



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

April 15, 2020

DEPARTMENT:

Community Development

DIVISION:

Community Planning

- ☐ Motion
- ☐ Resolution
- ☐ Ordinance - Introduction
- ☒ Ordinance - Adoption
- ☐ Public Hearing

TITLE:

Text Amendment: Swap Meets

SUMMARY RECOMMENDATION:

Amend Yuma City Code, Title 7, Chapter 70 General Business Regulations, to update the licensing requirements for swap meets. (Community Development/Community Planning) (Jay Simonton)

REPORT:

A group of local artists recently inquired about the ability to operate several open to the public, pop-up markets throughout the year. Initially, staff looked at whether or not the proposed events could be classified as a street fair or a farmer's market. The proposed pop-up markets do not meet the definition of a street fair or a farmer's market. Street fairs, while also open to the public for the purchase of goods, are conducted on public streets; farmer's markets are primarily engaged in the sale of fresh fruits, vegetables, and other food products. Pop-up markets can take place on private property, and therefore do not meet the street fair criteria. Because the pop-up market does not primarily concern the retail sale of fruits, vegetables or other food products, a pop-up market could not be considered a farmer's market.

City staff turned to the zoning definition of a swap meet. It was then that staff discovered the discrepancy between the business and zoning regulations. Currently, according to the business regulations section of the code, a swap meet is defined as an operation composed of 100 or more stalls. Whereas, zoning regulations define swap meets as an operation composed of two or more stalls. Typically, a swap meet envisions a large number of vendors selling products to the general public; this is not always the case as is evident in the proposed pop-up market that is expected to feature 8-10 vendors.

In an effort to provide consistency throughout the City of Yuma Code, staff is recommending a modification to the business regulations in regards to swap meets. This modification will update the minimum number of stalls for a swap meet from 100 to two, which is consistent with the City of Yuma

zoning regulations. Additionally, the License Tax schedule will be updated to a sliding scale, determining fees based on the number of stalls.

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$0.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$0.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP: \$0.00	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT:			
ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK: 1. 2. 3. 4. 5.			
	IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL? <input checked="" type="radio"/> Department <input type="radio"/> City Clerk's Office <input type="checkbox"/> Document to be recorded <input checked="" type="checkbox"/> Document to be codified			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Philip A. Rodriguez		3/25/2020	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		3/24/2020	
RECOMMENDED BY (DEPT/DIV HEAD):		DATE:		
WRITTEN/SUBMITTED BY:		DATE:		
Alyssa Linville		3/13/2020		