

STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – GENERAL PLAN AMENDMENT
Case Planner: Jennifer L. Albers

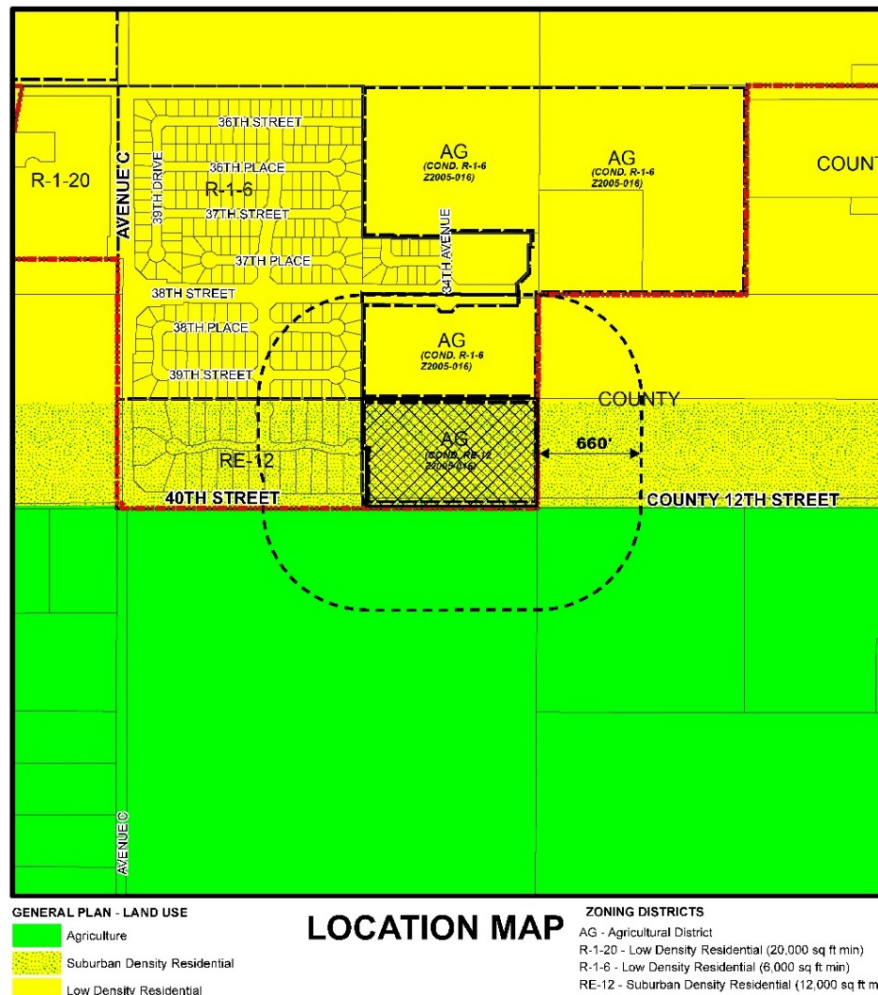
Hearing Date: September 24, 2018

Case Number: GP-22312-2018

Project Description/Location: This is a General Plan Amendment request by Dahl, Robins & Associates on behalf of Barkley Limited Partnership, to change the land use designation from Suburban Density Residential to Low Density Residential for approximately 16.7 acres, for the property located at the northwest corner of the Avenue B½ alignment and 40th Street.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG) - Conditional Residential Estate (RE-12)	Agriculture	Suburban Density Residential
North	Agriculture (AG) - Conditional Low Density Residential (R-1-6)	Agriculture	Low Density Residential
South	County Rural Area (RA-40)	Agriculture	Agriculture
East	County Rural Area (RA-40)	Agriculture	Suburban Density Residential
West	Residential Estate (RE-12)	Single Family Homes	Suburban Density Residential

Location Map



Prior site actions: Rezoning case Z2000-16 to RE-12 (12,000 square foot minimum) adopted 8/17/05 (O2005-61).

Staff Recommendation: Staff recommends the Planning and Zoning Commission APPROVE the request to change the land use designation for 16.7 acres from Suburban Density Residential to Low Density Residential.

Suggested Motion: Move to APPROVE the request to change the land use designation for 16.7 acres from Suburban Density Residential to Low Density Residential located at the northwest corner of the Avenue B½ alignment and 40th Street.

Staff Analysis: This is a General Plan Amendment request by Dahl, Robins & Associates on behalf of Barkley Limited Partnership, to change the land use designation from Suburban Density Residential to Low Density Residential for approximately 16.7 acres, for the property located at the northwest corner of the Avenue B½ alignment and 40th Street.

The existing Suburban Density Residential land use designation (1 dwelling unit per 2 acres to 3 dwelling units per 1 acre) supports the following types of zoning, Suburban Ranch (SR-1, SR-2), Residential Estate (RE-12, RE-18, RE-35), Low Density Residential (R-1-12, R-1-20, R-1-40) and Residence-Manufactured Housing (RMH) with a minimum parcel size of 12,000 sq. ft.

The proposed Low Density Residential land use designation (1 to 4.9 dwelling units per acre) supports the following types of zoning, Suburban Ranch (SR-1), Residential Estate (RE-12, RE-18, RE-35), Low Density Residential (R-1-5, R-1-6, R-1-8, R-1-12, R-1-20, R-1-40) and Residence-Manufactured Housing (RMH).

The applicant's intent in changing the land use designation is to develop a single-family residential subdivision with the Low Density Residential (R-1-6) zoning designation.

Density

The current land use designation of Suburban Density Residential would allow from 8 to 50 dwelling units to be constructed on the subject 15.4 acres. The Low Density Residential land use designation would allow from 16 to 81 dwelling units to be constructed in a single-family development.

To the south of the property are lands that are actively farmed and designated with the Agricultural land use designation. The City of Yuma General Plan is based on a number of foundation documents including the 1996 City of Yuma/Yuma County Joint Land Use Plan (JLUP). The JLUP includes a set of policies to address development in and around the City of Yuma. Specifically, Policy A – Residential Neighborhoods Adjoining Agricultural Operations – notes the need to minimize conflicts between the two uses. One of the techniques identified to reduce conflicts is to limit the number of homes abutting ag activities. This technique is demonstrated in the JLUP and the General Plan through the designation of the Suburban Density Residential land use designation along 40th Street from the East Main Canal to Avenue D with 40th Street being the southern edge of urban development in the Yuma Valley. The purpose of this designation is two-fold – one, reduce the number of residents who may be impacted by ag operations and two, reduce the potential for negative impacts on ag activities by urban encroachment.

Population

Information from the 2012-2016 American Community Survey provides data on population by housing unit type. The information shows an average household size of

3.1 persons per single-family dwelling in the City of Yuma. Comparing the densities allowed within the General Plan, the potential persons expected are:

- Suburban Density Residential:
 - Minimum 8 homes – Expected population: 25
 - Maximum 50 homes – Expected population: 155
- Low Density Residential:
 - Minimum 17 homes – Expected population: 53
 - Maximum 82 homes – Expected population: 254

The 2010 Census identified that 20% of the population within the City of Yuma was between 5 and 17 years of age. Therefore the expected age school population is estimated at:

- Suburban Density Residential:
 - Minimum expected population: 25 – School Age: 5
 - Maximum expected population: 155 – School Age: 31
- Low Density Residential:
 - Minimum expected population: 53 – School Age: 11
 - Maximum expected population: 254 – School Age: 51

Transportation

The property is located at the northwest corner of the Avenue B½ alignment and 40th Street. Access to the property will be from Avenue C to 38th Street and south to 40th Street via the future construction of Avenue B½.

According to the City of Yuma Transportation Master Plan 40th Street and Avenue C operate at a Level of Service (LOS) of C or above, meaning that there are stable conditions with movements somewhat restricted due to higher volumes but not objectionable to motorists. Both Avenue C and 40th Street are identified as 2-lane Collectors in the Transportation Master Plan.

Housing

The Housing Element of the City of Yuma 2012 General Plan addresses the need to provide safe, decent, sanitary, and affordable housing for all residents. And specifically Objective 1.3 notes providing a variety of housing types:

Objective 1.3: Encourage a variety of housing types to meet all socioeconomic segments of the population, considering both full time and seasonal residents.

Public Services

It is a requirement of State Statute for a General Plan to identify public schools and other public buildings. The City of Yuma General Plan Public Services Element identifies the location of public/charter schools within the 3 school districts in the General Plan area. The request is located within the district boundaries of the Crane Elementary School District and the Yuma Union High School District.

According to the Crane Elementary School District School Boundary Maps, the elementary students in the subject area are within the boundary of H.L. Suverkrup Elementary School located at 1590 S. Avenue C and junior high school students are within the boundary of Crane Middle School at 4450 W. 32nd Street.

1. Does the proposed amendment impact any elements of the General Plan?

No The elements of the General Plan will not be impacted by the proposed amendment.

Transportation Master Plan	Planned	Existing
40 th Street – Collector	40 foot HW	33 foot HW
Median Covenant	Yes	

2. Does the proposed amendment impact any of the facility plans?

No The change in land use will not significantly impact any of the facilities plans.

3. Is the proposed amendment in conflict with Council's prior actions?

Yes This area has been designated with the Suburban Density Residential land use designation since the adoption of the City of Yuma/Yuma County Joint Land Use Plan on September 12, 1996 (Resolution No. 96-38). Additionally, the property was previously rezoned by the City Council to RE-12 (O2005-61) on 8/17/05.

Public Comment September 10, 2018 Public Hearing:

Christopher Robins, 1560 S. 5th Avenue, Yuma, AZ, explained the applicant's intent was to rezone the property to the Low Density Residential (R-1-6) District. He added R-1-6 zoning allowed 6,000 sq. ft. lots but the applicant was proposing 9,000 sq. ft. lots. **Robins** explained that the purpose of the existing RE-12 zoning was to minimize conflicts between the residential neighborhood and agricultural operations. **Robins** added that the proposed rezone request would not have a measurable impact on the surrounding agriculture activities.

Chairman Chris Hamel asked for clarification on the proposed zoning for this property. **Robins** said the applicant was proposing to rezone the property to the Low Density Residential (R-1-6) District. He added that the existing zoning for the remainder of the property was R-1-6.

Robert Barkley, 4562 W. 32nd Street, Yuma, AZ, said he represented Barkley Limited Partnership. He explained that members of the Yuma County Planning Commission required buffers between agriculture and residential development. He added that the buffers between agriculture and residential made it difficult to build an efficient and affordable home, and also made it difficult for the homeowners to maintain the property. **Barkley** said the developer would like to develop affordable high-quality homes.

Scheduled Public Hearings:

<input checked="" type="checkbox"/>	City of Yuma Planning and Zoning Commission: September 10, 2018
<input checked="" type="checkbox"/>	City of Yuma Planning and Zoning Commission: September 24, 2018
<input type="checkbox"/>	City of Yuma City Council: October 17, 2018

Public Comments Received: None Received
Agency Comments: See Attachment A
Neighborhood Meeting Comments: None Received

Final staff report delivered to applicant on: 9/13/18

<input checked="" type="checkbox"/>	Applicant agreed with staff's recommendation:
<input type="checkbox"/>	Applicant did not agree with staff's recommendation:
<input type="checkbox"/>	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

A	B	C
Agency Comments	Staff Worksheet	Aerial Photo

Prepared By:

Jennifer L. Albers, AICP,
Principal Planner

Date:

9/13/18

Jennifer.Albers@YumaAZ.gov (928)373-5180

Approved By:

Dan Symer, AICP,
Assistant Director Community Development

Date:

Approved By:

Laurie L. Lineberry, AICP,
Community Development Director

Date:


9-13-18

**ATTACHMENT A
AGENCY COMMENTS**

DATE:	6/25/18	NAME:	Omar Peñuñuri	TITLE:	Sr. Engineering Tech, Lands & ROW
AGENCY:	Yuma County Water Users' Association			PHONE:	(928) 726-5882
<i>Enter comments below:</i>					
<p>- The water rights for S-1443, a portion APN 694-58-100, will need to be converted accordingly.</p> <p>- A 1' non-access easement will be needed for any subdivision lots adjacent to YCWUA rights-of-way.</p> <p>- Once available please provide a full set of preliminary or 30% plans for further YCWUA comments. PDF via email will work and the file(s) can be sent to Omar Peñuñuri, Engineering Tech, Lands and ROW, openunuri@ycwua.org</p>					

DATE:	7/3/18	NAME:	Mary Ellen Finch	TITLE:	Community Liaison Specialist
AGENCY:	MCAS Yuma			PHONE:	(928) 269-2103
<i>Enter comments below:</i>					
<p>When this case comes up for Rezoning/Variance Request MCAS Yuma will request the following conditions: The subject property is located within one mile of an approach/departure flight path. A condition of approval will be that an Avigation Easement be recorded that recognizes that noise, interference or vibrations may occur from the nearby Marine Corps Air Station and Yuma International Airport. Please email a copy of the recorded Avigation Easement to MCASYUMA_CPLO@usmc.mil.</p> <p>Thank you for the opportunity to comment.</p>					

**ATTACHMENT B
STAFF WORKSHEET**

	STAFF RESEARCH – GENERAL PLAN AMENDMENT CASE #: GP-22312-2018 CASE PLANNER: JENNIFER L. ALBERS
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I. PROJECT DATA

Project Location:		NWC Avenue B½ alignment and 40 th Street											
Parcel Number(s):		694-58-100 (part)											
Parcel Size(s):		31.5 acres (part 16.7 acres)											
Total Acreage:		16.7											
Proposed Dwelling Units:		Maximum:		82	Minimum:		17						
Address:													
Applicant:		Barkley Limited Partnership											
Applicant's Agent:		Dahl, Robins and Associates											
Land Use Conformity Matrix:		Current Zoning District Conforms:								Yes	X	No	
Zoning Overlay:	Public		AO		Auto		B&B		Historic		None	X	
	Airport	Noise Contours	65-70		70-75		75+		APZ1		APZ2		CLEAR ZONE
	Existing Zoning				Current Use			General Plan Designation					
Site	Agriculture (AG) - Conditional Residential Estate (RE-12)				Agriculture			Suburban Density Residential					
North	Agriculture (AG) - Conditional Low Density Residential (R-1-6)				Agriculture			Low Density Residential					
South	County Rural Area (RA-40)				Agriculture			Agriculture					
East	County Rural Area (RA-40)				Agriculture			Suburban Density Residential					
West	Residential Estate (RE-12)				Single Family Homes			Suburban Density Residential					
Prior Cases or Related Actions:													
<u>Type</u>		<u>Conforms</u>				<u>Cases, Actions or Agreements</u>							
Pre-Annexation Agreement		Yes		No		N/A							
Annexation		Yes		No		O2005-38 (May 18, 2005)							
General Plan Amendment		Yes		No		N/A							
Development Agreement		Yes		No		N/A							
Rezone		Yes		No	X	Z2000-16 Rezone to RE-12 (conditional)							
Subdivision		Yes		No		N/A							
Conditional Use Permit		Yes		No		N/A							
Pre-Development Meeting		Yes		No		Date: 9/7/2017							
Enforcement Actions		Yes		No		N/A							
Land Division Status:		Legal lot of record											
Irrigation District:		Yuma County Water Users' Association											
Adjacent Irrigation Canals & Drains:		Central Canal (36 th Street alignment)											
Water Conversion: (5.83 ac ft/acre)		97.36 Acre Feet a Year											
Water Conversion Agreement Required		Yes	X	No									

II. CITY OF YUMA GENERAL PLAN

Land Use Element:

Land Use Designation:		Suburban Density Residential										
Noise Contour:		None		Overlay/Specific Area:		N/A						
Issues:		Potential conflict between urban development and agricultural operations										
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				
40 th Street – Collector				40 foot HW				33 foot HW				
Median Covenant				Yes								
Gateway Route			Scenic Route			Hazardous Cargo Route				Truck Route		X
Bicycle Facilities Master Plan				Planned Bike Lanes								
YCAT Transit System				N/A								
Issues:				None								

Parks, Recreation and Open Space Element:

Parks and Recreation Facility Plan			
Neighborhood Park:	Existing: Las Casitas Park	Future: Las Casitas Park	
Community Park:	Existing: Yuma Valley Area Park	Future: Yuma Valley Area Park	
Linear Park:	Existing: None	Future: Central Canal Linear park	
Issues:	None		

Housing Element:

Special Need Household:	N/A
Issues:	None

Redevelopment Element:

Planned Redevelopment Area:	N/A				
Adopted Redevelopment Plan:	North End:		Carver Park:		None: X
Conforms:	Yes	No	N/A		

Conservation, Energy & Environmental Element:

Impact on Air or Water Resources	Yes		No	X	
Renewable Energy Source	Yes		No	X	
Issues:	None				

Public Services Element:

<u>Population Impacts</u> Population projection per 2012-2016 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>								
	Maximum	Per Unit			Officers	GPD	AF	GPD	
	82	3.1	254		0.48	76,260	85.4	25,420	
	Minimum								
17	3.1	53		0.10	15,810	17.7	5,270		
Fire Facilities Plan:		Existing: Fire Station No. 6				Future: Fire Station No. 6			
Water Facility Plan:		Source:	City	X	Private	Connection:		10" PVC 34 th Avenue	
Sewer Facility Plan:		Treatment:	City	X	Septic	Private		Connection: 10" PVC 34 th Avenue	
Issues:		None							

Safety Element:

Flood Plain Designation:	500 Year Flood – Zone X		Liquefaction Hazard Area:	Yes	X	No	
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Issues:	None									
Growth Area Element:										
Growth Area:	Araby Rd & Interstate 8			Arizona Ave & 16 th St			Avenue B & 32 nd St.			
	North End		Pacific Ave & 8 th St			Estancia		None		X
Issues:	None									

NOTIFICATION

- | | |
|---|---|
| <ul style="list-style-type: none"> ○ Legal Ad Published: The Sun 8/25/18 ○ Display Ad Published: 8/25/18 ○ 660' Vicinity Mailing: 8/13/18 ○ 54 Commenting/Reviewing Agencies noticed: 6/19/18 | <ul style="list-style-type: none"> ○ Site Posted: 7/2/18 ○ Neighborhood Meeting: 7/12/18 ○ Hearing Dates: 9/10/18 & 9/24/18 ○ Comments Due: 8/20/18 |
|---|---|

External List	Response Received	Date Received	"No Comment"	Written Comments
Yuma Metropolitan Planning Organization (ARS)	NR			
Yuma County Engineering	NR			
Yuma County Flood Control District	NR			
Yuma County Planning & Zoning (ARS)	NR			
Yuma County Public Works	NR			
Yuma County Airport Authority	Yes	6/26/18	X	
Yuma County Chamber of Commerce	NR			
Greater Yuma Econ. Development Corp.	NR			
Yuma County School Superintendent	NR			
YUHS District #70 (ARS)	NR			
Yuma Elementary School District #1 (ARS)	NR			
Crane School District #13 (ARS)	NR			
City of San Luis (ARS)	NR			
City of Somerton (ARS)	NR			
Imperial County, California (ARS)	NR			
Qwest Communications (ARS)	NR			
Arizona Public Service (ARS)	NR			
Time Warner Cable (ARS)	NR			
Southwest Gas (ARS)	NR			
Arizona Department of Transportation	Yes	6/20/18	X	
Arizona Fish & Game Dept.	NR			
Arizona Department of Commerce (ARS)	NR			
Arizona State Attorney General (ARS)	NR			
Arizona Dept. of Water Resources (ARS)	NR			
Arizona State Land Department (ARS)	NR			
MCAS / C P & L Office (ARS)	Yes	7/3/18		X
USDA – NRCS	NR			
Bureau of Land Management (ARS)	NR			
US Border Patrol	NR			
US Postal Service	NR			
Quechan Tribal Office	NR			
Cocopah Indian Tribe	NR			
Yuma County Water Users' Association	Yes	6/25/18		X
Yuma Irrigation District	NR			
Yuma Mesa Irrigation Drainage District	NR			
Unit B Irrigation District	NR			
Yuma County Association of Realtor's	NR			

Yuma County Contractor's Association	NR			
AZ Society of Military Engineers (ASME)	NR			
AZ Society of Civil Engineers (ASCE)	NR			
AZ Society of Professional Engineers (ASPE)	NR			
El Paso Natural Gas Co.	NR			
Western Area Power Administration	NR			

City of Yuma Internal List	Response Received	Date Received	"No Comment"	Written Comments
John Lekan, Police	NR			
Rod Hamilton, Police	NR			
Damon Chango, Parks and Rec – Admin	NR			
Ron Ramirez, Parks and Rec – Grounds	NR			
City Engineer	NR			
Traffic Engineer	NR			
Andrew McGarvie, Engineering	NR			
Kayla Holiman, Fire – Prevention	Yes	6/21/18	X	
Randal Crist, DCD – Building Safety	NR			
Jay Simonton, Utilities	NR			
Joel Olea, Public Works	NR			
NR=None Received	NR			

Neighborhood Meeting	Comments Available
7/12/18	
Prop. 207 Waiver Given to Applicant on:	Delivered by:
Application	N/A

ATTACHMENT C
AERIAL PHOTO

