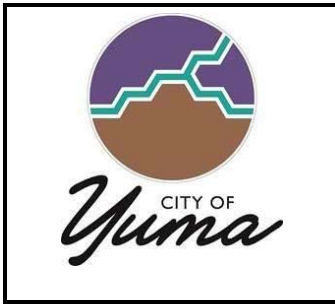


Notice of Public Hearing of the Planning & Zoning Commission of the City of Yuma

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning & Zoning Commission of the City of Yuma and to the general public that the Planning & Zoning Commission will hold a hearing open to the public on July 27, 2020, at 4:30 p.m. at the City Hall Council Chambers, One City Plaza, Yuma, AZ.



Agenda
Planning and Zoning Commission Meeting
City Hall Council Chambers
One City Plaza Yuma, AZ
Monday, July 27, 2020, 4:30 p.m.

Consistent with the March 13, 2020 Arizona Attorney General informal opinion Relating to Arizona's Open Meeting Law and COVID-19, in order to protect the public and reduce the chance of COVID-19 transmission, the meetings of the City of Yuma Planning and Zoning Commission will be conducted remotely through technological means along with limited public, in-person access, consistent with social distancing requirements.

City Hall Council Chambers will be open with limited public access.

Members of the public may view the meetings live on City Channels 73 and 72 and live-streamed on the City of Yuma website. Recordings of the meetings will be available on the City's website after the meeting. Public comment regarding any **agenda** item can be provided in written format to the Planning and Zoning Commission secretary at email address planning@yumaz.gov no later than 15 minutes prior to the start of the scheduled meeting. Comments received timely will be read into the record when the referenced agenda item is discussed.

CALL TO ORDER

CONSENT CALENDAR – All items listed under the consent calendar will be approved by one motion. There will be no separate discussion of these items unless the Commission or a member of the audience wishes to speak about an item.

APPROVAL OF MINUTES

January 27, 2020 (3 of 4 required: *Hamel, Dammeyer, Counts, and Follmuth*)

July 13, 2020 (3 of 5 required: *Hamel, Counts, Arney, Scott, and Edgar*)

WITHDRAWALS BY APPLICANT – NONE

TIME EXTENSIONS – NONE

CONTINUANCES – NONE

APPROVALS – NONE

PUBLIC HEARINGS

1. **SUBD-30610-2020**: This is a request by Dahl, Robins, and Associates, Inc., on behalf of Yucca Land Company, LLC, for approval of the final plat for the Desert Sands Subdivision Unit 2, proposed to be divided into 97 residential lots ranging in size from 5,095 square feet to 14,138 square feet. The property is located at the southwest corner of E. 44th Street and S. Avenue 7 ½E, Yuma, AZ.
2. **ZONE-30691-2020**: This is a request by The City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Article 14 Overlay Zoning Districts to establish the Planned Area Development Overlay District (PAD).

INFORMATION ITEMS

1. STAFF
2. COMMISSION
3. **Public** – Members of the public may address the Planning and Zoning Commission on matters that are not listed on the Commission agenda. The Planning & Zoning Commission cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the call to the public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All Planning & Zoning Commission meetings are recorded.

ADJOURN

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Division, One City Plaza, Yuma, AZ 85364; (928) 373-5125 or TTY (928) 373-5149.

Notice is hereby given, pursuant to the Yuma City Code, Title 15, Chapter 154, Section 02.01, that one or more members of the Planning and Zoning Commission may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

**Planning and Zoning Commission Meeting Minutes
January 27, 2020**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, January 27, 2020, at the Public Works Training Room, 155 W. 14th St., Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present included Chairman Hamel, Vice-Chairman Dammeyer and Commissioners Gregory Counts, and Jacqueline Follmuth, Commissioner Mohindra was absent. There are two vacancies.

STAFF MEMBERS present included Kenneth McCoy, Assistant City Attorney; Agustin Cruz, Senior Civil City Engineer; Alyssa Linville, Assistant Director DCD / Zoning Administrator; Robert Blevins, Principal Planner; Amelia Griffin, Assistant Planner; Jennifer Albers, Principal Planner; Charysse Casillas, Administrative Assistant; and Jessenia Juarez, Administrative Assistant.

Chairman Hamel called the meeting to order at 4:51 p.m. and noted there was a quorum present.

CONSENT CALENDAR

MINUTES – December 9, 2019

WITHDRAWALS BY APPLICANT – None

CONTINUANCES – None

APPROVALS – None

Motion by Dammeyer, second by Counts, to APPROVE the Consent Calendar as presented. Motion carried unanimously (4-0, with 1 absent).

PUBLIC HEARINGS

GP-28531-2019: This is a request by the City of Yuma to adopt the 2020 Tree and Shade Master Plan. This policy document outlines the benefits of trees, an analysis of existing conditions, a vision for the future, and an implementation plan as it specifically relates to our community. The Plan is in accordance with the 2016 Parks & Recreation Master Plan and the City of Yuma 2012 General Plan. (Continued from January 13, 2020.)

Alyssa Linville, Assistant Director DCD / Zoning Administrator, summarized the staff report, recommending **APPROVAL**.

QUESTIONS FOR STAFF

Hamel commented he was happy to see the involved groups taking ownership of such a lofty plan.

Dammeyer asked if any grants were received and if those grants were deducted from the total of the budget allocation. **Linville** said the Parks and Recreation department were actively applying for grants and had received one for \$200,000, but she was not aware if this was deducted.

APPLICANT / APPLICANT'S REPRESENTATIVE

Not Required

PUBLIC COMMENT

None

MOTION

Motion by Follmuth, second by Dammeyer to APPROVE Case Number GP-28531-2019. Motion carried unanimously (4-0, with 1 absent).

GP-27420-2019: This is a General Plan Amendment request by Core Engineering Group on behalf of the Susan Lee Battaile Trust, to change the land use designation from Medium Density Residential to Commercial for approximately 2.82 acres for property located at 7600 E. 32nd Street. (This is the second of two public hearings.) (Continued from January 13, 2019.)

Jennifer Albers, Principal Planner, summarized the staff report, recommending **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

MOTION

Motion by Counts, second by Dammeyer to APPROVE Case Number GP-27420-2019. Motion carried unanimously (4-0, with 1 absent).

ZONE-28098-2019: This is a request by Edais Engineering, Inc., on behalf of Riedel Construction Company, LLC, to rezone a 19.3-acre parcel from Agriculture (AG) to Low Density Residential (R-1-6), for the property located east of the southeast corner of Avenue 8½E and 40th Street. (Continued from January 13, 2020.)

Robert Blevins, Principal Planner, summarized the staff report, recommending **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT'S REPRESENTATIVE

Najeh Edais, 3075 S. Ave. 4E, Yuma, AZ, thanked staff and was available for questions.

Hamel asked if the applicant would be extending the road.

Edais stated he had spoken with Engineering and had come to an agreement to extend the road.

PUBLIC COMMENT

None

MOTION

Motion by Dammeyer, second by Follmuth to APPROVE Case Number ZONE-28098-2019. Motion carried unanimously (4-0, with 1 absent).

ZONE-28275-2019: This is a request by Kerry A. Schimpf, on behalf of The Nelson Family Trust, 4/13/95 and Kerry & Gail Schimpf Trust, 11-19-03, and Kyle P. Nelson, to rezone approximately 14.9 acres from the General Commercial (B-2) District to the High Density Residential (R-3) District, while maintaining the existing Aesthetic Overlay (AO) District, for the properties located north of the intersection of E. 8th Street and S. Castle Dome Avenue, Yuma, AZ. (Continued from January 13, 2020.)

Alyssa Linville, Assistant Director of DCD/Zoning Administrator, summarized the staff report, recommending **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT'S REPRESENTATIVE

Kerry Schimpf, 2295 Fletcher Parkway, #200, El Cajon, CA, gave a presentation on the proposed project.

Hamel expressed his satisfaction with seeing new construction and business in this portion of the City.

PUBLIC COMMENT

None

MOTION

Motion by Counts, second by Follmuth to APPROVE Case Number ZONE-28275-2019. Motion carried unanimously (4-0, with 1 absent).

INFORMATION ITEMS

Staff

Alyssa Linville, Assistant Director of DCD / Zoning Administrator, reminded the Commission their attendance is important due to the few Commissioners available.

Hamel said he was not available for the Planning and Zoning Meeting on February 10, 2020, and advised staff to make the necessary arrangements for the continuation.

Commission

None

Public

None

ADJOURNMENT

The meeting was adjourned at 5:30 p.m.

Minutes approved this _____ day of _____, 2020

Chairman

**Planning and Zoning Commission Meeting Minutes
July 13, 2020**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, July 13 2020, at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present were Chairman Chris Hamel, and Commissioners Gregory Counts, Lorraine Arney, Joshua Scott and Janice Edgar. Commissioners Barbara Beam and Fred Dammeyer were absent.

STAFF MEMBERS present included Bob Blevins, Principal Planner; Scott McCoy, Assistant City Attorney; Alyssa Linville, Assistant Director DCD; and Jessenia Juarez, Administrative Assistant.

Chairman Hamel called the meeting to order at 4:30 p.m. and noted there was a quorum present.

CONSENT CALENDAR

MINUTES – January 27, 2020 & June 22, 2020

WITHDRAWALS BY APPLICANT – None

CONTINUANCES – None

APPROVALS – None

Motion by Edgar, second by Arney, to APPROVE the Consent Calendar, with the deferral of the Minutes for January 27, 2020 to a future meeting. Motion carried unanimously, (5-0), with 2 absent.

PUBLIC HEARINGS –

CUP-30291-2020: This is a request by Dahl, Robins and Associates, Inc., on behalf of Jeffrey Conte, for a Conditional Use Permit to allow the construction of a new YCAT maintenance facility, offices, and bus yard, in the Light Industrial/Airport Overlay (L-I/AD) District. The property is located at the northwest corner of Arizona Avenue and 34th Street, Yuma, AZ.

Alyssa Linville, Assistant Director DCD, summarized the staff report and recommended **APPROVAL.**

QUESTIONS FOR STAFF

Commissioner Counts asked if fuel storage would be above or below ground. Linville said the fuel tanks would be aboveground. **Counts** then asked about the pending Lot Tie on the subject and adjacent property. **Linville** replied that the two parcels would be tied together, and the single family home on one of the parcels would be demolished.

Commissioner Arney then stated her concern for the increase in traffic this use would bring to the area, and noted the Staff Report did not address that issue. **Linville** stated that although Engineering was not present at this meeting to speak to her concern, Engineering did not require any roadway improvements in connection with the Conditional Use Permit request.

APPLICANT / APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Counts, second by Edgar, to APPROVE CUP-30291-2020, subject to the Conditions of Approval in Attachment A. Motion carried (4-1), with Arney voting Nay and with 2 absent.

CUP-30514-2020: This is a request by Pancrazi Real Estate Services, on behalf of RTB Enterprises, for a Conditional Use Permit for an industrial use within 600' of residential in the Light Industrial/Airport Overlay (L-I/AD) District, on the property located at 2180 S. Pacific Ave, Yuma, AZ.

Alyssa Linville, Assistant Director DCD, summarized the staff report and recommended **APPROVAL.**

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT'S REPRESENTATIVE

Tom Pancrazi, 350 W 16th St, Yuma AZ discussed the applicant's disagreement to Conditions # 7 through # 9 in the Staff Report. **Pancrazi** stated the applicant felt those conditions were too restrictive to the business operation as it is today. **Pancrazi** noted that the majority of deliveries to the property will not be by tractor-trailer, and that weekend activities would be staff loading their vehicles with equipment for the next week's jobs.

Pancrazi then discussed the condition that required the shielding of outside storage and activities. He said there was not a plan to have a lot of outside storage and felt the condition as worded was too restrictive. **Pancrazi** went on to say that the Owner would be installing chain link fence around the property. **Pancrazi** went on to say the neighboring property, a mobile home park, had expressed their support of the proposed Conditional Use, and showed photos taken from the mobile home park that he felt demonstrated existing mitigation to the noise and visual concerns expressed by Staff.

Hamel asked Pancrazi for clarification on the planned installation of fencing. **Pancrazi** said it would be a chain link fence and indicated on the site plan where it would be installed on the west and south sides of the property. **Hamel** also asked Staff what the expectation was for screening storage areas. **Linville** replied that any storage area within the property was to be screened, not the whole property.

Arney asked how many employees there were. **Bob Peterson, 4K Electric, 5244 E Hamlin Place,** stated there would be seven employees, three of which are family members. The employees would not be onsite unless they are loading or unloading their work vehicles, or when receiving deliveries. **Peterson** added that the present business model only encompasses work in State Prisons, Federal Detention Centers and County Jails all over the country. They do hire local sub-contractors, and the seven main employees manage them and the work. **Peterson** went on to say he has an agreement with the neighboring business at their present facility to receive the deliveries in their absence. That neighbor has keys to the building and can use the forklift to offload deliveries and leave them in the warehouse, if needed. On a weekly basis, employees are generally in the warehouse less than 20 hours. **Peterson** noted

that could change depending on what happens in the business in the next couple of years, but he did not want to be restricted to what he said was happening in the business today.

Hamel asked for clarification if it was primarily smaller vehicles and not tractor-trailers that made the deliveries. **Peterson** said off-hours work would be the loading their own equipment, not deliveries, and yes, smaller vehicles and occasionally a tractor-trailer made the majority of deliveries. **Hamel** stated he understood Staff's intent with the conditions, and felt the applicant was trying to be a good neighbor. He asked Staff how the conditions could be modified to meet the applicant part way. **Linville** said she would require the identification of hours of operation, as it was important to protect the neighbors to the south. **Linville** continued by saying if the applicant operates as they say, then it is likely there won't be complaints from those neighbors, but protections need to be in place in the event the business model changes, as the applicant acknowledged could happen.

Hamel asked how changes to the business model would be addressed. **Linville** said the proposed use is for Electrical Contractor, not specific classifications of Electrical Contractor. It would allow for future contracts, but if the business model does change and the neighbors are going to be impacted by the change then the CUP would need to be revised and the neighbors notified.

Pancrazi noted that the prior CUP application for this property received a tremendous amount of public objection based on the incorrect belief that toxic chemicals were going to be used at the site, not from the increase in traffic.

Counts asked if the applicant had any plans to do any production on site, which could involve the use of caustic chemicals. **Peterson** said there he had no intent or plans ever to have production on this site. The business is an electrical contractor in a specialized field, and unless his customers have a big change in the way they do things, there were no plans to change anything. **Peterson** added that if, in two years from now, all the prisons in the state or country already had all the equipment that they install, a new business plan may need to be developed.

Arney asked if screening could be added to the chain link fence to satisfy Condition # 8. **Linville** advised that the City Code says that appropriate screening defined as a solid wall, and specifically prohibits slats in a chain link fence.

Scott McCoy, Assistant City Attorney, said that Conditions of Approval were designed to not only protect neighboring property owners, but also the owner of the subject property by providing entitlements that the Owner can rely upon. **McCoy** suggested that this case either be recessed briefly to allow Staff and the Applicant to work on the Conditions, or continued to a future date. **Hamel** stated his agreement.

At 5:15pm, the Applicant and his representative, as well as City Staff recessed to discuss the conditions. The Chairman then called the next case on the agenda.

Discussion on this case resumed at 5:45pm.

McCoy stated that an agreement had been reached on Conditions # 7 through # 9, leaving Conditions # 1 through # 6 unchanged. Condition # 7 now reads as *"The hours of operation will be Monday through Friday 4:00 a.m. to 8:00 p.m. and Saturday and Sunday 8:00 a.m. to 4:00 p.m.; occasionally staff will be on-site after hours."* Condition # 8 now reads as *"All storage shall take place in a screened storage yard."* Condition # 9 now reads as *"All truck (un)loading shall take place during regular business hours with the exception that emergency calls for service*

may be responded to during after-hours including incidental loading and unloading in connection with the emergency response.”

Hamel asked the applicant if he was in agreement with the modified conditions. **Pancrazi** stated yes.

PUBLIC COMMENT

None

Motion by Arney, second by Edgar, to APPROVE CUP-30514-2020, subject to the Conditions of Approval in Attachment A, modified as follows: Condition # 7: “The hours of operation will be Monday through Friday 4:00 a.m. to 8:00 p.m. and Saturday and Sunday 8:00 a.m. to 4:00 p.m.; occasionally staff will be on-site after hours.”; Condition # 8: “All storage shall take place in a screened storage yard.”; Condition # 9: “All truck (un)loading shall take place during regular business hours with the exception that emergency calls for service may be responded to during after-hours including incidental loading and unloading in connection with the emergency response.” Motion carried unanimously (5-0) with 2 absent.

SUBD-30285-2020: This is a request by Edais Engineering, Inc., on behalf of Riedel Construction Company, LLC, for approval of the final plat for La Estancia Subdivision. This subdivision contains approximately 40 acres and is proposed to be divided into 179 residential lots, ranging in size from approximately 6,000 square feet to 12,794 square feet, for the property located at the southeast corner of S. Avenue 8 ½ E and E. 40th Street, Yuma, AZ.

Bob Blevins, Principal Planner, summarized the staff report and recommended **APPROVAL.**

QUESTIONS FOR STAFF

Hamel asked about an open area shown on the site plan and asked its purpose. **Blevins** said it would be a retention/common area that would be landscaped and part of a Municipal Improvement District.

APPLICANT / APPLICANT’S REPRESENTATIVE

None

PUBLIC COMMENT

Earl Smith, 8577 E 39th Place, Yuma, AZ commented about the condition of the subdivision wall to the north of the subject property. He stated the wall was beginning to buckle under the weight of the blowing sand that has accumulated and asked who was responsible for the repair.

Blevins replied that the general location of the wall was notoriously sandy so it was not unusual to see sand accumulate. The wall in question was not a part of the subdivision being discussed at this meeting; however, Mr. Smith’s concerns had been communicated to the Engineering Department who would be sending inspectors out to look at the wall’s structural integrity. **Blevins** added that he was unable to say at this time who was responsible for repairs to the wall.

Motion by Arney, second by Edgar, to APPROVE SUBD-30285-2020, subject to the Conditions of Approval in Attachment A. Motion carried unanimously (5-0, with 2 absent).

ZONE-26265-2019: This is a request by Dahl, Robins, and Associates. on behalf of Smoketree Desert Land, LLC., to rezone an 18.34 acre parcel from Agriculture (AG) to Medium Density Residential/Planned Unit Development (R-2/PUD), for the property located at the southwest corner of S. Avenue 7 ½ E and E. 36th Street, Yuma, AZ.

Alyssa Linville, Assistant Director DCD, summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

Edgar asked if there were time limits for the installation of the amenities, for both this phase and Phase 1. **Linville** replied that Phase 1 was being developed under a Development Agreement, which outlined those requirements. For example, the BBQs and Picnic Tables were to be installed once the occupancy reached 50%. Another example outlined in the Development Agreement is the installation of playground equipment. The installation of that amenity is up to the Developer to determine if there are enough children in the neighborhood to warrant the installation of the playground equipment. **Edgar** replied that circumstances could change over time, and wondered if residents purchased homes in that development anticipating that there would be playground equipment. **Linville** stated she would need to defer that question to the applicant. **Linville** went on to say this phase, Phase 2, was not subject to a development agreement, so the amenities had to be installed prior to the recordation of the plat.

APPLICANT / APPLICANT’S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Counts, second by Arney, to APPROVE ZONE-26265-2019, subject to the Conditions of Approval in Attachment A. Motion carried unanimously (5-0), with 2 absent.

INFORMATION ITEMS

Staff

None

Commission

None

Public

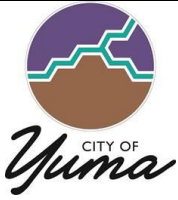
Tom Pancrazi thanked Staff and the Commission for allowing them the time during this meeting to reach an agreement on the Conditions of Approval for their case.

ADJOURNMENT

Counts adjourned the meeting at 5:49 p.m.

Minutes approved this _____ day of _____, 2020

Chairman



**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – FINAL SUBDIVISION
CASE PLANNER: RICHARD MUNGUIA**

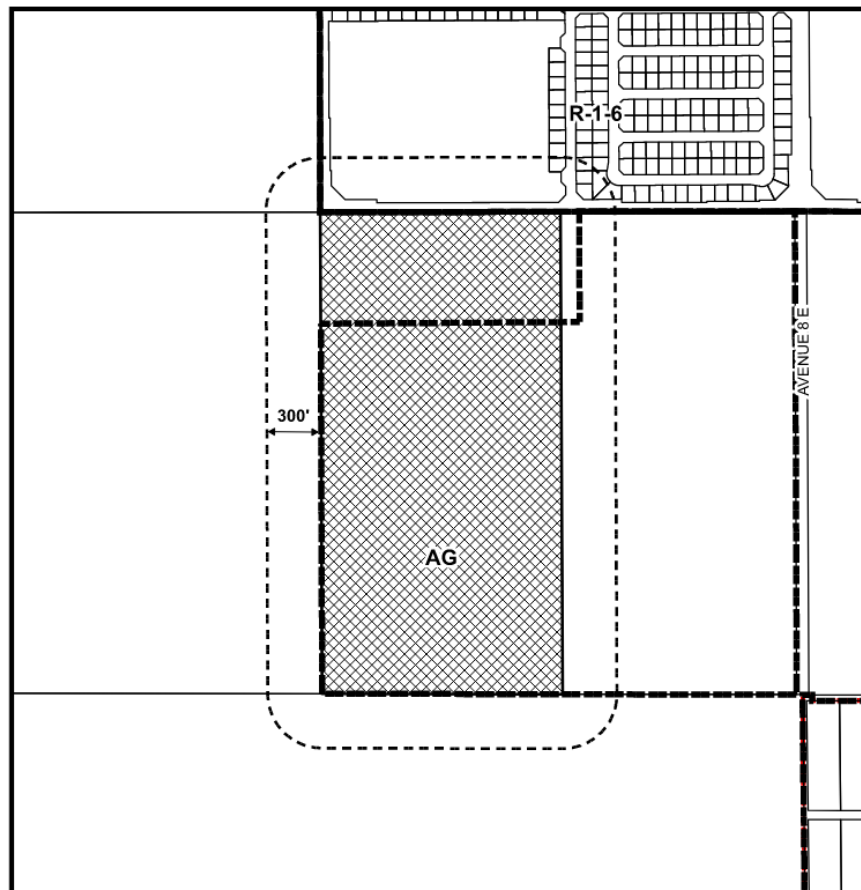
Hearing Date: July 27, 2020

Case Number: SUBD-30610-2020

Project Description/Location: This is a request by Dahl, Robins, and Associates, Inc., on behalf of Yucca Land Company, LLC, for approval of the final plat for the Desert Sands Subdivision Unit 2, proposed to be divided into 97 residential lots ranging in size from 5,095 square feet to 14,138 square feet. The property is located at the southwest corner of E. 44th Street and S. Avenue 7 ½E, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
Site	Medium Density Single-Family Residential (R-2-5)	Future Single-Family Subdivision	Mixed Use
North	Low Density Residential (R-1-6)	Future Single-Family Subdivision	Low Density Residential
South	Agriculture (AG)	Undeveloped	Rural Density Residential
East	Agriculture (AG)	Undeveloped	Low Density Residential
West	Agriculture (AG)	Undeveloped	Low Density Residential/Commercial

Location Map



Prior site actions: Annexation: O97-81 (January 2, 1998); General Plan Amendment: Res. R2004-89 (December 13, 2014 – Suburban Density Residential to Low Density Residential/Commercial), GP-25035-2019 (July 17, 2019 – Low Density Residential to Mixed Use); Rezone: Ordinance 2020-002 (February 5, 2020 – AG to R-2/R-2-5); Subdivision: SUBD-29644-2020 (April 27, 2002 – Desert Sands Preliminary Plat).

Staff Recommendation: Staff recommends **APPROVAL** of the final plat for the Desert Sands Subdivision Unit 2, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Final Plat SUBD-30610-2020 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the final plat, the Planning and Zoning Commission is authorizing the design of Desert Sands Unit 2 for the property located at the southwest corner of E 44th Street and S. Avenue 7 ½ E, subject to the conditions of the rezone, the preliminary plat and the conditions outlined in Attachment A, and affirmatively finds that the request substantially conforms to the approved preliminary plat, is in conformance with the City of Yuma Subdivision Code and General Plan and is compatible with surrounding land uses.

Staff Analysis: The subject property was annexed into the City of Yuma on January 2, 1998 and rezoned to the Medium Density Single-Family Residential (R-2-5) District in 2020. The subject property is currently undeveloped and is intended to be the second phase of the Desert Sands Subdivision.

The subject property consists of approximately 160 acres, with 20.9527 acres currently being subdivided for the Desert Sands Subdivision, Unit No. 2. This subdivision will be developed with frontage along Avenue 7½ E and 44th Street. The applicant is proposing to develop the area with 97 single-family dwellings which will meet the land use density requirements of 5-12.9 dwelling units per acre. The lot sizes will range from 5,095 square feet to 14,138 square feet which meets the minimum lot size requirements for the Medium Density Single-Family Residential (R-2-5) District. As discussed in further detail in §154-07.02, the following are some of the main development standards required of development within the Medium Density Single-Family Residential (R-2-5) District:

1. The maximum density in the Medium Density Single-Family Residential (R-2-5) District shall be one unit per 5,000 square feet of land (meeting the density as identified in the General Plan);
2. The maximum lot coverage in the Medium Density Single-Family Residential (R-2-5) District shall be 45% of the lot area;
3. A minimum front yard setback of fifteen feet, with a range of staggered front yard setbacks between 15 and 20 feet, with a maximum of 50% of the lots at 15 feet;
4. The minimum side yard setbacks shall be five feet on once side; and nine feet on the other side;
5. A minimum rear yard setback of ten feet, except for a detached garage;
6. A minimum street side yard setback of ten feet;
7. The side and rear yards shall have six foot solid block walls on the property lines; and each lot in the Medium Density Single-Family Residential (R-2-5) District shall have a minimum of one 15-gallon street tree and accompanying underground irrigation system.

With this development Staff will be requiring that a Municipal Improvement District (MID) be established for the maintenance of required subdivision landscaping. The MID will need to be established prior to the issuance of any residential building permits.

1. Does the subdivision comply with the zoning code and the zoning district development standards?

Standard	Subdivision					Conforms					
Lot Size	Minimum:	5,095			Maximum:	14,138		Yes	X	No	
Lot Depth	Minimum:	95'			Maximum:	164.58		Yes	X	No	
Lot Width/Frontage	Minimum:	50'			Maximum:	67'		Yes	X	No	
Setbacks	Front:	20'	Rear:	10'	Side:	5' one side & 9' on the other side			Yes	X	No
District Size	20.95	Acres					Yes	X	No		
Density	5-12.9	Dwelling units per acre					Yes	X	No		
Issues: None											

Yes The Final Plat meets dimensional standards and development standards for the Medium Density Single-Family Residential (R-2-5) District.

2. Does the subdivision comply with the subdivision code requirements?

Yes The Final Plat will comply with the criteria set forth in the City of Yuma Subdivision Code.

Requirements	Conforms					
General Principles	Yes	X	No		N/A	
Streets	Conforms					
Circulation	Yes	X	No		N/A	
Arterial Streets	Yes	X	No		N/A	
Existing Streets	Yes		No		N/A	X
Cul-de-sacs	Yes		No		N/A	X
Half Streets	Yes		No		N/A	X
Stub Streets	Yes	X	No		N/A	
Intersections	Yes	X	No		N/A	
Easements	Yes	X	No		N/A	
Dimensional Standards	Yes	X	No		N/A	
Issues: None						
Blocks	Conforms					
Length	Yes	X	No		N/A	
Irregular Shape	Yes		No		N/A	X
Orientation to Arterials	Yes		No		N/A	X
Business or Industrial	Yes		No		N/A	X
Issues: None						
Lots	Conforms					
Minimum Width	Yes	X	No		N/A	
Length and Width Ratio	Yes	X	No		N/A	
Fronting on Arterials	Yes		No		N/A	X
Double Frontage	Yes		No		N/A	X
Side Lot Lines	Yes	X	No		N/A	
Corner Lots	Yes	X	No		N/A	
Building Sites	Yes	X	No		N/A	
Street Frontage	Yes	X	No		N/A	
Issues: None						

3. Does the subdivision comply with the elements, plans and policies of the General Plan?

Yes. The subdivision complies with all of the elements, plans, and policies of the General Plan.

Land Use Element:	
Land Use Designation:	Mixed Use
Issues:	None

Historic District:	Brinley Avenue		Century Heights		Main Street		None	X
Historic Buildings on Site:	Yes		No	X				

Transportation Element:

FACILITY PLANS							
TRANSPORTATION MASTER PLAN	Planned	Existing	Gateway	Scenic	Hazard	Truck	
E. 44 th Street – Local Street	29 FT H/W ROW	0 FT H/W ROW					
S. Avenue 7 ½ E – Local Street	29 FT H/W ROW	0 FT H/W ROW					
Bicycle Facilities Master Plan	E. 48 th Street and S. Avenue 8E: Proposed Bike Lanes						
YCAT Transit System	N/A						
Issues:	None						

Parks, Recreation and Open Space Element:

Parks and Recreation Facility Plan		
Neighborhood Park:	Existing: Saguaro Park	Future: Saguaro Park
Community Park:	Existing: None	Future: None
Linear Park:	Existing: None	Future: A Canal Linear Park
Issues:	Minimal access to nearby facilities.	

Housing Element:

Special Need Household:	N/A
Issues:	None

Redevelopment Element:

Planned Redevelopment Area:	None
Adopted Redevelopment Plan:	North End: <input type="checkbox"/> Carver Park: <input type="checkbox"/> None: <input checked="" type="checkbox"/>
Conforms:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

Conservation, Energy & Environmental Element:

Impact on Air or Water Resources	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Renewable Energy Source	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Issues:	

Public Services Element:

<u>Population Impacts</u> Population projection per 2013-2017 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Consumption: 300 gallons per day per person; Wastewater generation: 100 gallons per day per person	Dwellings & Type		Projected Population	Police Impact	Water Consumption		Wastewater Generation
	<i>Single Family</i>				Officers	GPD	
	Proposed	Per Unit					
	97	2.8	272	0.51	81,480	91.3	27,160

Fire Facilities Plan:	Existing: Fire Station No. 5	Future: Fire Station No. 7
Water Facility Plan:	Source: City <input checked="" type="checkbox"/> Private <input type="checkbox"/>	Connection: <input type="checkbox"/>
Sewer Facility Plan:	Treatment: City <input checked="" type="checkbox"/> Septic <input type="checkbox"/>	Private <input type="checkbox"/>
Issues:	Water and sewer lines will need to be extended to provide services for the future development.	

Safety Element:

Flood Plain Designation:	Flood Zone X <input checked="" type="checkbox"/>	Liquefaction Hazard Area: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Issues:	None	

Growth Area Element:

Growth Area:	Araby Rd & Interstate 8 <input type="checkbox"/>	Arizona Ave & 16 th St <input type="checkbox"/>	Avenue B & 32 nd St. <input type="checkbox"/>
	North End <input type="checkbox"/>	Pacific Ave & 8 th St <input type="checkbox"/>	Estancia <input type="checkbox"/> None <input checked="" type="checkbox"/>
Issues:	None		

4. Does the subdivision comply with the conditions of the rezoning?

Yes The subdivision will comply with all of the conditions of the rezoning.

5. Does the subdivision comply with the conditions of the preliminary plat?

Yes. The subdivision complies with all of the conditions of the preliminary plat.

6. Is the final plat consistent with the preliminary plat that was approved?

Yes. The final plat is consistent with the approved preliminary plat.

Public Comments Received:

None Received.

External Agency Comments:

See Attachment G.

Neighborhood Meeting Comments:

No Meeting Required.

Proposed conditions delivered to applicant on:

July 2, 2020

Final staff report delivered to applicant on:

July 10, 2020

- Applicant agreed with all of the conditions of approval on: July 2, 2020
- Applicant did not agree with the following conditions of approval: (list #'s)
- If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

A	B	C	D	E	F	G	H
Final Plat Conditions of Approval	Final Plat Map	Preliminary Plat Map	Rezone Conditions	Preliminary Plat Conditions	Agency Notifications	Agency Comments	Aerial Photo

Prepared By:
Richard Munguia
Senior Planner

Date: 7/15/20

Richard.Munguia@YumaAZ.gov (928)373-5000, x3070

Approved By:
Alyssa Linville,
Assistant Director Community Development

Date: 07/10/2020

**ATTACHMENT A
FINAL PLAT
CONDITIONS OF APPROVAL**

The following conditions of approval have been determined to have a reasonable nexus to the requested subdivision application and are roughly proportionate to the impacts associated with the subdivision and expected development on the property.

Community Development Comments: Alyssa Linville, Assistant Director, Community Development, (928) 373-5000, x 3037:

1. The conditions are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Range Disclosure Statement and Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

City Attorney Comments: (928) 373-5058:

4. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
5. Any easements on other property in the subdivision must be vacated to the extent that they would require a utility, licensed cable operator, or other licensed or franchised communications system (collectively, the "utilities") to:
 - a. pay to cross the easement to reach any structure on the lot;
 - b. prevent the utilities from providing service to any structure on a lot; or
 - c. effectively prevent any entity authorized to place facilities in a utility easement from using the easements or accessing potential customers passed by the easement.
6. Approval of the plat does not authorize the maintenance or installation of any facility in the rights of way, whether or not contemplated by the plat, without a license, franchise, or similar authorization issued by the City.

Engineering Comments: Andrew McGarvie, Engineering Manager (928)373-5000, x 3044:

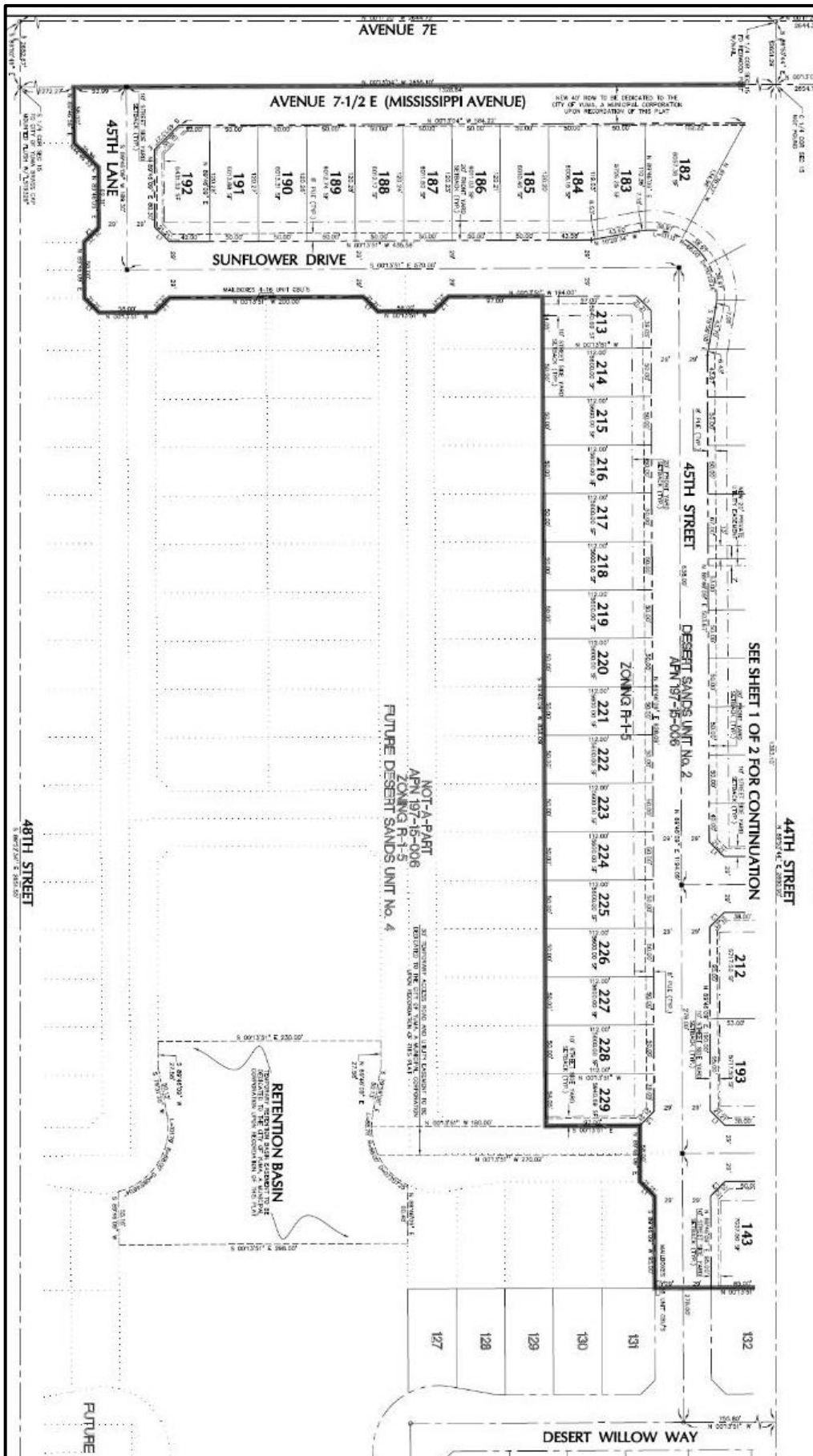
7. All exterior subdivision fencing shall be constructed of masonry. Access gates, whether vehicular or pedestrian, shall not be permitted along the exterior masonry fencing for the subdivision phase, including fencing along 44th Street and Avenue 7 ½ E. Such fencing can be removed during the construction of pools, in order to access utility or drainage easements, or during other residential construction; however, such masonry fencing and adjacent landscaping will need to be replaced accordingly.

Community Planning Conditions: Richard Munguia, Senior Planner, (928) 373-5000, x3070:

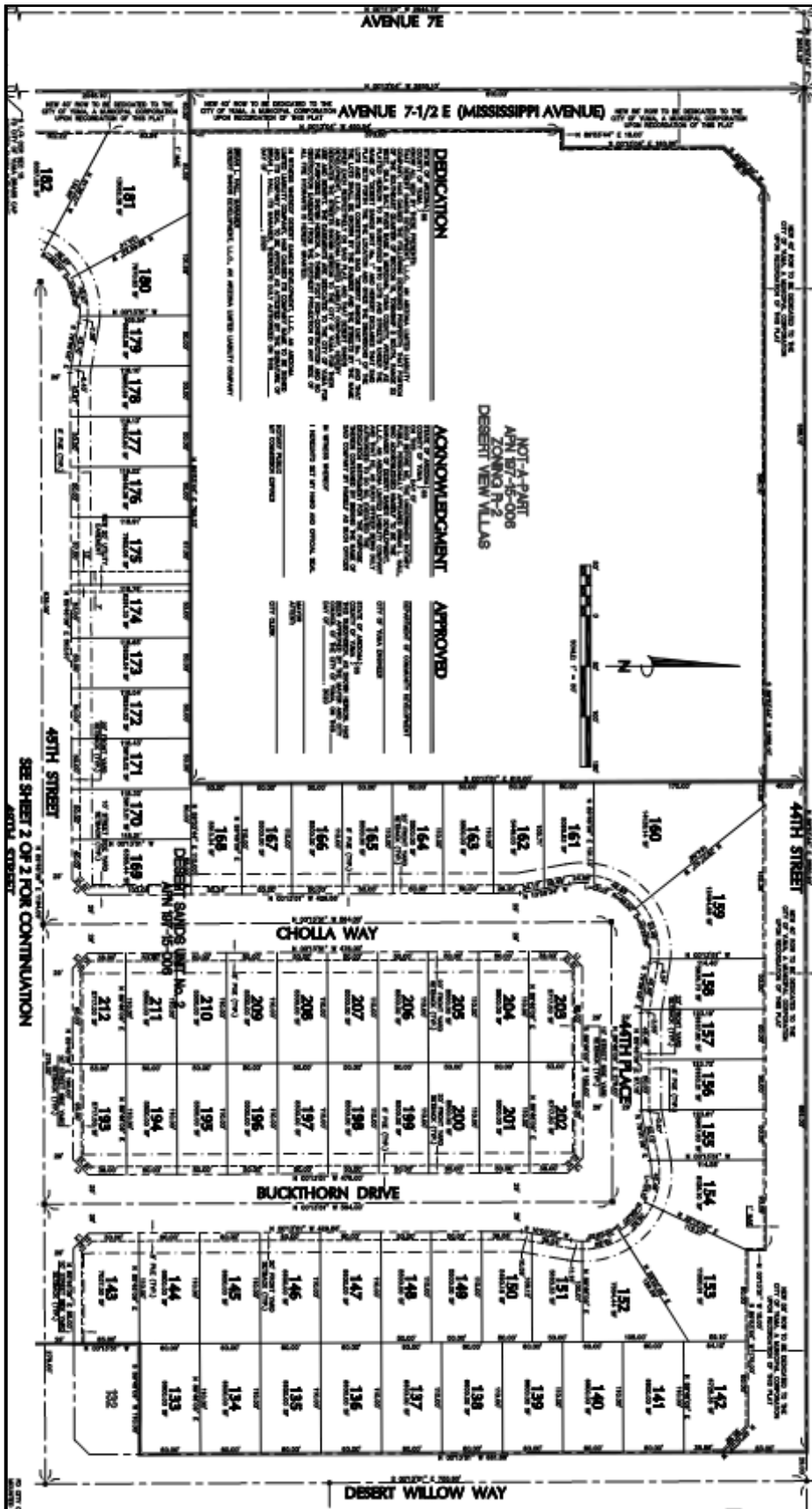
8. A time frame of build-out for the subdivision shall be submitted to the Yuma School District to enable the districts to adequately plan for future school facilities.

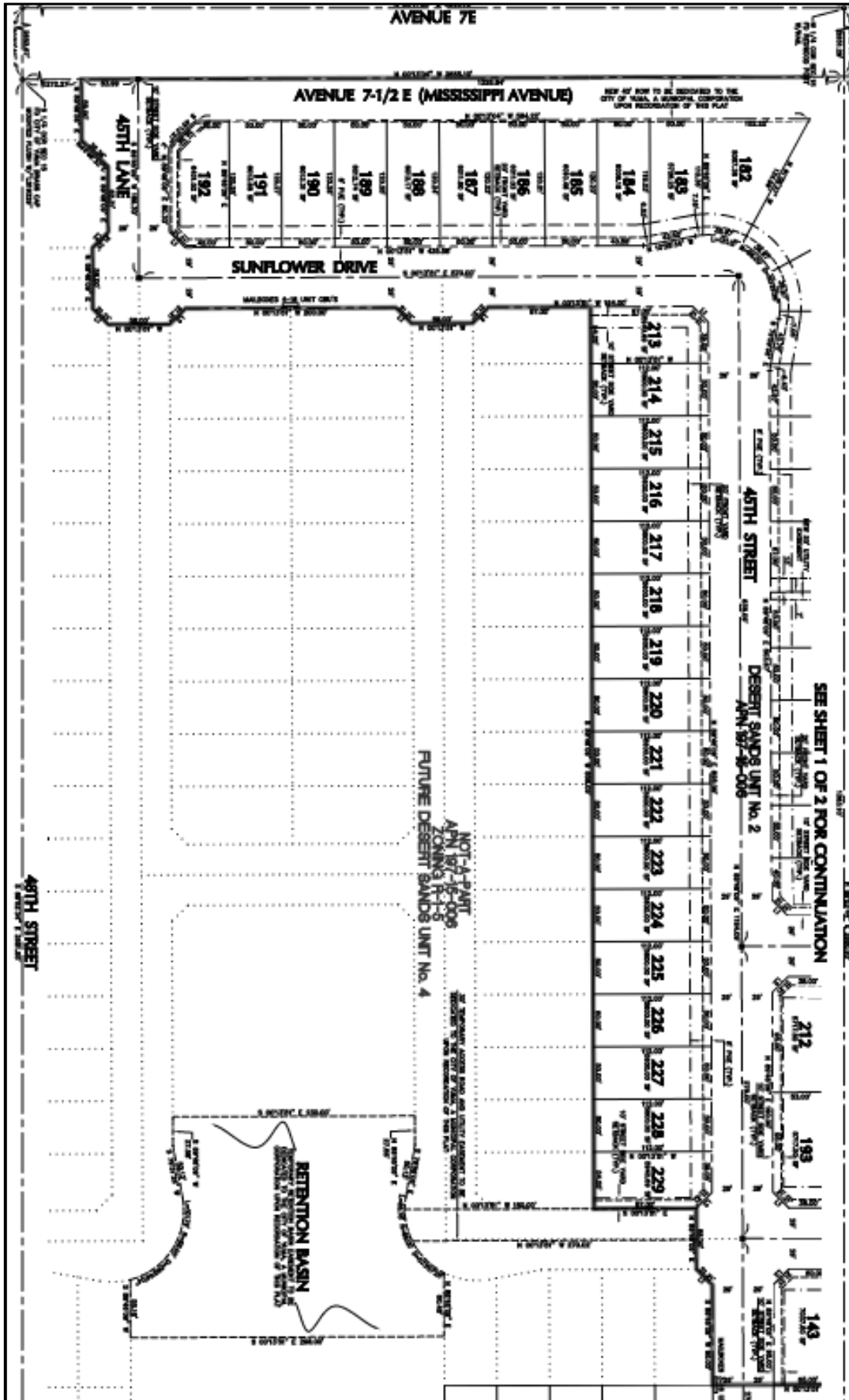
9. An 8 ½" X 11" paper copy of this subdivision plat, showing the location of the group mailboxes and signed as APPROVED by the local Yuma Postmaster, shall be submitted to the City within sixty (60) calendar days of the effective date of approval of the subdivision final plat and prior to the issuance of any building permit. In the event this condition is not completed within this time frame, the approval of the plat is null and void.
10. The Owner/Developer shall be required to establish a Municipal Improvement District (MID) prior to the recording of a final plat.
11. After the final plat has been approved by City Council, the applicant/developer shall have two years to record the approved plat, or the final plat approval shall be null and void.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.



ATTACHMENT C PRELIMINARY PLAT MAP





**ATTACHMENT D
REZONE CONDITIONS**

**ATTACHMENT A
CONDITIONS OF APPROVAL**

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Department of Community Development Comments: Laurie Lineberry, Community Development Director (928) 373-5175:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized "Waiver of Claims under the Private Property Rights Protection Act." The Waiver shall be submitted prior to the issuance of any building permit, Certificate of Occupancy, or City of Yuma Business License for this property.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement and Range Disclosure Statement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

Engineering Conditions: Agustin Cruz, Senior Civil Engineer, (928) 373-5182:

4. Owner/developer shall dedicate to the City of Yuma, via plat, the required right-of-way to obtain a nominal 40 feet half-width right-of-way along Avenue 7 ½ E, Avenue 8E, and 44th St, as required for collector streets as called out in the City of Yuma Transportation Master Plan and in the City of Yuma Construction Standards.
5. Owner/developer shall dedicate to the City of Yuma, via plat, the required right-of-way to obtain a nominal 50 feet half-width right-of-way along 48th Street, as required for a minor arterial street as called out in the City of Yuma Transportation Master Plan and in the City of Yuma Construction Standards.
6. Owner/developer shall dedicate to the City of Yuma, via plat, all required corner visibility triangles in all major and local street intersections as specified in City of Yuma Construction Standard 3-005 (dimensions of corner triangle vary depending on type of intersection).
7. Owner/developer shall dedicate to the City of Yuma, via plat, a one-foot non-access easement to the City of Yuma along all collector and minor arterial street frontages and along all corner triangles as specified in City of Yuma Construction Standard 3-005.
8. Owner/developer shall dedicate to the City of Yuma, via plat, additional right-of-way for turn lanes as required for collector streets and minor arterial streets as specified in City of Yuma Construction Standard 2-050.
9. Owner/developer shall design and construct bicycle lanes on the collector and arterial streets within the development, similar to City of Yuma Construction Standard 2-020, with signage consistent with the latest edition of the Manual of Uniform Traffic Control Devices (MUTCD).
10. Per ADOT Southwest District, owner/develop shall perform a Traffic Impact Analysis (TIA) assessing the potential impacts on the intersection of State Route 195 and County 14th Street from the proposed new development. In addition, direct access to SR 195 from the development will not be permitted.

Community Planning, Richard Munguia, Senior Planner, (928) 373-5000 x3070

11. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

**ATTACHMENT E
PRELIMINARY PLAT CONDITIONS**

**ATTACHMENT A
PRELIMINARY PLAT
CONDITIONS OF APPROVAL**

The following conditions of approval have been determined to have a reasonable nexus to the requested subdivision application and are roughly proportionate to the impacts associated with the subdivision and expected development on the property.

Community Development Comments: Alyssa Linville, Assistant Director, Community Development, (928) 373-5000, x 3037:

1. The conditions are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Range Disclosure Statement and Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

City Attorney Comments: (928) 373-5058:

4. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
5. Any easements on other property in the subdivision must be vacated to the extent that they would require a utility, licensed cable operator, or other licensed or franchised communications system (collectively, the "utilities") to:
 - a. pay to cross the easement to reach any structure on the lot;
 - b. prevent the utilities from providing service to any structure on a lot; or
 - c. effectively prevent any entity authorized to place facilities in a utility easement from using the easements or accessing potential customers passed by the easement.
6. Approval of the plat does not authorize the maintenance or installation of any facility in the rights of way, whether or not contemplated by the plat, without a license, franchise, or similar authorization issued by the City.

Engineering Comments: Andrew McGarvie, Engineering Manager (928)373-5000, x 3044:

7. All exterior subdivision fencing shall be constructed of masonry. Access gates, whether vehicular or pedestrian, shall not be permitted along the exterior masonry fencing for the subdivision phase, including fencing along 44th Street and Avenue 7½ E. Such fencing can be removed during the construction of pools, in order to access utility or drainage easements, or during other residential construction; however, such masonry fencing and adjacent landscaping will need to be replaced accordingly.

Fire Department Comments: Kayla Franklin, Fire Marshal (928)373-4865:

8. Desert Willow Way must be paved.

Community Planning Conditions: Richard Munguia, Senior Planner, (928) 373-5000, x3070

9. The Owner shall submit a final plat within one (1) year of Preliminary Plat approval. Should a Final Plat not be submitted within one (1) year of the effective date of approval of the Preliminary Plat, the approval of this Preliminary Plat shall be null and void, unless the conditions are contained in an executed Pre-development Agreement.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

**ATTACHMENT F
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 06/29/20
- **300' Vicinity Mailing:** 06/08/20
- **34 Commenting/Reviewing Agencies noticed:** 06/11/20
- **Site Posted on:** 07/20/20
- **Neighborhood Meeting:** N/A
- **Hearing Date:** 07/27/20
- **Comments due:** 06/22/20

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	06/11/2020			
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	Yes	06/15/2020	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	Yes	06/11/2020		X	
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	Yes	06/11/2020	X		
Yuma Irrigation District	NR				
Arizona Fish and Game	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	Yes	06/16/2020	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	Yes	06/16/2020	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	06/18/2020		X	X
Utilities	NR				
Public Works	NR				
Streets	NR				


**ATTACHMENT G
AGENCY COMMENTS**

Condition(s)

No Condition(s)

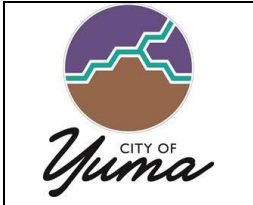
Comment

Enter conditions here: MCAS Yuma has reviewed the request for approval of the final plat for the Desert Sands Subdivision Unit 2. The parcel is located near a flight path and approximately one (1) mile away from the Barry M. Goldwater Range (BMGR) boundary. Please file an Avigation Easement and Range Disclosure to recognize noise, interference and vibrations due to MCAS Yuma aviation activities, as well as the proximity to the range. Thank you for the opportunity to review and comment.

DATE:	18 June 2020	NAME:	Antonio Martinez	TITLE:	Community Liaison Specialist
CITY DEPT:	MCAS Yuma				
PHONE:	928-269-2103				
RETURN TO:	Richard Munguia				
	Richard.Munguia@YumaAZ.gov				

ATTACHMENT H
AERIAL PHOTO





**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – TEXT AMENDMENT
CASE PLANNER: ALYSSA LINVILLE**

Hearing Date July 27, 2020

Case Number: ZONE-30691-2020

Project Description: This is a request by The City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Article 14 Overlay Zoning Districts to establish the Planned Area Development Overlay District (PAD).

Staff recommendation: Staff recommends **APPROVAL** of to amend Title 15, Chapter 154, Article 14 Overlay Zoning Districts to establish the Planned Area Development Overlay District (PAD).

Suggested Motion: Move to **APPROVE** the text amendment ZONE-30691-2020 as presented in the staff report.

Effect of the Approval: By approving the text amendment, the Planning and Zoning Commission is recommending approval to City Council for the request to amend Title 15, Chapter 154, Article 14 Overlay Zoning Districts to establish the Planned Area Development Overlay District (PAD).

Staff Analysis: The proposed Planned Area Development (PAD) overlay zoning district is intended to accommodate, encourage and promote developments with innovative design involving residential and nonresidential land uses, which together form an attractive, harmonious unit in the community. As mentioned, the PAD will become an overlay district which can be applied to both residential and nonresidential zoning designations.

This zoning designation recognizes that adherence to a rigid set of space, bulk and use specifications contained elsewhere in this zoning code would preclude the application of the PAD concept. Therefore, where PAD zoning is deemed appropriate, traditional rigid zoning regulations are replaced by performance considerations to fulfill the objectives of the City of Yuma's General Plan. The PAD zoning designation may be tailored to meet the specific development representations of an applicant, relative to averaging residential densities, design standards, and other details. Hence, one PAD designation may vary considerably from another designation.

For a residential PAD, a variety of housing types will be encouraged in order to provide for the diverse needs of the community. Parcel densities within the PAD may be flexible as long as the maximum number of dwellings does not exceed the maximum number approved by the General Plan. A PAD will be subject to a development plan which outlines the details associated with the overall development project. The development plan will include details such as architectural themes, landscape treatments, densities, and other applicable development standards.

In drafting this ordinance, Staff has worked closely with other jurisdictions who currently utilize the PAD development process.

1. Does the proposed amendment implement the goals, objectives and policies of the General Plan?

Yes. The General Plan identifies the need to implement strategies that encourage a mix of land uses, a variety of housing options, while connecting housing a jobs through transportation options.

2. Does the proposed amendment fit the overall purpose and intent of the zoning ordinance?

Yes. The proposed amendment fits the overall purpose and intent of the zoning ordinance.

3. Will the proposed amendment change the range of uses identified in the zoning code? If so, how?

No. While the amendment will allow flexibility in site design, the permitted uses will still be determined by the already established zoning districts.

4. Will the proposed text amendment change the development standards of the zoning or subdivision ordinances? If so, how?

Yes. The proposed zoning ordinance will allow flexibility of development standards where superior design quality is provided, resulting in a more innovative a creative project.

5. What are the potential impacts of the proposed amendment?

No negative impacts have been identified with the proposed text amendment.

Potential positive impacts include:

- Encourage mixed-use development which may result in reductions in traffic and pollution by allowing residents to use their cars less
- Creating pedestrian-friendly environments featuring short distances between living, working, commercial and recreational destinations
- Encourage more creative development opportunities

6. Does the proposed amendment fit the overall purpose and intent of the subdivision ordinance?

N/A

7. Does the proposed amendment conform to prior City Council actions regarding this issue?

N/A

Public Comments Received: None Received.

External Agency Comments: See Attachment C.

Neighborhood Meeting Comments: No Meeting Required.

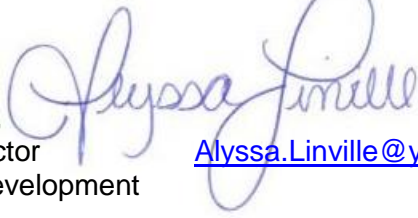
Proposed conditions delivered to applicant on: N/A

Final staff report delivered to applicant on: N/A

Attachments:

A	B	C
Draft Text	Agency Notification	Agency Comments

Prepared By:
Alyssa Linville,
Assistant Director
Community Development



Date: July 20, 2020
(928)373-5000, ext. 3037

Alyssa.Linville@yumaaz.gov

ATTACHMENT A
DRAFT TEXT

§ 154-14.10 Planned Area Development Overlay District (PAD).

(A) Purpose and intent.

- (1) To permit and encourage the unified planning of large areas in order to achieve the mixture, variety and cohesiveness of land uses and amenities that such large scale planning makes possible.
- (2) To encourage a more creative approach to land utilization by creating efficient, aesthetic, and desirable developments, which may be characterized by incorporating special features of the geography, topography, size, uses, or shape of a particular property into its site planning.
- (3) To permit flexibility in design standards so that a Planned Area Development produces a choice in the type of environment, living units, commercial installations, and other facilities available to the public while maximizing efficient, aesthetic, and desirable use of open space.
- (4) To promote a unique yet compatible development that is in harmony with the surrounding land uses and the goals of the City of Yuma General Plan.
- (5) To provide a device for averaging residential density over an entire parcel and placing no restrictions on lot size or dwelling types, as long as the total density does not exceed the maximum approved in the Specific Plan and/or General Plan designation.
- (6) To provide standards to ensure that Planned Area Development projects are developed with high quality, integrated site design, complimentary building architecture, efficient and safe traffic circulation, appropriate landscaping, preservation of significant natural features, and attractive site amenities.

(B) Applicability.

- (1) The Planned Area Development District is an overlay zoning district which may be combined with any of the other zoning districts set forth in the City of Yuma Zoning Code, including Residential Districts, Commercial Districts, and Industrial Districts.
- (2) The minimum site area for a Planned Area Development Overlay District which is subject to a Specific Plan shall be 60 acres; while a minimum site area of 160 gross acres shall be required for those not subject to a Specific Plan.
- (3) Prior to development on any site within the Planned Area Development, approval of Development Plans are required. Development Plans provide the details of development for individual development parcels within the Planned Area Development.

(C) General requirements.

- (1) In general, a variety of housing types shall be encouraged for residential Planned Area Developments to provide for the diverse needs of the community. Parcel densities within the Planned Area Development may be flexible as long as the maximum number of dwelling units does not exceed the maximum number approved in the Specific Plan and/or General Plan designation.

- (2) Development which includes a mix of residential and commercial and/or other non-residential uses shall include specific standards in the Development Plan to address the manner in which compatibility of uses is achieved.
- (3) Land uses on the perimeter of the Planned Area Development shall be designed and developed to be compatible with and complimentary to the existing and planned development reflected in the General Plan, which is in the immediate vicinity of the proposed Planned Area Development.
- (4) Planned Area Developments located on the perimeter of the city boundary or abutting designated open space shall provide an appropriate approach for transition and/or buffering between land uses so as to ensure appropriate compatibility of uses. Such transitions may be addressed by reducing the density of residential development, providing additional development setbacks and/or additional open space and landscape buffering between the Planned Area Development and abutting land uses.
- (5) Planned Area Development located adjacent to designated open space shall be evaluated to identify opportunities for providing non-motorized trail access from within the development to abutting open space or public lands.
- (6) Development which features common space, residential subdivision landscaping, retention basins, architectural features, and other amenities, shall establish an applicable association and/or improvement district.

(D) Use regulations.

- (1) *Permitted principal and accessory uses.* Uses permitted within the Planned Area Development District shall be limited to those uses identified in the Specific Plan and/or the underlying zoning district.
- (2) *Conditional uses.* The conditional uses of the Specific Plan area and/or underlying zoning districts may be established or operated as a conditional use, upon application and approval by the Planning and Zoning Commission.

(E) Development Plan.

- (1) Submittal and approval of a Development Plan is required prior to development of any parcel within a Planned Area Development.
- (2) The Development Plan shall be generally consistent with the development parameters set forth in the Specific Plan. Refinements in site configuration and development parcel size are allowable, as long as any limitations applied to the overall Planned Area Development are met.
- (3) The Development Plan shall be submitted, hard copy or digitally, with the following information included:
 - (a) Title page indicating the project name, location, applicant(s) and developer(s) contact information and date of submittal.
 - (b) Table of Contents

- (c) Project Narrative summarizing the proposed development and identifying the objectives and rationale for the proposal shall include at a minimum the following information:
1. Proposed name of development;
 2. Description of location of the proposed project, including parcel numbers, addresses, if available, and closest street;
 3. Summary of the proposed development use(s) and the development standards for the use(s), including:
 - i. Proposed number of dwelling units and dwelling types within a residential project area;
 - ii. Proposed uses other than residential shall identify project area, square footages;
 - iii. Proposed public streetscape and open space improvement and their relationship to the overall development;
 - iv. Summary of proposed property development standards, including building heights, minimum lot areas, setbacks, and all other development standards;
 - v. A conceptual description of architectural theme, colors, and exterior building materials proposed within the development area;
 - vi. A conceptual description of the landscaping treatment, plant materials, fences, walls, and other open space improvements;
 - vii. Proposed location of arterial, collector, or local streets, whether public or private, within a preliminary master circulation plan;
 - viii. Proposed location and use of all lands proposed to be dedicated for public purposes including parks, stormwater retention areas, and school sites; and
 - ix. Preliminary master water, sewer, and drainage reports.
- (d) Graphic exhibits of the proposed site plan, landscape plan, building plans and elevations, and other exhibits necessary to describe the proposed development, including the following:
1. A conceptual development site plan for the proposed development showing existing and proposed parcel boundaries, building locations, pedestrian and vehicular circulation systems, parking areas, landscape areas, right-of-way and open space areas;
 2. A vicinity map identifying the project location in relation to the surrounding development and circulations systems. Indicate zoning on surrounding parcels;
 3. Photographic exhibits of the subject property displaying any existing development or natural features; and
 4. Other exhibits as necessary to describe the proposed project.

- (e) Flexibility with development standards may be considered where superior design quality is provided resulting in a more innovative, creative project. Provide a detailed summary of proposed development standards for the project, including the following:
1. Minimum lot sizes, building setbacks, maximum height, maximum lot coverage and similar standards, as applicable;
 2. Describe standards for parking, lighting, signage, and landscaping; and
 3. Unique development standards, such as buffering and screening between uses, project entry features, or other requirements related to the physical development of the project.
- (f) The design guidelines section of the development plan shall describe both the overall development theme and specific design details for buildings and structures, site walls, signage, lighting, landscape features, paving, and similar project elements. It is the intent of the Planned Area Development standards that each project will be developed with an integrated design theme that defines the character of the development. The applicant shall develop and provide design guidelines for the project to include the following:
1. General Guidelines:
 - i. Describe the architectural theme for the development and provide graphic examples where necessary to illustrate how the design theme applies to the various elements of the development;
 - ii. Provide design details for buildings, site features, site walls, signage, lighting, landscaping, pavement and other project elements;
 - iii. For large-scale residential development, provide a variety of housing types (single-family, two-family, and multi-family), housing densities (lot width, depth and size), and home design (different floor plans, elevations and orientation);
 - iv. Garage doors and carport opening need to be located at the same distance or farther back from the street frontage that the primary dwelling so as to avoid a neighborhood streetscape dominated by garage doors or parking structures; and
 - v. Provide graphic exhibits, as necessary, to describe specific details related to design guidelines, including building design, paving, landscaping, site walls, sign structures, lighting or similar features.
 2. Site Features:
 - i. Provide details for project entry features, including decorative walls, landscaping, project identification signage and other design elements;
 - ii. Provide details for perimeter site walls. Walls should be appropriately detailed to enhance the quality and character of the project. Incorporate treatments such as stucco finish, brick, decorative cap block, combination block/wrought iron, and integration with adjacent landscaping. Wrought iron, view type fences should be utilized when adjacent to retention basins, open space, and recreational amenities. Chain link fences and

standard block walls shall be avoided where visible from streets or surrounding properties; and

- iii. Design outdoor lighting to address safety and utility, as well as to enhance the character of the buildings, landscaping and site features.

3. Building Design:

- i. Provide a summary of the proposed materials and colors for the development. Describe exterior materials and colors of building components, including walls, windows, doors, and roofs. Reproductions of color samples may be included in the development plan for reference with a separate set of manufacturer's material and color samples provided for public hearing review; and
- ii. Although it is the intent of this ordinance to encourage a coordinated design theme for the Planned Area Development, variety in the design of the individual buildings and residences is strongly encourage, including variety in building massing elements, roofing materials and exterior details.

4. Streetscape Design:

- i. Provide graphic details and descriptions of streetscape design for various types of streets, including local residential streets, commercial or mixed use streets, parkways and collector streets. Indicate pavement details, landscaping, site walls and unique signage to be incorporated in the typical streetscape design; and
- ii. Provide details of street landscaping, including proposed tree varieties. The landscaping shall be designed to enhance the aesthetic quality of the development and to integrate with the surrounding natural environment.

5. Neighborhood Design:

- i. Indicate how the plan provides a coherent system of neighborhood elements, including interconnected residential blocks, orientation of homes to the street, open space and parks, and safe, convenient and interconnected pedestrian connections; and
- ii. Provide adequate buffering and/or screening from less compatible neighborhood elements, such as arterial and collector streets, and adjacent non-residential uses.

(g) Open space standards.

1. Open space shall be designed as an integral part of the development. The designation of open space includes both undisturbed natural areas and development landscaped components. Open space should be designed to provide interconnection and continuity between undeveloped areas to the greatest extent possible so as to address the health of the environment, habitat protection and natural process.
2. Open space shall not be less than 30 percent of the gross acreage, of parcels within the Planned Area Development proposed for residential and mixed-use development, excluding public and private road rights-of-way; and not less than 10 percent of the acreage of the

parcels within the Planned Area Development proposed for commercial or industrial development, excluding public or private road rights-of-way, unless off-setting community benefits are demonstrated and approved in the development plan.

3. Open space shall be conceptually depicted in the development plan as:
 - i. Dedicated municipal use, public parks, and school sites;
 - ii. Bike paths, equestrian, and/or hiking trails;
 - iii. Public or private park and recreations areas;
 - iv. Flood way and floodplain areas designated as undeveloped areas;
 - v. Retention basins required to comply with one-hundred (100) year storm shall be counted as open space when improved or landscaped to be a cohesive and integral element of the overall landscape plan;
 - vi. Landscape yards that are adjacent to streets or common areas and that are designed as commonly-maintained and interconnected areas;
 - vii. Development site enhancements, including landscaped and hardscaped areas, plazas, and courtyards; and
 - viii. Existing natural areas, including washes, drainage courses, riparian areas, hillsides, ridgelines, and other natural open space areas.
 4. Required open space area shall not include any of the following:
 - i. Dedicated streets, alleys and other public rights-of-way, except that all landscaping within the rights-of-way shall be included;
 - ii. Vehicular driveways, parking, loading, and storage areas;
 - iii. Reservation of municipal use, public park, or school sites which the governmental entity shall be required to purchase; only if such sites are dedicated shall they constitute open space as defined above; and
 - iv. Yards within residential areas of a Planned Area Development that are not otherwise included as part of a commonly maintain, integrated landscape.
- (h) Proposed landscape standards shall be in compliance with Article 20, Landscape Regulations, of this ordinance. Any deviations proposed for the development plan must clearly indicate an improvement to the adopted standards. In addition, the following is required:
1. Provide a master plant list for the development indicating trees, shrubs, groundcover, and other plants. Indicate proposed varieties for street trees and parking lot trees;
 2. Describe techniques to ensure low water use landscaping will be provided, including xeriscape landscape treatment, greywater use and rainwater harvesting methods; and

3. Provide graphic details for typical landscape installations, including development entry features, parks or common areas, building landscaping, parking lots, pedestrian walkways, typical streetscape and similar applications.
- (i) Describe proposed phasing of the development, if any, and indicate the phase lines on the site plan.
1. Interconnected public streets, sidewalks, drainage features and infrastructure may be required to be installed within the initial phase of development so as to adequately address public safety access, coherent development and functionality of facilities. The proposed phasing plan needs to indicate how adequate, safe, convenient and efficient circulation and infrastructure needs will be addressed with the phasing plan;
 2. A Planned Area Development may be constructed in phases and the narrative shall specify the phases of development, locations and timing of on-site and off-site improvements for each phase, as well as, an estimated range of time for beginning and completion of each phase;
 3. Requests for minor modifications to the phasing plan shall be subject to approval by the Zoning Administrator with a right of appeal to City Council;
 4. Disturbed areas approved for future phased development shall include dust free surfacing and/or temporary landscaping. Additional site treatments may be required for future development areas located next to public streets or adjacent to existing development.
- (j) Identify the ownership and maintenance responsibilities for common areas and landscaping within rights-of-way and identify the homeowners association, municipal improvement district, or other mechanism to assure long-term maintenance of common areas and rights-of-way.
1. In the event that certain land areas or structures are provided within the Planned Area Development for private recreational use or as service facilities, the owners of such land and buildings shall establish an arrangement to assure a continued standard of maintenance consistent with the conditions of the Planned Area Development approval.
 2. All utility lines shall be installed underground.

(F) Application and Procedures.

- (1) The zoning request for the Planned Area Development Overlay can be submitted separately or in conjunction with the Development Plan. If submitted separately, a Development Plan will need to be submitted, reviewed and approved prior to the development of a parcel within the Planned Area Development.
- (2) A request for the Planned Area Development Overlay will follow typical zoning procedures as outlined within the City Zoning Code.
- (3) If submitted separately from the Planned Area Development request, the Development Plan will be processed as an independent zoning request, receiving approval from both the Planning and Zoning Commission as well as City Council.

- (a) The Planning and Zoning Commission and the City Council shall have the authority to hear and decide applications for Development Plans associated with a Planned Area Development. However, the City Council shall have the final authority to decide applications for Development Plans; the decision of the Planning and Zoning Commission shall be advisory to the City Council.
- (b) In considering applications for a Development Plan, the Planning and Zoning Commission and City Council may consider the following:
1. Conformance to the General Plan Land Use Map designation for the subject property, as well as the intent of the General Plan as expressed through the goals, objectives and policies of each plan element;
 2. The impact of the development on the existing and anticipated traffic and parking conditions;
 3. Adequacy of proposed design criteria and development standards;
 4. Pedestrian and vehicular ingress and egress, including handicapped accessibility;
 5. Conceptual landscaping proposal;
 6. Adequacy of utility infrastructure, including water supply and sewer capacity;
 7. Site drainage and grading;
 8. Open space and/or public land designations; and
 9. Non-motorized and multi-modal circulation.

**ATTACHMENT B
NEIGHBORHOOD MEETING COMMENTS**

- Legal Ad Published: The Sun (07/03/2020)
- 34 Commenting/Reviewing Agencies noticed: (06/11/2020)
- Neighborhood Meeting: (N/A)
- Hearing Date: (07/27/2020)
- Comments due: (06/22/2020)

External List (Comments)	Response Received	Date Received	“No Comment”	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	06/19/2020		X	X
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users’ Assoc.	NR				
Yuma County Planning & Zoning	NR				
Yuma County Assessor					
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	Yes	06/17/2020		X	X
Yuma Irrigation District	NR				
Arizona Fish and Game	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	Yes	06/26/2020		X	X
City of Yuma Internal List (Conditions)	Response Received	Date Received	“No Conditions”	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineering	NR				
Fire	NR				
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	06/18/2020			X
Utilities	NR				
Public Works	NR				
Streets	NR				

Neighborhood Meeting	Comments Available
(Date Held or None Required)	See Staff Report Attachment (or N/A)

PUBLIC COMMENTS RECEIVED:

