



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

June 5, 2019

DEPARTMENT:

Community Development

DIVISION:

Community Planning

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

TITLE:

Zoning Code Text Amendment: Company Housing

SUMMARY RECOMMENDATION:

Amend Title 15, Chapter 154, Section 01.07 to add definitions related to company housing, and to add Title 15, Chapter 154, Section 15.19 to provide regulations regarding company housing, with the caveat that a new construction company housing complex (large) or a new company housing complex conversion (large) housing 25 or more workers have a crew chief or supervisor present in the complex. (Community Development/Community Planning) (Laurie Lineberry)

REPORT:

Throughout the City of Yuma, a number of company housing facilities exist with the purpose of providing temporary housing to employees. While various company housing facilities exist within the City of Yuma, it should be noted that the City Zoning Code does not permit for such developments. Most of the company housing facilities within the City of Yuma are located within older apartment complexes and motels which have been converted to meet the needs of the tenants. As a result of these conversions, the City of Yuma has seen a significant decrease in the amount of affordable housing available to the permanent residents of our community. In addition to the decrease in affordable housing, our local schools have seen a significant decrease in enrollment which could result in the closure of area schools. The City of Yuma understands the impact temporary residents have on the community and as such has drafted an ordinance that is intended to formally legalize the existing company housing facilities, encourage new development of company housing to occur in appropriate locations, and to maintain the character of our residential neighborhoods.

The proposed ordinance will allow company housing to occur in a variety of zoning districts, with each type of complex tailored to meet the needs of the user and area residents. Small facilities are permitted to be located within certain residential districts and are intended to coincide with the character of a typical single-family residence. Over the past several years single-family residences has been used for company housing, often providing temporary housing for 10 or more adults. In most instances, this is uncommon for a typical single-family setting. Therefore, the ordinance has limited the occupancy within single-family homes to no more than 6 employees, with the option of locating 12 employees in two separate residences adjacent to one another.

The ordinance also addresses the conversion of existing construction, whether multi-family or motels. Conversions of existing construction applies to those developments that were constructed prior to the adoption of the proposed ordinance and are located within the High Density Residential (R-3) and General Commercial (B-2) Districts. These conversions will require the addition of on-site bus parking intended to alleviate potential congestion on adjacent roadways, on-site laundry facilities, as well as indoor and outdoor recreation space. Occupancy for these facilities will be determined by the International Property Maintenance Code (IPMC); the code currently being utilized by the City of Yuma. When utilizing the IPMC for occupancy, existing construction typically results in 2-3 occupants per bedroom; a situation not uncommon for typical housing.

New construction company housing complexes are also addressed within the proposed ordinance. Such construction is limited to the Agriculture (AG) District, General Commercial (B-2) District, and High Density Residential (R-3) District when adjacent to certain roadway classifications. The reason for limiting new construction to the areas identified, is based upon the density impact these new facilities pose. With existing construction the bedroom sizes are pre-determined and are typically sized according to the needs of its market; whereas new construction often results in larger bedroom sizes intended to house an increased occupancy. Therefore, the ordinance has restricted the location for new construction to areas better suited to service large numbers of individuals who may need readily available access to goods and services. Similar to the conversions of existing construction, new construction complexes will also be required to provide on-site bus parking, on-site laundry facilities, as well as indoor and outdoor recreation space.

Finally, the proposed ordinance addresses those company housing complexes which currently exist within the City of Yuma. This section of the proposal states that company housing complexes (large or small), which were established prior to the adoption of this ordinance may continue to operate without the need for site modifications. However, if a complex were to become vacant for a period of 2 or more years, certain provisions related to company housing conversions would need to be met.

In drafting this ordinance, Staff has worked closely with a variety of users currently utilizing company housing complexes within the City of Yuma. These outreach meetings and discussions occurred over the course of nearly 4 years. The final product of this proposal was a result of numerous meetings, conversations and compromises intended to create an ordinance that protects our community, but also meets the needs of companies needing to utilize such housing options.

On April 22, 2019 the Planning and Zoning Commission voted to recommend APPROVAL (4-0, with Dammeyer and Ott 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 company housing, and to add Title 15, Chapter 154, Section 15.19 to provide regulations regarding company housing, with the caveat that a new construction company housing complex (large) or a new company housing complex conversion (large) housing 25 or more workers have a crew chief or supervisor present in the complex.

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

QUESTIONS FOR STAFF

“Chris Hamel – Planning and Zoning Commissioner thanked staff for the presentation.

“Hamel asked if there would be an on-site manager on the property.

“Alyssa Linville – Principal Planner explained that when this proposal was presented to the users there was an on-site manager requirement. The users expressed concern with the requirement and it was removed from the ordinance. She added that all company housing complexes were required to have property manager contact information posted on-site.

“Vinod Mohindra – Planning and Zoning Commissioner asked if an on-site manager would be required on large complexes.

“Linville said it was not written in the code but they typically had an on-site manager on the property.

“Linville added that the users didn’t feel it was necessary to add that as an additional requirement within the ordinance.

“Mohindra expressed his concern and said an on-site manager should be required for the large complexes.

“Rodney Short – Deputy City Attorney said this proposal was analyzed as a corporate endeavor and not a housing endeavor. He explained that often times the apartment manager was also the employee manager and resided on the property.

“Short added that the Planning Commission could amend this proposal.

“Hamel said he understood the concerns.

“Short explained the stakeholders were most comfortable with this proposal.

“Short said the Planning Commission could make a comment that would be noted in the minutes and have Mayor and Council echo the concerns.

“Laurie Lineberry – Director of Community Development suggested making the motion with the action in it.

“Vinod Mohindra suggested adding a requirement for an on-site manager for large complexes.

“Hamel said staff has done a great job addressing the residential requirements with this proposal so that both residential and corporate housing can go into the same area without changing the characteristic of the neighborhood.

“Hamel said he understood Commissioner Mohindra’s concerns.

“Hamel asked for clarification on the maximum occupancy for large complexes.

“Linville said the occupancy for the large complexes was determined by the International Property Maintenance Code.

PUBLIC COMMENT

None

MOTION

“Motion by Mohindra, second by Shara Merten – Planning and Zoning Commissioner, to APPROVE Case Number ZONE-24725-2019, with the caveat that a new construction company housing complex (large) or a new company housing complex conversion (large) housing twenty-five or more workers have a crew chief or supervisor present in the complex.

“Motion carried unanimously (4-0, with Fred Dammeyer – Planning and Zoning Commissioner and Tiffany Ott – Planning and Zoning Commissioner absent).’

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 type="checkbox"/> Document to be codified			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	John D. Simonton		5/7/2019	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		5/6/2019	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Laurie Lineberry		5/2/2019		
WRITTEN/SUBMITTED BY:		DATE:		
Alyssa Linville		4/26/2019		