona, member of the public, recommended that the developer record a road maintenance agreement for the proposed chip seal road and establish a ditch maintenance agreement. He noted that similar developments have experienced issues when maintenance agreements were not in place and suggested these be required prior to finalizing the lot split.

Board member Garcia asked whether a maintenance agreement currently exists for Avenue 4½ E, noting that it appears to be the access road serving the proposed lots.

Bob Woodman stated he did not know about those parcels and believed everyone on the street contributes to maintenance occasionally and sees where there is issues and a road maintenance agreement not put in place.

Board member McDermott asked about the irrigation system and what the speaker proposed.

Bob Woodman suggested that a ditch maintenance agreement be established requiring all users or adjacent property owners to pay their proportional share. This would ensure proper upkeep, as some current users do not maintain their portions of the ditch.

Board member McDermott asked if Yuma Mesa irrigation requires a water master or a person to be there.

Bob Woodman stated he believed there was a person and commented that the property ditch was private.

Board member McDermott asked if they still got water from Yuma Mesa, with a watering schedule.

Bob Woodman noted that a maintenance schedule could designate one person to manage all lots, as is currently done for five lots, and a similar arrangement could be applied to the future lots.

Board member McDermott noted that for small acreage developments, the existing ditch can typically accommodate additional water users. Property owners not planning to use the water would not have a turnout installed initially, but if they later choose to use it, they would be required to install a turnout for their lot.

Bob Woodman stated that delivery ditches not directly fronting properties often are not properly maintained, even when used by multiple lots. The ditch in question serves the subject 20-acre property as well as adjacent properties to the south and questioned whether the county could require a maintenance condition.

Board member McDermott suggested that the Yuma Mesa Irrigation District may be responsible for the water delivery, but it was unclear whether the county could enforce a maintenance requirement.

Planning Director Maggie Castro, AICP, clarified that even if the county required a maintenance agreement, it would function like CC&Rs and would not be enforced by the county, remaining a private matter for the property owners.

Bob Woodman noted that the developer should address ditch maintenance, particularly if selling two lots, to ensure future owners can properly maintain it.

Vice-Chairman Bryant commented that while maintenance agreements for ditches and roads are good recommendations, the county would have no enforcement authority. Such agreements would need to be managed by property owners through mechanisms like CC&Rs or a neighborhood improvement district to ensure proper maintenance.

Bob Woodman suggested that the engineer should address road maintenance as part of the lot split process, including creating the necessary agreements, and that engineers should be informed this is their responsibility.

Raul Garcia, agent, stated the owner intends to implement CC&Rs for the lot split. He noted that the irrigation district manages water delivery and will not provide water if canals are not maintained. While maintenance agreements are possible, they would require cooperation from all affected property owners.

Vice-Chairman Bryant noted the concerns raised by Marine Corps Air Station-Yuma and asked whether a variance would be required for homes on the property, referencing similar cases and the statute cited by Antonio Martinez.

Planning Director Maggie Castro, AICP, stated if the zoning is ultimately approved by the Board of Supervisors, they will have to obtain a variance prior to applying for building permits for the homes.

Vice-Chairman Bryant asked if that was part of the statute that Antonio Martinez read to them, limiting no new development, that did have the exception if a variance was issued.

Board member McDermott asked staff if 4½ E was a dirt road and if there was anybody assigned to take care of it, if the county have to give permission to put the road, and stated she is concerned how no one is in charge to take care of the road and it would seem the county would have required someone to do maintenance if it's not in the road system

Senior Planner Richard Munguia stated that was correct, to his understanding, it's a public right of way, and is unimproved, and he didn't know why it has not been addressed.

Dane Palmer stated that he was previously required to install a compacted ABC road meeting fire access standards on his property. He noted that the existing road on 4½ E to the south is unpaved and that the proposed development would increase traffic, while only his portion meets the ABC road standard.

Senior Planner Richard Munguia noted that part of the property line may be a private easement, not right-of-way. A 25-foot dedication is requested along 4½ E, which would not require chip seal, while the north boundary will require chip sealing like the neighboring property.

Dane Palmer stated that with the addition of 10–12 cars, road maintenance is a concern. Currently, a few neighborhood residents maintain the road occasionally, and the county requires that a portion of the road meet standards.

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

Senior Planner Richard Munguia stated that as part of the performance conditions, a 25-foot dedication along Avenue 4½ E is required to create public right-of-way. Additionally, the north boundary providing property access will require chip sealing, along with a development schedule.

Vice-Chairman Bryant asked staff if the applicant was aware that even if this zoning gets approved by the Supervisors, that he would be required to get a variance from the Board of Adjustment.

Senior Planner Richard Munguia stated that the owner was aware.

MOTION (BRYANT/ GARCIA): Approve as presented.

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

The motion carried 6-0.

Commissioner Jim Allen joined the meeting at 5:29 p.m.

ITEM No. 5: Rezoning Case No. 25-24: Jesus Galvan Perez requests the rezoning of a parcel 44,550 square feet in size from Low Density Residential-40,000 square feet minimum (R-1-40) to Manufactured Home Subdivision-20,000 square feet minimum (MHS-20), Assessor's Parcel Number 684-25-014, located at 38140 East Citrus Drive, Wellton, Arizona.

Senior Planner Jesus Carrillo presented Rezoning Case No. 25-24 recommending denial of the request. If the Planning Commission recommends approval, staff suggests attaching the following Performance Conditions:

Performance Condition.

1. Within 60 day s of approval by the Board of Supervisors, the owner or agent shall:
 - a) Record an Infrastructure disclosure statement.
 - b) Record a Range/IR-218 disclosure statement.

Board member McDermott asked why the rezoning was necessary, and commented it was a 44,000 square foot land and there would be two 22,000 square foot parcels.

Senior Planner Jesus Carrillo noted that the current R-1-40 zoning does not allow a manufactured home as a primary dwelling. The only zoning that allows it is MHS-20.

Board member McDermott stated so mobile homes were not allowed on R-1-40.

Senior Planner Jesus Carrillo stated that was correct.

Chairman Van Why asked whether a rezoning would be required for a manufactured home, questioning why the request was being considered if it is not allowed under the current zoning.

Planning Director Maggie Castro, AICP, stated that the purpose of this request is to rezone to a zoning district that allows him to put a manufactured home.

Board member Mosqueda requested to view the aerial view on the south side. She stated that there were manufactured homes and how one of the opposition letters was a manufactured home.

Chairman Van Why pointed out the properties that were in opposition which was not the opposition letters.

Planning Director Maggie Castro, AICP, noted that the property is in a subdivision zoned Low-Density Residential-40,000 square feet minimum (R-1-40). Properties directly across the street to the south are zoned MHS-4.5, which allows manufactured homes.

Board member Rosales asked staff if RA-40 allows container homes.

Planning Director Maggie Castro, AICP, stated that a cargo container can be used as a dwelling unit if the appropriate building permits are obtained to convert it, at which point it is considered a site-built dwelling.

Chairman Van Why opened the discussion to the public.

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

MOTION (MCDERMOTT/ MOSQUEDA): Deny.

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

The motion carried 7-0.

ITEM No. 6: Rezoning Case No. 26-01: Adrian Vega of Dahl, Robins & Associates Inc., agent for Inpro LLC, requests the rezoning of a parcel 10 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 747-36-004, located at the northwest corner of Avenue 3 E and County 15¼ Street alignment, Yuma, Arizona.

Senior Planner Javier Barraza presented Rezoning Case No. 26-01 recommending approval of the 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 180 days of approval by the Board of Supervisors, the owner/agent or agent shall:
 - a. Record an Infrastructure disclosure statement.
 - b. Record an Agriculture disclosure statement.
 - c. Record an Avigation and Range disclosure statement.
 - d. Record a Schedule for Development disclosure statement.

Schedule for Development:

1. Within two (2) years of approval by the Board of Supervisors and prior to approval of the Land Division Permit, the owner shall apply for and obtain a Grading Permit from the Department of Development Services to improve the ingress/egress easement as an access built road in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat (refer to attachment Standard No. B – Penetration and Chip Seal). The western end of the road 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 two (2) years of approval by the Board of Supervisors and prior approval of the Land Division Permit, 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.
3. 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.
4. Within two (2) years of approval by the Board of Supervisors, the property shall be split by means of a Land Division Permit pursuant to Section 507.00 of the Yuma County Zoning Ordinance. Any required irrigation easement shall be recorded with the Land Division Permit.

Board member McDermott expressed concern as to why the property should be divided since it's in the middle of crop land and newly planted trees.

Chairman Van Why opened the discussion to the public.

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

MOTION (BRYANT/ ALLEN): Approve as presented.

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

The motion carried 6-1.

ITEM No. 7: Los Agaves by Riedel Unit 3 subdivision - Tentative Map: Najeh Edais, representing REE, LLC, requests the review and approval of the tentative map for the proposed Los Agaves by Riedel Unit 3 subdivision, Assessor's Parcel Numbers 198-17-015 and 013 zoned Recreational Vehicle Subdivision (RVS), located along Fortuna Road between the alignments of County 12½ Street and County 13th Street, Yuma, Arizona.

Senior Planner Jesus Carrillo presented the Tentative Map for Los Agaves by Reidel Unit 3 subdivision recommending approval.

Chairman Van Why opened the discussion to the public.

Najeh Edais, 3075 South Avenue 4E, Yuma Arizona, agent, stated he was present to represent the case, but had no comments.

Board member McDermott asked the agent where the drainage was going off of the lots.

Najeh Edias pointed out where the two retention basins were.

Board member McDermott asked if the drainage concept was the same as the other two previous subdivisions.

Najeh Edias stated that was correct.

MOTION (BRYANT/ GARCIA): Approve as presented.

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

The motion carried 7-0.

ITEM No. 8: Review and approval of the Planning & Zoning annual report for calendar year 2025.

The purpose of the annual report is to meet reporting requirements pursuant to Section 2(H) of the Planning and Zoning Commission (Commission) bylaws. This section requires that the Commission send a report annually to the Board of Supervisors summarizing its activities. As a result, this report contains the activity summaries of the Commission and the Planning Division for Calendar Year (CY) 2025. For ease of review, the report is divided into four sections: Planning & Zoning Division, Building Safety Division, Environmental Programs Division, and Permit Services Division.

Planning Director Maggie Castro, AICP presented the Annual Report for calendar year 2025 and recommending approval.

Chairman Van Why thanked the Planning and Zoning department for the hard work and commented that the report was very well presented.

Board member Mosqueda asked whether the complaints listed on page six show any consistent trends or if they are varied.

Planning Directo Maggie Castro, AICP, stated that the majority of the complaints for zoning violations had to deal with junk and inoperable vehicles.

Board member Mosqueda commented that some citizens complain, including on social media, that the county is generating excessive revenue from permits. However, based on the figures on page nine, the total of approximately \$166,000 per year is from permits.

MOTION (MOSQUEDA/ BRYANT): Approve as presented.

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

The motion carried 7-0.

Board member Rosales asked if the Commission meetings would be moved to the new administrative offices.

Planning Director Maggie Castro, AICP, stated that the meetings would be moved to the administrative offices eventually and staff would notify them when that time comes.

There being no further business to come before the Commission, Vice-Chairman Van Why adjourned the meeting at 5:54 p.m.

Approved and accepted on this 24th day of March 2026.

Ron Van Why, Chairman

ATTEST:

Maggie Castro, AICP, Planning Director

Yuma County
Planning & Zoning
Commission

Item No. 4

AIR-14325

4.

P&Z Commission Agenda

Meeting Date: 03/24/2026

Submitted For: Maggie Castro

Submitted By: Richard Munguia

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Action to ratify the action taken by the Planning Commission on February 24, 2026 to recommend approval of Rezoning Case No. 25-23: A request by Raul Garcia Molina, agent for Escondido Holdings, LLC, to rezone a parcel 10 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 724-19-002, located at the northeast corner of Avenue 4½ E and the 45th Street alignment, Yuma, Arizona; located within the 65 dB noise zone.

2. INTENT:

The Planning Commission held a public hearing and considered this case on February 24, 2026, voting to recommend approval. The Planning Director was made aware that the radius letter sent to owners of property within 300 feet of the subject property incorrectly indicated the time of the Planning Commission's meeting at 5:30 p.m. instead of 5:00 p.m. The action taken by the Planning Commission needs to be ratified and a public hearing needs to be opened to allow any person the opportunity to be heard on this case.

Staff contacted the applicant and any person who spoke concerning this case during the public hearing on February 24, 2026 to advise them of this item coming back to the Planning Commission for ratification. The Planning Commission will need to take action on this case at this meeting.

Staff received opposition from MCAS-Yuma concerning this request.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends ratification of this request based on the request being within the range of identified uses, densities, and intensities of the Comprehensive Plan subject to the Performance Condition and Schedule for Development listed in the attached staff report.

Attachments

Staff Report

Location Map

Site Plan

Development Evaluation Checklist

MCAS Opposition

02-24-2026 draft P&Z Commission meeting minutes



STAFF REPORT TO THE COMMISSION

February 24, 2026

Rezoning Case No. 25-23

REQUEST: Rezone a parcel 10 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 724-19-002, located at the northeast corner of Avenue 4½ E and the 45th Street alignment, Yuma, Arizona; located within the 65 dB noise zone.

APPLICANT: Raul Garcia Molina, agent for Escondido Holdings, LLC.

Application is within Supervisor District 2: Supervisor Jonathan Lines; Planning Commissioners are Jim Allen and Ron Van Why. Staff report prepared by Richard Munguia, Senior Planner.

DIRECTIONS: From the intersection of Avenue 4 E and County 13th Street, travel east along County 13th Street for approximately 0.25 miles. Turn north (left) onto Avenue 4½ E and travel for approximately 0.25 miles to the subject property located at the northeast corner of Avenue 4½ E and the 45th Street alignment, Yuma, Arizona.

INTENT:

The applicant intends to create 5 parcels for residential development.

SITE CONDITIONS:

The subject property is 10 gross acres in size and is currently undeveloped. Access to the subject property is provided via Avenue 4½ E, an unpaved road with 30 feet of dedicated right-of-way and via a 30 foot access easement directly east of Avenue 4½ E.

Surrounding zoning and land uses consist of the following: Parcel 724-19-001 to the north is zoned RA-10 and is in agriculture. Parcels 724-20-028 through -034 to the east are zoned SSB-2 and are developed with residences. Parcels 724-19-009 through -013 to the south are zoned SSB-2 (RZ17-08) and are developed with residences. Parcels 724-18-005 through -008 (RZ98-43), -009 and -010 (RZ19-06) to the west are zoned SSB-2 and are developed with residences.

The purpose of SSB zoning districts 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 2030 Comprehensive Plan and is designated as Rural Density Residential (R-RD). The R-RD designation allows densities of 1 dwelling unit per 2 acres to 1 dwelling unit per 10 acres (minimum 2 acre parcels). This request is within the range of identified uses, densities, and intensities of the Comprehensive Plan and consistent with the overall intent and specific policies of the Plan. Two of the key policies and priorities as outlined in the Yuma Mesa Planning Area is:

YM.1: Retention of the planning area's rural character and agriculture activity.

YM.2: In order to maintain the current agricultural compatible rural style of development and provide protection for military, land use designations that support lots two to five acres in size should be maintained.

The proposed request is in accord with the above policy since it allows for continued rural residential use of the property while providing additional flexibility in parcel size.

Additionally, the subject property is located in the Joint Land Use Plan (JLUP) adopted on September 12, 1996 by Yuma County and the City of Yuma and the densities it established were subsequently incorporated into the 2020 Comprehensive Plan. The JLUP was a combined effort by Yuma County and the City of Yuma to achieve the following:

- A common "blue print" of land uses and land use development policies for the future economic growth and development of lands within the incorporated and unincorporated areas around the City of Yuma.
- A foundation for the compatibility of land use activities in the vicinity of the Marine Corps Air Station – Yuma/Yuma International Airport. The primary economic assets of the area (agriculture, the air station and tourism) are protected, reinforced and supplemented by the expansion of industrial sector opportunities that will provide more year-round employment prospects.

The JLUP was developed with two principal objectives:

- To plan for land uses in the vicinity of Marine Corps Air Station-Yuma and the Yuma International Airport that will be compatible with airfield operations, and
- To plan for other land uses meeting City and County growth objectives within a study area that extends beyond the immediate airfield environment.

At the time of adoption, MCAS-Yuma agreed that the R-RD land use designation, which allows a residential density of one dwelling unit per two acres, was compatible with airfield operations.

The subject property is within the Yuma Mesa Irrigation and Drainage District.

The Average Daily Membership (ADM) yield factor is the number of days a student is enrolled in school divided by the number of days in a school month or school year. The ADM per housing unit in the Yuma Elementary School District No. 1 is 0.17, and in the Yuma Union High School District No. 70, it is 0.13. Approval of this request could potentially add one student to each district. The subject parcel is in proximity to the following educational institutions: Dorothy Hall Elementary School, 5777 East 45th Place, approximately 2.4 miles to the northeast, Castle Dome Middle School, 2353 Otondo Drive, approximately 6.5 miles to the north, and Gila Ridge High School, 7150 East 24th Street, approximately 5.5 miles to the north.

CRITICAL ISSUES:

The subject property is located within the 65-69 dB noise zone. The Yuma County Zoning Ordinance, Section 706.04—Noise Zones, states as follows:

Noise Zones are delineated on the Yuma County Airport District Noise Overlay Map as the areas bounded by the noise contours. Noise contours are delineated in terms of Ldn values established through the analysis of sound measurements of composite aircraft operations on and in the vicinity of the airport. The construction of habitable structures shall be regulated to assure suitable noise attenuation characteristics based on location within a particular noise zone. Regulation of sound attenuation or Noise Level Reductions (NLR) characteristics will be accomplished through the application of appropriate zoning regulations and the enforcement of building codes acceptable to the Division of Building and Safety in the addition to existing structures. Permitted land uses including the construction of habitable structures are regulated as shown on the Land Use Matrix.

All real property within the unincorporated area of Yuma County that is located within the Yuma County Noise Exposure and Compatibility Map in Appendix D of the Yuma County 2010 Comprehensive Plan shall comply with the Land Use Matrix.

The Land Use Matrix does not allow new residential development in the noise zones unless the zoning was approved on or before December 31, 2000 that permits one dwelling unit per acre or less. If this request is approved, construction of single family residences will require approval of a variance by the Airport Board of Adjustment.

The subject property is located within the Yuma Metropolitan Air Pollution District, which is designated as "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) to reduce pollutant emissions and improve air quality. The implemented RACMs include paving, stabilizing, and/or reducing travel on unpaved streets, roads, and areas. Current legal and physical access to the subject property is along Avenue 4½ E, an unpaved road. This request could potentially create four additional parcels generating an additional 40 vehicle trips per day. Approval of this request will generate an increase in dust.

The subject property is not within the ten-minute response time radius by the Yuma County Sheriff's Department, and not within the six-minute response time radius by Rural Metro Fire Stations.

The subject property is not served with potable water or sewage disposal. Each lot/parcel will need its own individual sewage disposal system and water well.

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:

- Building Safety - Water for manual firefighting shall be provided in accordance with the 2003 International Fire Code or approved alternative.
- Grading - Any type of access easement road will require a Grading Permit.

LETTERS OF SUPPORT, OPPOSITION, AGENCY, MILITARY, SPECIAL INTEREST, etc.:
The application is on file. Memos from the Engineering Department, Environmental Programs Division, Flood Control District, and Building Safety Division are on file.

- MCAS-Yuma: MCAS Yuma has reviewed this request and strongly recommend denial of this request. ARS 28-8481, paragraph J and the Yuma County Zoning Ordinance 706.04 find this residential development as incompatible and it does not meet the criteria for an exemption. An additional letter from the MCAS Yuma Commanding Officer will be forthcoming.

CITIZEN COMMENTS: No comments were submitted for or against this request.

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 **250**. A score from 250 to 274 represents a proposal that likely contains some redeeming qualities but is lacking in one or more areas. The request is in compliance with adopted land use plans, policies, and objectives, and is compatible with surrounding development. However, the site is located in the 65 dB noise zone, does not propose any road improvements along Avenue 4½ E which would increase PM10, would result in a loss of unique farmland, and outside of the emergency response time of the Sheriff's Office and Rural Metro.

CHRONOLOGY:

- 12-17-2025 Application received
- 02-04-2026 Legal ad appears in the Yuma Daily Sun for the Planning Commission's public hearing
- 02-06-2026 Property posted for the Planning Commission's public hearing
- 02-06-2026 Public notice mailed to properties within 300 feet of the request, the City of Yuma, and relevant agencies/stakeholders
- 02-13-2026 Letter mailed informing applicant of item being placed on Planning Commission's public hearing agenda
- 02-13-2026 Staff report mailed to applicant and/or agent
- 02-24-2026 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:

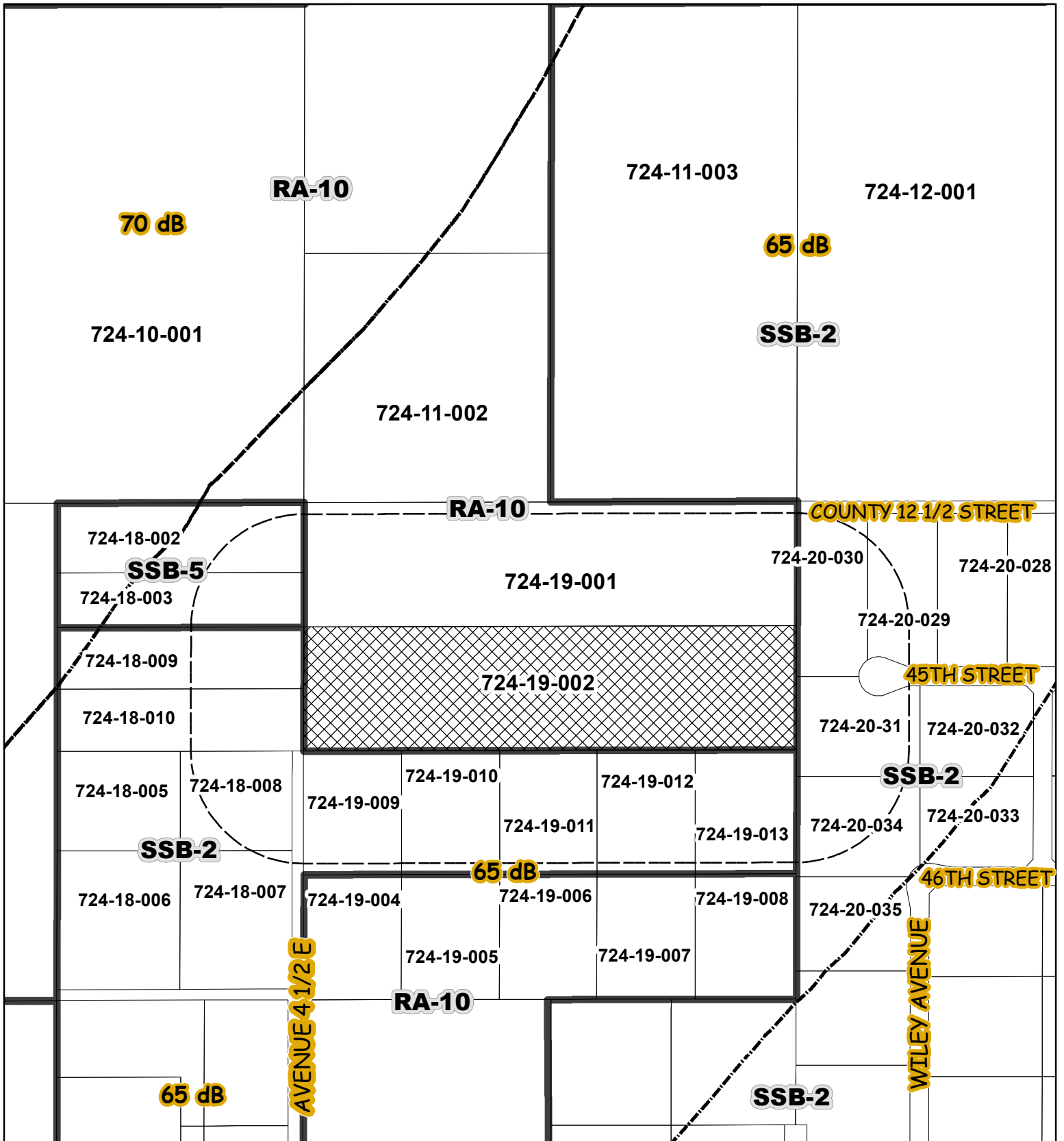
Performance Condition

1. Within 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.
2. Within 60 days of approval by the Board of Supervisors, the owner shall record the following dedication of right of way and submit it to the Department of Development Services:
 - a. Dedication of 25 feet along Avenue 4½ E.

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.
2. The owner shall apply for a Grading Permit and an Encroachment Permit to improve the access easement along the north boundary in a dust-free condition by applying an aggregate base course (ABC) covered by a penetration and chip seal coat (refer to attached Standard Number B – Penetration and Chip Seal) prior to approval of the Land Division Permit. The end of the roadway shall also contain the means for emergency vehicles to turn around, designed in accordance with the 2003 International Fire Code and current Yuma County policies.
3. 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: RZ25-23
LOCATION: NEC of Ave 4 1/2 E & 45th Street Alignment
APN(s): 724-19-002

Case Planner: Richard Munguia
Drawn by : RM on 12/29/25
Reviewed by: RM

SCALE
 1"=350'



 Subject Properties
 Parcels
 Zoning

Measure the distance between two points on the ground

Map Length: 2,001.98 Feet

Ground Length: 2,002.00

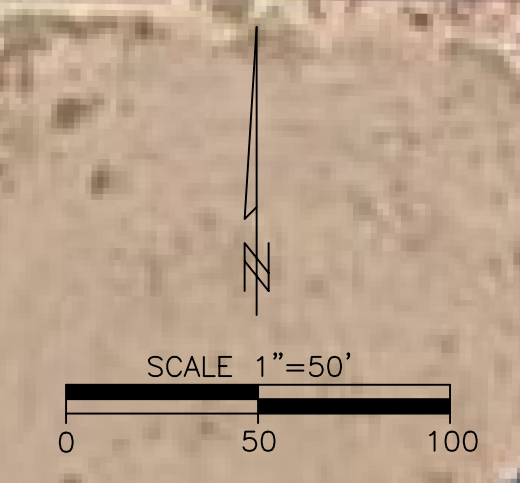
Heading: 89.75 degrees

Mouse Navigation

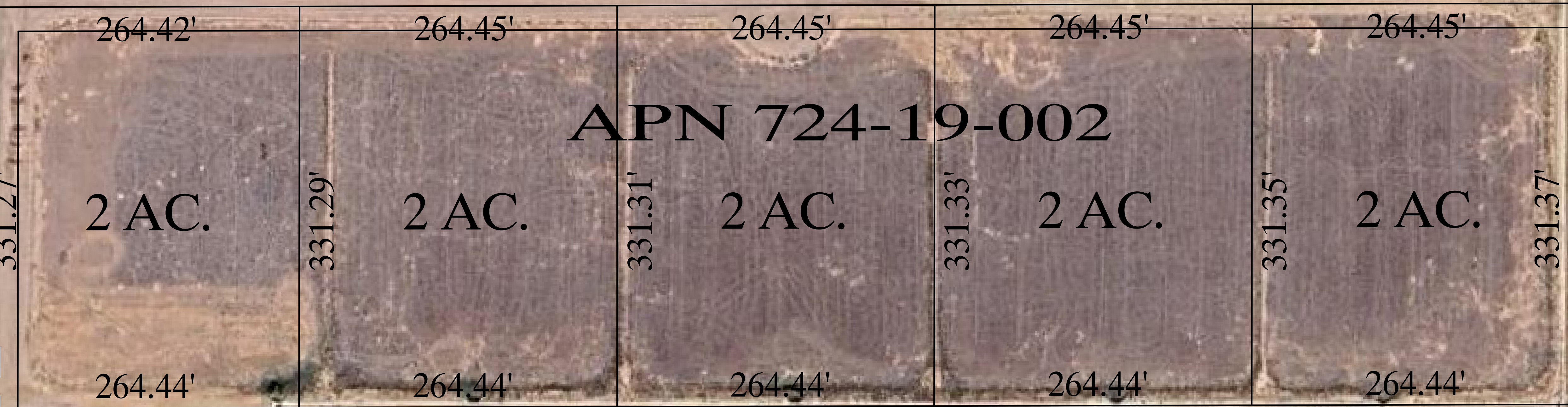
Save Clear

SEC 18

T9S, R22W



AVE. 4 1/2 E



Yuma County 2030 Comprehensive Plan				
Development Evaluation Checklist				
Case No.:	RZ25-23	Owner/Agent:	Raul Molina Escondido Holdings	
Current Zoning:	RA-10	Proposed Zoning:	SSB-2	Acreage: 10 gross acres

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 2030 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	0

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	0
11	Any public right-of-way necessary to accommodate the development has been or is proposed to be dedicated.	5	0	5
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

Requesting dedications or private easement as part of conditions of approval

IMPACT CATEGORY V. NATURAL ENVIRONMENTAL CONDITIONS		YES	NO	SCORE
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		YES	NO	SCORE
19	The site contains fossils, artifacts, relics, monuments, or structures of archaeological or cultural significance.	0	5	5
20	Given the existing noise and estimated future noise levels of the area, the site is appropriate for the proposed activities and facilities.	5	0	5
21	The project will increase PM ₁₀ (particulate matter 10 microns or less diameter) or other air pollution levels in the vicinity.	0	5	0
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		YES	NO	SCORE
23	Physical access to the site is traversable by a two-wheel drive passenger motor vehicle.	15	0	15
24	Access to or within the site is via a non-paved surface (which increases the amount of particulates such as soot or dust in the air).	0	10	5
25	Response time for emergency vehicles (Rural/Metro ambulance and fire) is 6 minutes or less, and 10 minutes or less for law enforcement (Sheriff's Dept.).	10	0	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

Requesting improvements to private easement along the north boundary

TOTAL SCORE	250
MAXIMUM POSSIBLE SCORE	300

Prepared by: **Richard Munguia**
Date: **4-Feb-26**

HIGH SCORE	MODERATE SCORE	LOW SCORE
<p>Total score is 275 to 300.</p> <p>A score falling in this category represents a proposal that likely should be approved.</p> <p>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.</p>	<p>Total score is 250 to 274.</p> <p>A score falling in this category represents a proposal that likely contains some redeeming qualities but is lacking in one or more areas.</p> <p>Proposals within this score range typically should be more carefully considered.</p>	<p>Total score is 249 or less</p> <p>A score falling in this category represents a proposal that likely should be denied.</p> <p>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.</p>



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION YUMA
BOX 99100
YUMA AZ 85369-9100

5726.1
CP&L
RZ25-23
JAN 1 2 2025

Mr. Richard Munguia
Yuma County Development Services
2351 W. 26th Street
Yuma, AZ 85364-6902

Dear Mr. Munguia:

This is in response to your correspondence seeking our comments regarding Rezoning Case No. 25-23 by Raul Garcia Molina, agent for Escondido Holdings, LLC. Specifically, the applicant has a parcel of approximately 10 gross acres located at the northeast corner of Avenue 4 1/2 E and the 45th Street alignment, Yuma, Arizona. Currently, such property is designated Rural Area – 10 acre minimum (RA-10). The applicant's request is to rezone the property to Suburban Site Built – 2 acre minimum to create five parcels for residential use. We strongly recommend denial of such request as explained below.

The requested development is within the 65-69 decibel (dB) Noise Contour acknowledged by Marine Corps Air Station (MCAS) Yuma, the City of Yuma, and Yuma County since 1978. Residential development is incompatible under Arizona Revised Statute (A.R.S.) § 28-8481, paragraph J, and the Yuma County Zoning Ordinance § 706.04. In addition, Marine Corps Order 11010.16A, Air Installations Compatible Use Zones Program, discourages residential development in the 65+ dB Noise Contour.

Moreover, the Yuma County 2030 Comprehensive Plan, Section Three, page 11 states, "It is the position of the Attorney General that pursuant to A.R.S. § 28-8481 (F) and (P) and Attorney General Opinion No. I08-003, no new residential development within a high noise or accident potential zone is allowed unless the subject property had a building permit issued, had a residence constructed, or was approved for residential development under the terms and conditions of a development plan prior to December 31, 2004. Land that was zoned, but upon which one of the above criteria was not met prior to December 31, 2004, is not exempt from the requirements of A.R.S. § 28-8481 and thus Yuma County will not approve any new residential construction within these zones." Applicant does not meet the exemptions and the Arizona Attorney General will be notified as directed under such statute.

The intent of the High Noise or Accident Potential Zones and the associated Noise Contours is to protect public health and safety and reduce incompatible development, which may hinder military operations. Therefore, MCAS Yuma requests denial by the Yuma County Planning and Zoning Board and Board of Supervisors.

The MCAS Yuma point of contact is Mr. Antonio Martinez at: (928) 269-2103 or by email at: MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to comment.

Sincerely,



J. K. STONE

ITEM No. 4: Rezoning Case No. 25-23: Raul Garcia Molina, agent for Escondido Holdings, LLC, requests the rezoning of a parcel 10 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 724-19-002, located at the northeast corner of Avenue 4½ E and the 45th Street alignment, Yuma, Arizona; located within the 65 dB noise zone.

Senior Planner Richard Munguia presented Rezoning Case No. 25-23 recommending approval of the 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 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.
2. Within 60 days of approval by the Board of Supervisors, the owner shall record the following dedication of right of way and submit it to the Department of Development Services;
 - a. Dedication of 25 feet along Avenue 4½ E.

Schedule for Development

Prior to the 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 Land Division Permit. Pursuant to Section 507.00 of the Yuma County Zoning Ordinance.
2. The owner shall apply for a Grading Permit and an Encroachment Permit to improve the access easement along the north boundary in a dust-free condition by applying aggregate base course (ABC) covered by a penetration and chip seal coat (refer to attached Standard Number B – Penetration and Chip Seal) prior to approval of the Land Division Permit. The end of the roadway shall also contain the means for emergency vehicles to turn around, designed in accordance with the 2003 International Fire Code and current Yuma County policies.
3. 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.

Vice-Chairman Bryant opened the discussion to the public.

Raul Garcia, 10561 East 36th Street, Yuma Arizona, agent, stated that the request is to create five additional lots. He noted that the surrounding zoning is consistent with the requested zoning and indicated the proposal should be straightforward. He offered to answer any questions.

Board member McDermott requested to review the aerial image and asked staff if it was irrigated land and if each parcel would have an outlet on the ditch.

Raul Garcia, applicant, stated there was a canal in the back and that it was on county 13th Street, west side.

Chairman Van Why asked for clarification regarding access to the parcels, specifically whether the entrance on 4½ E would serve as the access point and how property owners would reach their parcels.

Raul Garcia, agent, stated that an existing unpaved roadway provides access to the property and is currently adequate for ingress and egress. A recommendation was made to implement dust control measures on the new roads.

Antonio Martinez, MCAS, Yuma Arizona, stated the station is in opposition to the request. He referenced Arizona Revised Statutes in effect since 2005 and Attorney General Opinion No. 108-003 (2008), which prohibits new residential development within high noise or accident potential zones unless certain approvals or permits were in place prior to December 31, 2004. Based on this, the station recommended denial of the case.

Joseph Stefan, 626 Las Dunas Street, Imperial California, member of the public, stated he intends to purchase the 10-acre property to build a residence for himself, with additional homes planned for his brother and parents. He noted the proposed two-acre lots are consistent with the surrounding neighborhood and stated the homes would enhance the area. He requested approval of the application.

Commissioner Garcia asked the applicant if the three lots were going to be used by family members and if the other two lots were going to be also used for family or be sold.

Joseph Stefan stated they might be used for family, but most likely would be sold.

Dane Palmer, 12568 South Avenue 4 ½ E, Yuma, Arizona, member of the public, stated he lives across from the subject property. He stated that while he acknowledged that development may be inevitable due to growth in the area, he expressed that he and neighboring property owners would prefer the property remain 10 acres. He requested that CC&Rs be established to preserve the rural character of the neighborhood.

Bob Woodman, 13388 South Avenue 5 E, Yuma, Arizona, member of the public, recommended that the developer record a road maintenance agreement for the proposed chip seal road and establish a ditch maintenance agreement. He noted that similar developments have experienced issues when maintenance agreements were not in place and suggested these be required prior to finalizing the lot split.

Board member Garcia asked whether a maintenance agreement currently exists for Avenue 4½ E, noting that it appears to be the access road serving the proposed lots.

Bob Woodman stated he did not know about those parcels and believed everyone on the street contributes to maintenance occasionally and sees where there is issues and a road maintenance agreement not put in place.

Board member McDermott asked about the irrigation system and what the speaker proposed.

Bob Woodman suggested that a ditch maintenance agreement be established requiring all users or adjacent property owners to pay their proportional share. This would ensure proper upkeep, as some current users do not maintain their portions of the ditch.

Board member McDermott asked if Yuma Mesa irrigation requires a water master or a person to be there.

Bob Woodman stated he believed there was a person and commented that the property ditch was private.

Board member McDermott asked if they still got water from Yuma Mesa, with a watering schedule.

Bob Woodman noted that a maintenance schedule could designate one person to manage all lots, as is currently done for five lots, and a similar arrangement could be applied to the future lots.

Board member McDermott noted that for small acreage developments, the existing ditch can typically accommodate additional water users. Property owners not planning to use the water would not have a turnout installed initially, but if they later choose to use it, they would be required to install a turnout for their lot.

Bob Woodman stated that delivery ditches not directly fronting properties often are not properly maintained, even when used by multiple lots. The ditch in question serves the subject 20-acre property as well as adjacent properties to the south and questioned whether the county could require a maintenance condition.

Board member McDermott suggested that the Yuma Mesa Irrigation District may be responsible for the water delivery, but it was unclear whether the county could enforce a maintenance requirement.

Planning Director Maggie Castro, AICP, clarified that even if the county required a maintenance agreement, it would function like CC&Rs and would not be enforced by the county, remaining a private matter for the property owners.

Bob Woodman noted that the developer should address ditch maintenance, particularly if selling two lots, to ensure future owners can properly maintain it.

Vice-Chairman Bryant commented that while maintenance agreements for ditches and roads are good recommendations, the county would have no enforcement authority. Such agreements would need to be managed by property owners through mechanisms like CC&Rs or a neighborhood improvement district to ensure proper maintenance.

Bob Woodman suggested that the engineer should address road maintenance as part of the lot split process, including creating the necessary agreements, and that engineers should be informed this is their responsibility.

Raul Garcia, agent, stated the owner intends to implement CC&Rs for the lot split. He noted that the irrigation district manages water delivery and will not provide water if canals are not maintained. While maintenance agreements are possible, they would require cooperation from all affected property owners.

Vice-Chairman Bryant noted the concerns raised by Marine Corps Air Station-Yuma and asked whether a variance would be required for homes on the property, referencing similar cases and the statute cited by Antonio Martinez.

Planning Director Maggie Castro, AICP, stated if the zoning is ultimately approved by the Board of Supervisors, they will have to obtain a variance prior to applying for building permits for the homes.

Vice-Chairman Bryant asked if that was part of the statute that Antonio Martines read to them, limiting no new development, that did have the exception if a variance was issued.

Board member McDermott asked staff if 4½ E was a dirt road and if there was anybody assigned to take care of it, if the county have to give permission to put the road, and stated she is concerned how no one is in charge to take care of the road and it would seem the county would have required someone to do maintenance if it's not in the road system

Senior Planner Richard Munguia stated that was correct, to his understanding, it's a public right of way, and is unimproved, and he didn't know why it has not been addressed.

Dane Palmer stated that he was previously required to install a compacted ABC road meeting fire access standards on his property. He noted that the existing road on 4½ E to the south is unpaved and that the proposed development would increase traffic, while only his portion meets the ABC road standard.

Senior Planner Richard Munguia noted that part of the property line may be a private easement, not right-of-way. A 25-foot dedication is requested along 4½ E, which would not require chip seal, while the north boundary will require chip sealing like the neighboring property.

Dane Palmer stated that with the addition of 10–12 cars, road maintenance is a concern. Currently, a few neighborhood residents maintain the road occasionally, and the county requires that a portion of the road meet standards.

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

Senior Planner Richard Munguia stated that as part of the performance conditions, a 25-foot dedication along Avenue 4½ E is required to create public right-of-way. Additionally, the north boundary providing property access will require chip sealing, along with a development schedule.

Vice-Chairman Bryant asked staff if the applicant was aware that even if this zoning gets approved by the Supervisors, that he would be required to get a variance from the Board of Adjustment.

Senior Planner Richard Munguia stated that the owner was aware.

MOTION (BRYANT/ GARCIA): Approve as presented.

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

The motion carried 6-0.

Yuma County
Planning & Zoning
Commission

Item No. 5

AIR-14340

5.

P&Z Commission Agenda

Meeting Date: 03/24/2026

Submitted For: Ty Martinez

Submitted By: Maggie Castro

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Text Amendment Case No. 26-01: Adoption of the 2024 International Fire Code

2. INTENT:

The Chief Building Official respectfully recommends that the Planning & Zoning Commission recommend adoption of the 2024 International Fire Code (IFC).

With the rapid growth Yuma County continues to experience, development has expanded beyond the provisions contained in the currently adopted 2003 International Fire Code, which has been in effect since May 2005. Developers and stakeholders have expressed concerns regarding the inconsistency of fire code requirements between the City of Yuma and Yuma County. Adoption of the updated 2024 IFC will promote uniformity, enhance life safety, and support consistent enforcement across jurisdictions.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

The Chief Building/Fire Code Official and Rural Metro Fire Department recommend adoption of the 2024 International Fire Code, including all appendices except Appendices G, L, M, and O.

Attachments

Staff report

11-18-2025 P&Z Commission meeting minutes

02-02-2026 BOS meeting NOBA

02-02-2026 BOS meeting minutes



Yuma County, Arizona
DEPARTMENT OF DEVELOPMENT SERVICES
2351 West 26th Street, Yuma, Arizona 85364
Phone: (928) 817-5000
Fax: (928) 817-5020

MEMORANDUM

TO: Planning & Zoning Commission
FROM: Ty Martinez, Chief Building/Fire Code Official *TM*
RE: **Text Amendment Case No. 26-01:** Adoption of 2024 International Fire Code
DATE: March 10, 2026

The Chief Building Official respectfully recommends that the Planning & Zoning Commission recommend adoption of the 2024 International Fire Code (IFC).

With the rapid growth Yuma County continues to experience, development has expanded beyond the provisions contained in the currently adopted 2003 International Fire Code, which has been in effect since May 2005. Developers and stakeholders have expressed concerns regarding the inconsistency of fire code requirements between the City of Yuma and Yuma County. Adoption of the updated 2024 IFC will promote uniformity, enhance life safety, and support consistent enforcement across jurisdictions.

The Chief Building Official will be responsible for the administration and enforcement of the fire code. Fire inspections will be conducted by Rural Metro Fire, which will also respond to emergency incidents and public fire-safety complaints.

The fire code establishes permitting requirements for specific hazardous operations and uses. As a result, the Department of Development Services will be responsible for issuing, tracking, and maintaining records for all fire-related permits. The benefits of adopting and enforcing a fire code are threefold:

1. Education – To inform business and property owners of hazardous conditions and provide guidance for mitigation and compliance.
2. Identification – To recognize and document hazardous uses for emergency management and response planning.
3. Preparedness – To ensure that fire personnel are aware of potential hazards and building layouts prior to responding to incidents, enhancing firefighter safety and operational effectiveness.

Staff Recommendation:

The Chief Building/Fire Code Official and Rural Metro Fire Department recommend adoption of the 2024 International Fire Code, including all appendices except Appendices G, L, M, and O.

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.

DRAFT

Supervisor Reyes expressed concern about the long-term maintenance costs to taxpayers and emphasized that acceptance of the roadway carries an ongoing obligation for county maintenance, noting the importance of ensuring a public benefit rather than solely serving private entities. He stressed that private users must remain mindful of their responsibility to minimize impacts on a heavily used roadway.

The Chairman opened the public hearing.

There were no comments.

The Chairman closed the public hearing.

MOTION (SIMMONS/PANCRAZI): Approve Resolution No. 2026-06 as presented.

VOICE VOTE: The motion carried 5-0.

3. *Development Services/Planning & Zoning Division: Discussion and action concerning possible adoption of the 2024 International Fire Code.*

Mr. Ty Martinez explained that the County's existing fire code was adopted in 2005 and, while it has served its purpose, was outdated and does not address modern conditions such as large-scale solar facilities with battery storage, electric vehicle charging stations, or electric bicycles. He clarified that the proposal was not to change the fire code's intent, but to update it by adopting the 2024 Fire Code, which has recently been adopted by the City of Yuma and was expected to be adopted by the State Fire Marshal.

Supervisor Reyes expressed concern that adoption of the updated code could introduce additional regulations and restrictions; however, it was noted that the code was a state-level standard and would primarily bring the County up to date.

In response to Supervisor Lines regarding economic impact, Mr. Martinez stated that the building code establishes fire safety requirements, while the fire code provides clarity on how those requirements are implemented, with minimal impact on residential properties and greater applicability to large-scale commercial and industrial projects, including clearer standards for storage facilities.

Responding to Supervisor Pancrazi regarding potential regulation of small nuclear power plants, Mr. Martinez indicated that such provisions were most likely addressed in the 2024 code.

Chairman Porchas directed that the matter be sent back to the Planning and Zoning Commission to initiate the adoption process for the 2024 Fire Code.

Yuma County
Planning & Zoning
Commission

Item No. 6

AIR-14264

6.

P&Z Commission Agenda

Meeting Date: 03/24/2026

Submitted For: Maggie Castro

Submitted By: Jesus Carrillo

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Discussion and possible action regarding the proposed Yuma County Noise Control Ordinance, which is intended to protect public health, safety, and welfare by regulating excessive, unnecessary, and unreasonable noise in the unincorporated areas of Yuma County.

2. INTENT:

The purpose of this ordinance is to protect the public health, safety, and welfare by regulating excessive, unnecessary, and unreasonable noise within the unincorporated areas of Yuma County. The Board of Supervisors finds that excessive noise constitutes a public nuisance that may interfere with the peaceful enjoyment of property, disturb sleep and repose, and negatively affect quality of life, while recognizing the need for reasonable exemptions and lawful activities.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends forwarding this item to the Board of Supervisors for comments and input.

Attachments

Staff Report

YUMA COUNTY NOISE CONTROL ORDINANCE

Section 1. Title

This ordinance shall be known as the Yuma County Noise Control Ordinance.

Section 2. Purpose and Intent

The purpose of this ordinance is to protect the public health, safety, and welfare by regulating excessive, unnecessary, and unreasonable noise within the unincorporated areas of Yuma County. The Board of Supervisors finds that excessive noise constitutes a public nuisance that may interfere with the peaceful enjoyment of property, disturb sleep and repose, and negatively affect quality of life, while recognizing the need for reasonable exemptions and lawful activities.

Section 3. Applicability

This ordinance applies to all persons, businesses, and activities within the unincorporated areas of Yuma County. This ordinance does not apply within the corporate limits of any incorporated city or town, or within Indian reservations absent an intergovernmental agreement.

Section 4. Definitions

- A. **Administrator:** Means the Yuma County Board of Supervisors or their authorized representative from a Yuma County office or department, including the Yuma County Sheriff.
- B. **Emergency Vehicles:** Means vehicles of the fire, police, and public service departments and legally authorized ambulances and emergency vehicles of state departments and any political subdivisions thereof, and vehicles of public service corporations.
- C. **Emergency Work:** Means work required to restore property or infrastructure to a safe condition following a natural or human caused disaster, work required to protect persons or property from an imminent exposure to danger, or work by public or private utilities for providing or restoring immediate necessary utility services.
- D. **Noise:** Means a sound emitted from any and all sources and is typically characterized by intensity, duration, and kind.
- E. **Person:** Means any individual, firm, association, partnership, corporation or any other public or private entity.
- F. **Planned Activity:** Means any lawful event occurring on a periodic basis at a venue where people assemble, and that is anticipated and lawfully allowed to occur on a periodic basis.
- G. **Property:** Means something that is owned or possessed by a person, or something to which a person has legal title.
- H. **Special Event:** means a temporary activity conducted pursuant to a County-issued permit or authorization.

Section 5. General Prohibition

No Person shall create, cause, or permit Noise that is unreasonable, excessive, or disturbing and that interferes with the peace, comfort, or repose of a reasonable person of ordinary sensibilities.

Section 6. Quiet Hours

Quiet hours are established as follows:

- Sunday through Thursday: 10:00 p.m. to 7:00 a.m.
- Friday and Saturday: 11:00 p.m. to 8:00 a.m.

During quiet hours, amplified music, outdoor entertainment, public address systems, and similar sound amplification that is plainly audible beyond the property line are prohibited.

Section 7. Specific Prohibited Acts

The following acts constitute violations of this ordinance:

1. Operation of radios, musical instruments, televisions, or sound amplification devices at a volume that is plainly audible beyond the property line during quiet hours.
2. Outdoor commercial entertainment producing plainly audible noise beyond the property line during quiet hours.

Section 8. Exemptions

The following are exempt provided reasonable efforts are made to minimize noise:

1. Emergency Vehicles and Emergency Work.
2. Construction and maintenance activities are permitted between 6:00 a.m. and 8:00 p.m., excluding Sundays and legal holidays unless otherwise permitted; however, from May through October, permitted hours shall be 3:00 a.m. to 8:00 p.m.
3. Agricultural operations conducted in a customary manner.
4. Special Events authorized by County permit.
5. Governmental and utility operations.
6. Non-amplified crowd noise from lawful Planned Activities.

Section 9. Enforcement

This ordinance shall be enforced as a civil regulation. Enforcement authority is vested in the Administrator.

Enforcement may include verbal warnings, written notices of violation, and civil citations.

Section 10. Penalties

Violations of this ordinance shall be subject to the maximum fine allowed for a class 1 misdemeanor offense.

Section 11. Severability

If any provision of this ordinance is held invalid, such invalidity shall not affect other provisions that can be given effect without the invalid provision.

Section 12. Effective Date

This ordinance shall take effect on a date established by the Board of Supervisors following adoption.