



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

Hearing Date: September 14, 2020

Case Number: ZONE-30894-2020

Project Description: This is a request by the City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Section 15.15 to update the height limitations, and area permitted for accessory structures

Staff recommendation: Staff recommends **APPROVAL** of the text amendment to amend Title 15, Chapter 154, Section 15.15 to update the height limitations, and area permitted for accessory structures.

Suggested Motion: Move to **APPROVE** the text amendment ZONE-30894-2020 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, Section 15.15 to update the height limitations, and area permitted for accessory structures.

Staff Analysis: Adopted in 2014 and updated in 2017, the accessory structures code provides placement regulations for accessory structures in a number of residential districts. Examples of accessory structures include storage sheds, workshops, outdoor barbeques, detached garages, and outdoor fireplaces. This code enables property owners the ability to place accessory structures in certain setbacks while also protecting neighbors.

This proposed amendment to the recently amended code will further ensure that no accessory structure becomes a nuisance to the neighbors or those living within the surrounding area. This amendment allows the accessory structures code to be utilized in the Transitional (TR) District and the Residence-Manufactured Housing (R-MH) District, increases the maximum height to 25 feet or the height of the principal building, whichever is less, and removes portions of the code that are contradictory or overly restrictive.

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

Yes The proposed amendment implements the goals, objectives and policies of the General Plan.

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?

No The amendment will not alter or change the range of uses identified in the zoning code.

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

Yes The amendment will change the development standards identified in the Zoning Code such that it will provide increased height limitations and allow for the amendment to be utilized in additional zoning districts.

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

There are no potential negative impacts that have been identified with the proposed text amendment.

A potential positive impact of this amendment would be that by increasing the height of accessory structures, many legal-nonconforming or illegal structures can be rebuilt to the same height, and accommodate recreational vehicle parking.

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

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:
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Senior Planner



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Date: August 17, 2020

Approved By:
Alyssa Linville
Assistant Director Community Development



Date: 08/24/2020

ATTACHMENT A

DRAFT TEXT

That the Yuma City Code, Title 15, Chapter 154, Section: 06.01 (D) be amended to add the bolded text thereof:

§154-06.01 Residence-Manufactured Housing District (R-MH)

(D) Permitted accessory uses.

(1) Accessory uses of buildings or structures customarily incidental and subordinate to any use permitted by this subchapter such as swimming pools, garages, laundry rooms and public recreation areas and structures, subject to the criteria as specified in § [154-15.15](#) of this chapter;

That the Yuma City Code, Title 15, Chapter 154, Section: 08.01 (C) be amended to add the bolded text thereof:

§154-08.01 Transitional District (TR)

(C) Permitted accessory uses.

(5) Accessory uses of buildings or structures customarily incidental and subordinate to any use permitted by this subchapter such as swimming pools, garages, laundry rooms and public recreation areas and structures, subject to the criteria as specified in § [154-15.15](#) of this chapter;

That the Yuma City Code, Title 15, Chapter 154, Section: 06.01 (E) be amended to delete the following crossed-out text thereof:

§154-06.01 Residence-Manufactured Housing District (R-MH)

(E) Property Development Standards

~~(16) Accessory structures. All accessory structures shall comply with the minimum setback requirements as specified herein, except that any detached structure which serves as a garage or storage building and not containing living quarters may be located no closer than seven feet to a side or rear property line within a rear quarter of any lot or parcel classified within the Residence-Manufactured Housing District, subject to applicable requirements of the city building code.~~

That the Yuma City Code, Title 15, Chapter 154, Section: 06.01 (F) be amended to delete the following crossed-out text thereof:

§154-06.01 Residence-Manufactured Housing District (R-MH)

(F) Exterior Appearance Criteria

~~(5) Accessory structures. In such cases where an open carport or patio cover is attached to one side of the dwelling unit and is visible from the street, no additional covered patio or open carport shall be attached to the opposite side of the dwelling, other than a covered entry not to exceed 60 square feet in area.~~

That the Yuma City Code, Title 15, Chapter 154, Section: 15.15 (C) be amended to delete the following crossed-out text and add the following underlined text thereof:

§154-15.15 Accessory Buildings, Uses and Structures in Certain Residential Districts.

(C) *Accessory buildings or structures*

(1) (c) *Height.* The maximum allowable building height shall be ~~45~~ 25 feet or the height of the principal building, whichever is less. On lots with elevation changes, accessory structures shall not be permitted on lot areas where the accessory structure will be higher than the principal structure roofline. See Illustration 15-1.

That the Yuma City Code, Title 15, Chapter 154, Section: 15.15 (C) be amended to delete the following crossed-out text thereof:

§154-15.15 Accessory Buildings, Uses and Structures in Certain Residential Districts.

(C) *Accessory buildings or structures*

(1) (d) *Area.* Accessory buildings or structures shall comply with lot coverage regulations for the applicable zoning district ~~and shall not occupy more than 30% of the area between the principal structure and the rear property line.~~

That the Yuma City Code, Title 15, Chapter 154, Section: 15.15 (C) be amended to delete the following crossed-out text thereof:

§154-15.15 Accessory Buildings, Uses and Structures in Certain Residential Districts.

(C) *Accessory buildings or structures*

(2) (d) *Area.* Accessory buildings or structures shall comply with lot coverage regulations for the applicable zoning district ~~and shall not occupy more than 30% of the area between the principal structure and the rear property line.~~

That the Yuma City Code, Title 15, Chapter 154, Section: 15.15 (C) be amended to delete the following crossed-out text thereof:

§154-15.15 Accessory Buildings, Uses and Structures in Certain Residential Districts.

(C) *Accessory buildings or structures*

(3) (d) *Area.* Accessory buildings or structures shall comply with lot coverage regulations for the applicable zoning district ~~and shall not occupy more than 30% of the area between the principal structure and the rear property line.~~

ATTACHMENT B
NEIGHBORHOOD MEETING COMMENTS

- Legal Ad Published: The Sun 08/21/20
- 34 Commenting/Reviewing Agencies noticed: 07/30/20
- Neighborhood Meeting: N/A
- Hearing Date: 09/14/20
- Comments due: 08/10/20

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	X	07/31/20	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	X	07/31/20	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	X	07/31/20	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.	X	07/30/20	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	X	08/04/20		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	X	08/03/20	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	X	07/30/20	X		
MCAS / C P & L Office	X	08/10/20	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

Neighborhood Meeting	Comments Available
None Required	N/A

PUBLIC COMMENTS RECEIVED: NONE

ATTACHMENT C
AGENCY COMMENTS

☒ COMMENT ☐ NO COMMENT

Enter comments below:

Any accessory structure, to be constructed within Western Area Power Administration's (WAPA) easement area, must have WAPA's concurrence and meet all current Minimum Approach Distance (MAD) and National Electric Safety Code (NESC) clearance distances based on the voltage of the impacted transmission line. Please have the landowner contact WAPA at 602 605-2530.

DATE: 8/4/20 NAME: Dennis Patane TITLE: Lands & Realty Specialist

AGENCY: Western Area Power Administration

PHONE: 602 605-2713

RETURN TO: Richard Munguia
Richard.Munguia@YumaAZ.gov