



## REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:**

August 1, 2018

**DEPARTMENT:**

Community Development

**DIVISION:**

Community Planning

- ☐ Motion
- ☐ Resolution
- ☒ Ordinance - Introduction
- ☒ Ordinance - Adoption
- ☐ Public Hearing

**TITLE:**

Zoning Code Text Amendment: Corner Markets

**SUMMARY RECOMMENDATION:**

Amend Title 15, Chapter 154, Section 01.07 to add definitions related to corner markets, and to add Title 15, Chapter 154, Section 15.17 to provide regulations regarding corner markets. (Community Development/Community Planning) (Laurie Lineberry)

**REPORT:**

The Infill Incentive Plan, which was adopted in June of 2017, identified future goals as an effort to further incentive development within the Infill Overlay District. One of these goals was the adoption of a corner markets ordinance which would permit small service business to locate within residential districts.

Small corner markets were once a common element in residential neighborhoods within the City of Yuma. These markets provided services including grocery, eateries, laundromats and similar service based uses. Typically, these establishments were family owned and operated, and primarily serviced the neighbors who resided in the area. Because of the close proximity, nearby residents were able to access these stores by foot.

As years passed and families began acquiring multiple automobiles, shopping areas moved further away from residential neighborhoods. As a result, many of these neighborhood stores were forced to close their doors, an occurrence which greatly impacted the overall character of the surrounding neighborhood. Now many of these former markets remain vacant or underutilized as current zoning laws do not permit commercial development to occur within residentially zoned areas.

Over time, planners have come to recognize this walkability for services as a valuable asset to the neighborhood. Encouraging mixed-use development could greatly impact the community by revitalizing the historic neighborhoods within the city, encouraging neighborhood investment, and potentially increasing property values, along with enhancing quality of life in those neighborhoods.

Aside from the financial benefits of mixed-use development, by permitting certain commercial development to occur within residential neighborhoods, the City of Yuma could become a healthier community. Studies have shown that given the opportunity, most residents would prefer to walk or bike instead of driving to purchase a carton of milk or a dozen eggs. This in turn could translate to a decrease in health related illnesses as more residents would turn to physical activity to access nearby neighborhood stores.

Over the past few years staff has seen an increase in the number of residents' looking for the opportunity to establish small commercial business within the residential districts. Planning staff has also identified a number of vacant commercial buildings within residential areas that have sat unused for decades. To reverse that trend, staff is recommending the following text amendment in an effort to provide mixed-use development within the Infill Overlay District.

On June 25, 2018 the Planning and Zoning Commission voted to recommend APPROVAL (4-0, with Hamel absent) of the request by the City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Section 01.07 to add definitions related to corner markets, and to add Title 15, Chapter 154, Section 15.17 to provide regulations regarding corner markets.

#### **PUBLIC COMMENTS - EXCERPT FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:**

##### **QUESTIONS FOR STAFF**

**"Tyrone Jones – Planning and Zoning Commissioner** asked for clarification on why current zoning laws did not permit commercial development to occur within residentially zoned areas.

**"Alyssa Linville – Principal Planner** explained that as zoning laws were adopted certain commercial uses within residential developments were eliminated.

**"Jones** asked how commercial uses would be limited within residentially zoned areas.

**"Linville** explained corner markets may not be located within 1,000' of another corner market. She added that permitted uses were also identified within the ordinance.

**"Tiffany Ott – Planning and Zoning Commissioner** asked if the Planning Commission would review corner market requests.

**"Linville** explained corner markets are proposed to be permitted uses and added that there is a neighbor notification process.

**"Linville** said the Planning Commission would review Conditional Uses allowed as corner markets.

**"Ott** asked for clarification on the hours of operation for corner markets.

**"Linville** said the hours of operation would be limited from 6:00 a.m. to 8:00 p.m.

**"Jones** said the neighboring properties would be impacted by delivery trucks.

**"Linville** said deliveries would not be permitted between the hours of 8:00 p.m. to 6:00 a.m.

##### **APPLICANT / APPLICANT'S REPRESENTATIVE**

**None**

##### **PUBLIC COMMENT**

**None**

**MOTION**

**“Motion by Gregory Counts – Planning and Zoning Commissioner, second by Ott, to APPROVE Case Number ZONE-21865-2018.**

**“Motion carried unanimously (4-0) with Chris Hamel – Planning and Zoning Commissioner absent.’**

**Planning Commission Staff Report - Attached**

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$0.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$0.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT:			
ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK:			
	1. 2. 3. 4. 5.  IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?  <input type="radio"/> Department <input type="radio"/> City Clerk's Office <input type="checkbox"/> Document to be recorded <input checked="" type="checkbox"/> Document to be codified			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Gregory K. Wilkinson		7/10/2018	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		7/9/2018	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Laurie Lineberry		6/26/2018		
WRITTEN/SUBMITTED BY:		DATE:		
Alyssa Linville		6/26/2018		