

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

Hearing Date July 10, 2017

Case Number: ZONE-17923-2017

Project Description: Amend Title 15, Chapter 154, Section 02.01 to add rules and regulations regarding the voice or video appearance by a Planning and Zoning Commissioner.

Staff recommendation: Staff recommends **APPROVAL** of the request to amend Title 15, Chapter 154, Section 02.01 to add rules and regulations regarding the voice or video appearance by a Planning and Zoning Commissioner.

Suggested Motion: Move to **APPROVE** the request to Amend Title 15, Chapter 154, Section 02.01 to add rules and regulations regarding the voice or video appearance by a Planning and Zoning Commissioner.

Staff Analysis: This proposed text amendment is to allow members of the Planning and Zoning Commission the opportunity to participate by phone or video during regularly scheduled meetings. The amendment will also provide rules and regulations for the implementation of phone or video appearance(s).

Since 2016, five Planning and Zoning Commission Meetings were required to be continued due to a lack of quorum. This often results in a delay in proposed projects which may create unforeseen issues for the property and/or business owner. It is intended that with the adoption of this amendment, the number of continuances will drastically decrease.

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

N/A

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

Yes The Zoning Code is a tool intended to provide property and/or business owners with the information and guidelines needed to adequately utilize a property. The Planning and Zoning Commission is not intended to be a burden on such customers. Therefore, by providing an attendance alternative for the Commissioners, Staff will have an opportunity to increase the level of customer satisfaction.

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

Yes The proposed amendment will allow Planning and Zoning Commissioners the opportunity to appear by voice or video, provided that such Commissioner(s) are unable to attend the meeting in-person.

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

N/A

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

There are no potential negative impacts identified with the proposed text amendment. The proposed amendment would facilitate in the reduction of hearing continuances; while also ensuring that customer projects and/or requests are heard in a timely manner.

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 This proposed amendment was modeled after the previously approved Resolution (R2008-55) which allows City Councilmembers to appear by voice or video.

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

Project Planner: Alyssa Linville, (928) 373-5000, Alyssa.Linville@YumaAz.gov
Principal Planner ext. 3037

Prepared By: 
Alyssa Linville, Principal Planner

Date: 06/19/17

Reviewed By: 
Bob Blevins, Principal Planner

Date: 6/19/17

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

Date: 6.19.17

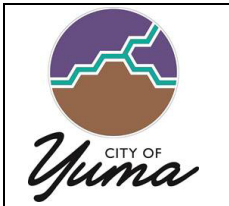
ATTACHMENT A
DRAFT TEXT

That the Yuma City Code, Title 15, Chapter 154, Section 02.01 Planning and Zoning Commission, Subsection (G) Organization be amended to insert the following underlined text thereof:

(G) *Organization.*

- (7) Voice or video appearance. A Planning and Zoning Commissioner shall have the opportunity to participate by voice or video during a regularly scheduled meeting subject to the following rules and regulations:
- (a) Voice or video participation shall mean the participation of the Planning and Zoning Commissioner(s) at Planning and Zoning meetings by voice or video technology where the Planning and Zoning Commissioner is not physically present at the Planning and Zoning meeting.
 - (b) Voice or video participation shall only apply to Planning and Zoning meetings held at Yuma City Hall, Yuma, Arizona.
 - (c) A Planning and Zoning Commissioner wishing to participate through voice or video technology shall contact the Director of Community Development regarding the need to participate from an off-site location. Notice shall be provided no later than two (2) business days prior to the meeting to allow sufficient time to post the information on the agenda and to prepare the meeting room for such voice or video participation.
 - (d) No more than two (2) Planning and Zoning Commissioners may participate by voice or video technology at any meeting. Unless approved by the Planning and Zoning Commission, no Commissioner may participate by video or voice technology more than twice in any calendar year.
 - (e) When a Planning and Zoning Commissioner is participating by using voice or video technology at a meeting:
 - 1. The meeting facilities shall be arranged to provide the capability of the public audience to be able to hear such participating Commissioner. Facilities shall also be provided whereby the participating Commissioner can hear any comments made by other members of the Planning and Zoning Commission, by City staff and by the audience in attendance at the meeting.
 - 2. Communications shall be initiated with the Commissioner prior to the beginning of the Planning and Zoning meeting. The participating Commissioner will identify him or herself during roll call and state that he/she is attending the meeting through voice or video participation.
 - (f) The meeting agenda shall reflect that a Planning and Zoning Commissioner will be participating through voice or video technology and voting procedures will remain as required by the City of Yuma Code (§154-02.01).

ATTACHMENT B
STAFF RESEARCH



STAFF RESEARCH – TEXT AMENDMENT

CASE #: ZONE-17923-2017
CASE PLANNER: ALYSSA LINVILLE

I. PROJECT DATA

Project Location:	N/A
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	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A
Annexation	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A
General Plan Amendment	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A
Development Agreement	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A
Rezone	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A
Subdivision	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A
Conditional Use Permit	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A
Pre-Development Meeting	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Date: N/A
Enforcement Actions	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A

PROPOSED TEXT CHANGE

City Wide?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Zoning District:	N/A			
Zoning Overlay:	Public	<input type="checkbox"/>	AO	<input type="checkbox"/>
	Auto	<input type="checkbox"/>	B&B	<input type="checkbox"/>
	Historic	<input type="checkbox"/>	None	<input checked="" type="checkbox"/>
	Airport	<input type="checkbox"/>	Noise Contours	<input type="checkbox"/>
	65-70	<input type="checkbox"/>	70-75	<input type="checkbox"/>
	75+	<input type="checkbox"/>	APZ1	<input type="checkbox"/>
	APZ2	<input type="checkbox"/>	CLEAR ZONE	<input type="checkbox"/>
Other:	N/A			

II. TEXT AMENDMENT

Staff Analysis: This proposed text amendment is to allow members of the Planning and Zoning Commission the opportunity to participate by phone or video during regularly scheduled meetings. The amendment will also provide rules and regulations for the implementation of phone or video appearance(s).

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- (f) The meeting agenda shall reflect that a Planning and Zoning Commissioner will be participating through voice or video technology and voting procedures will remain as required by the City of Yuma Code (§154-02.01).

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

No. The proposed text amendment will not change the range of uses identified within the Zoning Code.

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

No. The amendment would not change the development standards identified in the Zoning Code or Subdivision Ordinance.

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

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

Potential positive impacts are:

- Fewer continued meetings due to a lack of quorum
- Will allow Commissioners the opportunity to participate in a hearing when they are unable to attend in-person

NOTIFICATION

- **Legal Ad Published:** The Sun (06/16/17)
- **34 Commenting/Reviewing Agencies noticed:** (05/25/17)
- **Hearing Date:** (07/10/17)
- **Comments due:** (06/05/17)

<i>External List (Comments)</i>	Response Received	Date Received	“No Comment”	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	05/26/17	X		
Yuma County Engineering	NR				
Yuma County Public Works	Yes	05/26/17	X		
Yuma County Water Users	Yes	05/30/17	X		
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	06/01/17	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	NR				
Yuma Mesa Irrigation and Drainage District	Yes	05/30/17	X		
<i>City of Yuma Internal List (Conditions)</i>	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	NR				
Kayla Holiman, Fire	Yes	05/26/17	X		
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

<i>Neighborhood Meeting</i>	<i>Comments Available</i>
NONE REQUIRED	None Received

PUBLIC COMMENTS RECEIVED: NONE RECEIVED