

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 June 25, 2018

Case Number: ZONE-21864-2018

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, Section 14.09 to modify the Infill Overlay District (IO).

Staff recommendation: Staff recommends **APPROVAL** of the request to amend Title 15, Chapter 154, Article 14, Section 14.09 to modify the Infill Overlay District (IO).

Suggested Motion: Move to **APPROVE** the request to amend Title 15, Chapter 154, Article 14, Section 14.09 to modify the Infill Overlay District (IO).

Staff Analysis: Since the Infill Overlay Districts adoption in June of 2017, staff has identified several modifications that need to be made within the ordinance. Such modifications include the addition of permitted and conditional uses within the underlying zoning districts, as well as the need for a pre-development meeting to identify potential incentives related to a proposed project. Therefore, staff is recommending the following text amendment in an effort to further enhance and improve the legibility of the overall text.

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

Yes. The Housing and Redevelopment Elements of the General Plan discuss the need for infill development within the City of Yuma. It is also recommended that the City of Yuma provide incentives in an effort to encourage infill development.

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

Yes. The 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?

Yes. In addition to the amendment referencing permitted principal use and conditional uses within a zoning district, the proposal will change the range of uses by identifying corner markets as a use permitted within the Infill Overlay District.

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

No. While the proposed amendment will not alter development standards, it will require a pre-development meeting to be held for all projects occurring within the Infill Overlay District. Pre-development meetings are intended to assist developers and/or property owners identify potential incentives available for a specific project.

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

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

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?

Yes. The proposed amendment conforms to the actions that were taken in June of 2017; the Infill Incentive Plan (R2017-14) and the Infill Overlay District (O2017-22).

Public Comments Received: None Received.

External Agency Comments: None Received.

Neighborhood Meeting Comments: No Meeting Required.


Proposed conditions delivered to applicant on: N/A

Final staff report delivered to applicant on: N/A

- ☒ No Conditions of Approval
☐ 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
Draft Text	Staff Research

Prepared By: 
Alyssa Linville,
Principal Planner

Date: 06/07/18
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(928) 373-5000, ext. 3037

Approved By: 
Dan Symer, AICP,
Assistant Director Community Development

Date: 6-7-18

Approved By: 
Laurie L. Lineberry, AICP,
Community Development Director

Date: 6-7-18

ATTACHMENT A
DRAFT TEXT

That the Yuma City Code, Title 15, Chapter 154, Article 14 Overlay Zoning Districts to be amended to insert the bolded text and delete the strike through text in the following subsection:

Article 14 – Overlay Zoning Districts

§154-14.09 Infill Overlay District (IO).

(A) *Purpose and Intent.*

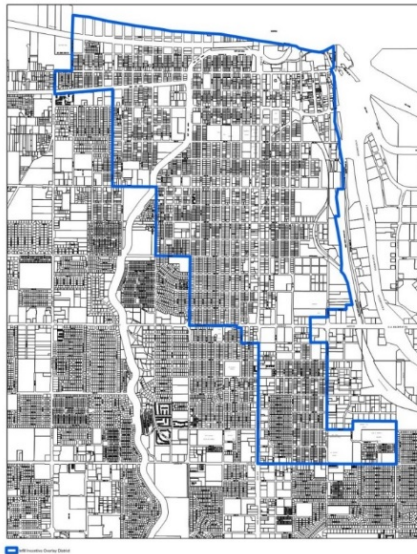
- (1) The Infill Overlay District is an overlay to the underlying zoning district which may be used in combination with any zoning district provided in this zoning code. It is in the public interest to maximize efficiency of the utilization of public services, infrastructure, and facilities as a means to achieve focused growth and to provide a cost-effective method for municipal service delivery. Within the identified Infill Overlay District, there exists an opportunity to achieve maximum utilization of land resources that have been under-utilized in past development. The City of Yuma encourages infill development to be compatible and consistent with existing uses in the area.
- (2) The purpose and intent of the Infill Overlay District includes, but is not limited to, the following:
 - (a) Encouraging investment and maintenance of the existing neighborhoods;
 - (b) Stabilizing and enhancing property values;
 - (c) Promoting new development that will enhance and protect existing structures;
 - (d) Encouraging efficient use of land and public services in existing neighborhoods;
 - (e) Providing flexibility in development standards to facilitate infill development and redevelopment; and
 - (f) Promoting neighborhood preservation and enhancement through redevelopment of blighted, distressed and underutilized properties.

(B) *Applicability.*

- (1) The provisions of the Infill Overlay District apply to all parcels identified within the boundary, which meet the eligibility section below, and are able to utilize the provisions set forth in this ordinance.

All land uses and development, including but not limited to: buildings, parking areas, landscaping and design, shall be located and/or provided in accordance with the provisions of the zoning ordinance and land development regulations, except as modified by this chapter.

- (2) The boundaries of the Infill Overlay District are generally based upon the redevelopment element as adopted by the City of Yuma General Plan:



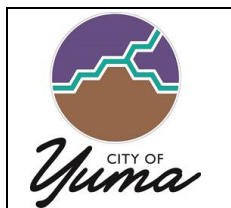
- (C) ***Relationship to underlying zoning districts.*** All provisions of the city code that would apply to a non-infill project shall apply to infill projects except as specifically modified in this ordinance. The developer and/or owner of property within the specified area of this overlay may choose to develop their property using either the standards of the underlying zoning designation or the standards set forth within this chapter. If the developer decides to use the standards set forth in this chapter, then standards of this section shall take precedence over those of the underlying zoning designation and other sections of the zoning code. If the developer decides to use the standards of the underlying zoning designation, the standards of this chapter will not apply.
- (D) ***Use Regulations.***
- (1) ***Permitted principal uses.***
- (a) The principal uses as allowed in the underlying zoning districts; and
- (b) Corner markets, in accordance with §154.15.17.
- (2) ***Conditional uses.***
- (a) The conditional uses of the underlying zoning district may be established or operated as a conditional use, upon application and approval by the Planning and Zoning Commission.
- (E) ***Pre-development meetings.*** All development inquires and requests within the Infill Overlay District shall be required to be reviewed and assessed during a pre-development meeting, where customers and City staff discuss typical development standards and identify any potential incentives available for a particular site.
- ~~(D)~~ ***(F) Design review procedures.*** Infill Overlay District development standards shall be incorporated into ~~any~~ **all** project plans submitted to the city for which a ~~development~~ **building** permit is required. The Zoning Administrator, or his or her designee, shall review all Infill Overlay District development standards incorporated in such project plans to ensure compliance with the intent and spirit of the district. Any property located within a Historic District or Aesthetic Overlay District will require review and approval by the Design and

Historic Review Commission (DHRC) prior to the issuance of any construction or development **building** permits.

- ~~(E)~~ **(G)** *Infill Incentive Plan*. The City of Yuma Infill Incentive Plan (~~HP~~) was prepared by the City Community Planning Division in coordination with Building Safety, Engineering, Utilities, the Heritage Area and City Administration. The Plan describes the process used to identify vacant and underutilized land in the city and formulates a strategy for encouraging development and redevelopment in the area. The Plan's primary goal is to promote infill development, rehabilitation, and reuse of properties that contribute positively to the identified redevelopment areas.

The Plan assesses development-related concerns in the infill area, evaluates the regulatory processes related to development, and provides focused incentives for development and redevelopment of infill sites.

ATTACHMENT B
STAFF RESEARCH



STAFF RESEARCH – TEXT AMENDMENT

CASE #: ZONE-21864-2018
CASE PLANNER: ALYSSA LINVILLE

I. PROJECT DATA

Project Location:	Infill Overlay District
Applicant:	N/A
Applicant's Agent:	City of Yuma
Prior Cases or Related Actions:	None

Type	Conforms			Cases, Actions or Agreements
Pre-Annexation Agreement	Yes		No	N/A
Annexation	Yes		No	N/A
General Plan Amendment	Yes		No	N/A
Development Agreement	Yes		No	N/A
Rezone	Yes		No	N/A
Subdivision	Yes		No	N/A
Conditional Use Permit	Yes		No	N/A
Pre-Development Meeting	Yes		No	Date: N/A
Enforcement Actions	Yes		No	N/A

PROPOSED TEXT CHANGE

City Wide?	Yes	X	No		
Zoning District:	All zoning districts located within the Infill Overlay District.				
Zoning Overlay:	Public		AO		Auto
				B&B	
				Historic	
				Infill	X
	Airport	Noise Contours	65-70		70-75
				75+	
				APZ1	
				APZ2	
					CLEAR ZONE
Other:	N/A				

II. TEXT AMENDMENT

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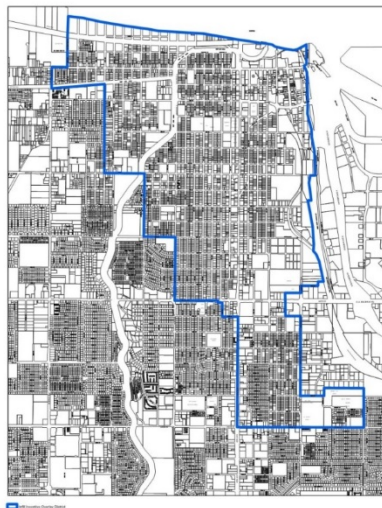
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3) What are the potential impacts of the proposed amendment?

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

NOTIFICATION

- Legal Ad Published: The Sun (06/01/18)
- 34 Commenting/Reviewing Agencies noticed: (05/10/18)
- Neighborhood Meeting: (N/A)
- Hearing Date: (06/25/18)
- Comments due: (05/21/18)

External List (Comments)	Response Received	Date Received	“No Comment”	Written Comments	Comments Attached
Yuma County Airport Authority	NR				
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users	NR				
Yuma County Planning & Zoning	NR				
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	05/14/18	X		
Yuma Irrigation District	NR				
Arizona Fish and Game	Yes	05/11/18	X		
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	NR				
Yuma Mesa Irrigation/Drainage District	Yes	05/11/18	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	“No Conditions”	Written Conditions	Comments Attached
Rod Hamilton, Police	NR				
Ron Ramirez, Parks	NR				
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	Yes	05/14/18	X		
Kayla Holiman, Fire	Yes	05/11/18	X		
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	05/18/18	X		
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

Neighborhood Meeting	Neighborhood Meeting Comments Available
NONE REQUIRED	N/A

PUBLIC COMMENTS RECEIVED: NONE RECEIVED.