

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

Hearing Date May 8, 2017

Case Number: ZONE-17382-2017

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 Overlay Zoning Districts to establish the Infill Overlay District (IO).

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

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

Staff Analysis: Infill development within the City of Yuma has been a topic of discussion amongst City Council and Staff for a number of years. While the concept for creating an Infill Incentive Plan sounds relatively simple, in reality the task became a much larger hurdle than initially anticipated. To comply with Arizona Revised Statute § 9-499.10 regarding infill incentive districts, staff has drafted an ordinance to identify the Infill Overlay District (IO) as well as this Infill Incentive Plan to outline the incentives related to development within the IO. This proposal is identifying the land area within the IO.

While there are a variety of benefits related to infill development, the following could directly impact our community:

- Make better use of urban land while reducing consumption of agricultural land;
- Reduce the time, money and air pollution associated with commuting and other uses of single-occupant automobiles;
- Renew older neighborhoods and housing stock; and
- Make better use of existing infrastructure and lowering costs of public services such as: transit, sidewalks, water and sewer, schools, and public safety.

The purpose of this ordinance is to establish the Infill Overlay District within the City of Yuma Zoning Code. While the proposed overlay will outline the purpose and intent of the district, all related incentives for developing within the IO will be discussed in further detail within the Infill Incentive Plan; in accordance with Arizona Revised Statute § 9-499.10. By instituting an Infill Overlay District, the City of Yuma can assist in guiding development so as to enhance the quality of life in established neighborhoods within the community.

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. Along with the Infill Overlay District (IO), the City of Yuma will be adopting an Infill Incentive Plan which will outline and further discuss the incentives being offered for such 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?

No This amendment will not change the range of uses identified in the zoning code. Rather, the Infill Overlay District (IO) will identify properties within the City of Yuma which may qualify for development or redevelopment incentives.

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

No The proposed amendment will only identify the area within the City of Yuma which may utilize the Infill Incentive Plan.

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

There are no potential negative impacts identified with the proposed text amendment. However, the adoption of this overlay district may provide a number of positive impacts for the City of Yuma; including, increased development within established areas of town, the utilization of existing infrastructure, and the possible renewal of older buildings which have fallen into disrepair.

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: 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

- | | |
|--|---|
| <input checked="checked" type="checkbox"/> | No Conditions of Approval |
| <input type="checkbox"/> | Applicant did not agree with the following conditions of approval: (list #'s) |
| <input type="checkbox"/> | 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, Senior Planner (928) 373-5000, Alyssa.Linville@YumaAz.gov
ext. 3037

Prepared By: 
Alyssa Linville, Senior Planner

Date: 04/18/17

Reviewed By: 
Bob Blevins, Principal Planner

Date: 4/19/17

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

Date: 4.19.17

ATTACHMENT A
DRAFT TEXT

That the Yuma City Code, Title 15, Chapter 154, Article 14 Overlay Zoning Districts to be amended to insert the following subsection:

Article 14 – Overlay Zoning Districts

§154-14.09 Infill Overlay District (IO).

(A) Purpose and Intent.

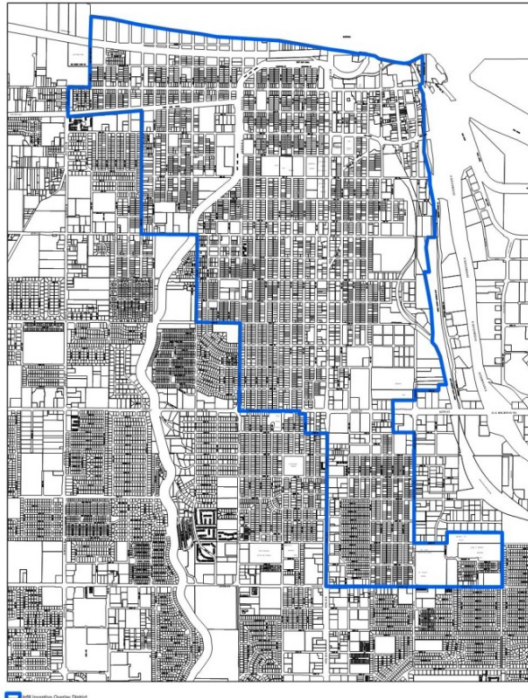
- (1) The Infill Overlay District is an overlay to the underlying zoning district which may be used in combination with any zoning district provided in this zoning code. It is in the public interest to maximize efficiency of the utilization of public services, infrastructure, and facilities as a means 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.

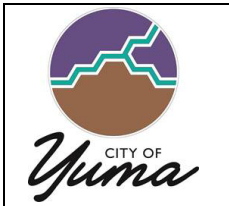
- (2) The boundaries of the Infill Overlay District are generally based upon the redevelopment element as adopted by the City of Yuma General Plan:



- (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) *Design review procedures.* Infill Overlay District development standards shall be incorporated into any project plans submitted to the city for which a development 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 permits.
- (E) *Infill Incentive Plan.* The City of Yuma Infill Incentive Plan (IIP) 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-17382-2017
CASE PLANNER: ALYSSA LINVILLE

I. PROJECT DATA

Project Location:	City Wide
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		No	X	
Zoning District:	All zoning districts located within this proposed Infill Overlay District, as specified by the areas identified within the Redevelopment Element of the General Plan.				
Other:	See attached map				

II. TEXT AMENDMENT

Staff Analysis: Infill development within the City of Yuma has been a topic of discussion amongst City Council and Staff for a number of years. While the concept for creating an Infill Incentive Plan sounds relatively simple, in reality the task became a much larger hurdle than initially anticipated. In order to comply with state statutes, Staff has drafted both an ordinance which will identify the Infill Overlay District (IO) as well as the Infill Incentive Plan that outlines the potential incentives related to development within the infill area. The portion related to this case will identify the land area within the Infill Overlay District.

While there are a variety of benefits related to infill development, the following could directly impact our community:

- Make better use of urban land while reducing consumption of agricultural land;
- Reduce the time, money and air pollution associated with commuting and other uses of single-occupant automobiles;
- Renew older neighborhoods and housing stock; and
- Make better use of existing infrastructure and lowering costs of public services such as: transit, sidewalks, water and sewer, schools, and public safety.

The purpose of this ordinance is to establish the Infill Overlay District within the City of Yuma Zoning Code. While the proposed overlay will outline the purpose and intent of the district, all related incentives for developing within the Infill Overlay District (IO) will be discussed in further detail within the Infill Incentive Plan.

By instituting an Infill Overlay District, the City of Yuma can assist in guiding development so as to enhance the quality of life in established neighborhoods within the community.

That the Yuma City Code, Title 15, Chapter 154, Article 14 Overlay Zoning Districts to be amended to insert the following subsection:

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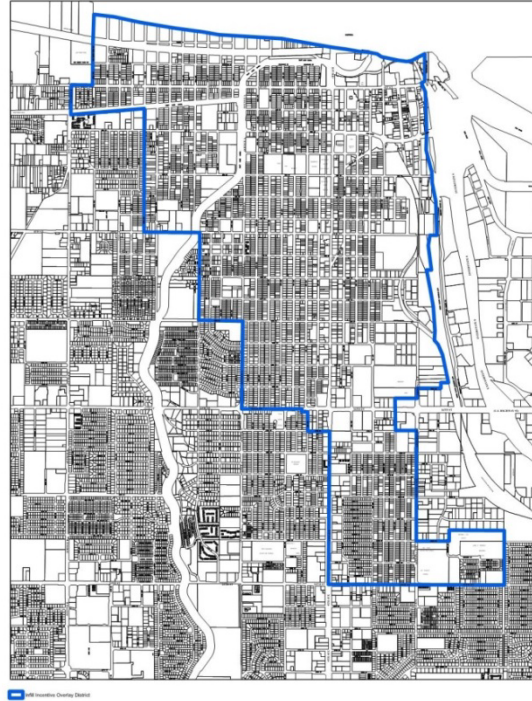
- (1) The Infill Overlay District is an overlay to the underlying zoning district which may be used in combination with any zoning district provided in this zoning code. It is in the public interest to maximize efficiency of the utilization of public services, infrastructure, and facilities as a means 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 designated within the district and all parcels contained within the zone, 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) *Design review procedures.* Infill Overlay District development standards shall be incorporated into any project plans submitted to the city for which a development 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 permits.
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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.

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

Yes. The proposed amendment will identify an Overlay District which will allow properties within the area to qualify for development incentives. The development incentives will be outlined in a supporting document referred to as the Infill Incentive Plan.

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

Yes. While the proposed Overlay District will not specifically outline the deviations to the development standards, it will reference the Infill Incentive Plan which will provide such information.

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

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

Potential positive impacts are:

- Make better use of urban land while reducing consumption of agricultural land;
- Reduce the time, money, and air pollution associated with commuting and other uses of single-occupant automobiles;
- Renewing older neighborhoods and housing stock; and
- Making better use of existing infrastructure and lowering costs of public services such as: transit, sidewalks, water and sewer, schools, and public safety.

NOTIFICATION

- **Legal Ad Published:** The Sun (04/14/17)
- **34 Commenting/Reviewing Agencies noticed:** (03/23/17)
- **Comments due:** (04/03/17)
- **Hearing Date:** (05/08/17)

<i>External List (Comments)</i>	Response Received	Date Received	“No Comment”	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	04/04/17	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users	Yes	03/24/17	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	03/23/17	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 Drainage District (YMIDD)	Yes	03/24/17	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	Yes	03/27/17	X		
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire	Yes	03/27/17	X		
Randy Crist, Building Safety	NR				
Jim Hamersley, ITS	NR				
Josh Scott, Engineering	NR				
Jonathan Fell, Traffic Engineering	NR				
MCAS / C P & L Office	Yes	03/24/17	X		
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

<i>Neighborhood Meeting</i>	<i>Comments Available</i>
NONE REQUIRED	No Comments

PUBLIC COMMENTS RECEIVED: NONE