

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: August 26, 2019

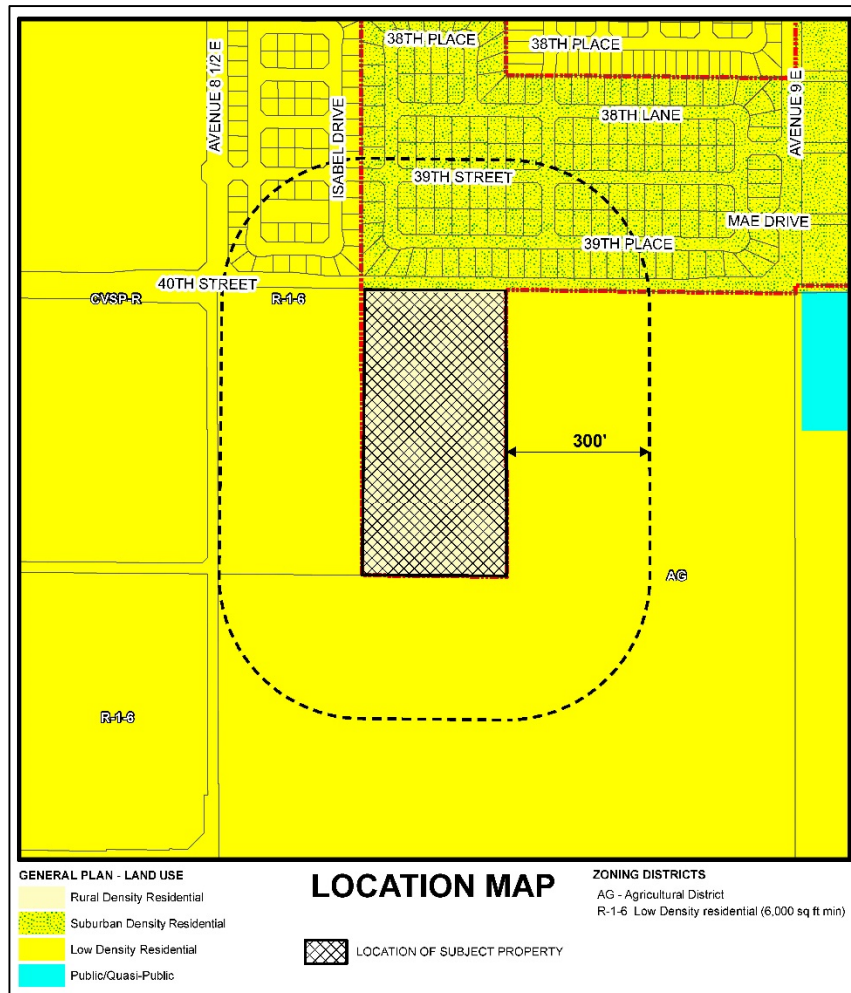
Case Number: GP-26140-2019

Project Description/Location:

This is a General Plan Amendment request by Edais Engineering on behalf of Riedel Construction Company, LLC, to change the land use designation from Rural Density Residential to Low Density Residential for approximately 19.3 acres, for the property located east of the southeast corner of the Avenue 8½E and 40th Street.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG)	Undeveloped	Rural Density Residential
North	County Manufactured Home Subdivision (MHS-10)	Single Family Homes	Suburban Density Residential
South	Agriculture (AG)	Undeveloped	Low Density Residential
East	Agriculture (AG)	Undeveloped	Low Density Residential
West	Low Density Residential (R-1-6)	Undeveloped	Low Density Residential

Location Map



Prior site actions: Annexation O2019-021 adopted 6/5/19.

Staff Recommendation: Staff recommends the Planning and Zoning Commission APPROVE the request to change the land use designation for 19.3 acres from Rural Density Residential to Low Density Residential.

Suggested Motion: Move to APPROVE the request to change the land use designation for 19.3 acres from Rural Density Residential to Low Density Residential located east of the southeast corner of Avenue 8½E and 40th Street.

Staff Analysis: This is a General Plan Amendment request by Edais Engineering on behalf of Riedel Construction Company, LLC, to change the land use designation from Rural Density Residential to Low Density Residential for approximately 19.3 acres, for the property located east of the southeast corner of the Avenue 8½E and 40th Street.

The existing Rural Density Residential land use designation (1 dwelling unit per 5 acres to 1 dwelling unit per 2 acres) supports the following types of zoning, Suburban Ranch (SR-2, SR-3, SR-4) with a minimum parcel size of 2 acres.

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 a Low Density Residential (R-1-6) zoning designation.

Density

The current land use designation of Rural Density Residential would allow from 4 to 9 dwelling units to be constructed on the subject 19.4 acres. The requested Low Density Residential land use designation would allow from 19 to 94 dwelling units to be constructed in a single-family development. The applicant intends to rezone to the Low Density Residential (R-1-6) zoning district.

Population

Information from the 2013-2017 American Community Survey provides data on population by housing unit type. The information shows an average household size of 2.8 persons per single-family dwelling in the City of Yuma. Comparing the densities allowed within the General Plan, the potential persons expected are:

- Rural Density Residential:
 - Minimum 4 homes – Expected population: 11
 - Maximum 9 homes – Expected population: 25
- Low Density Residential:
 - Minimum 19 homes – Expected population: 53
 - Maximum 94 homes – Expected population: 263

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 school-age population is estimated at:

- Rural Density Residential:
 - Minimum expected population: 11 – School Age: 2
 - Maximum expected population: 25 – School Age: 5

- Low Density Residential:
 - Minimum expected population: 53 – School Age: 11
 - Maximum expected population: 263 – School Age: 52

Transportation

The property is located at the southeast corner of the Avenue 8½E and 40th Street. Access to the property will be from future segments of Avenue 8½E and 40th Street.

According to the City of Yuma Transportation Master Plan Avenue 8½E operates 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. The Yuma Metropolitan Planning Organization identifies average annual daily traffic counts for 2017 as 5,311 vehicles on Avenue 8½E south of 32nd Street. Avenue 8½E north of 40th street is identified as a Collector roadway. The future segment of 40th Street east of Avenue 8½E is identified as a Minor Arterial.

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 Yuma Elementary School District One and the Yuma Union High School District.

According to the Yuma Elementary School District One School Boundary Maps, the elementary students in the subject area are within the boundary of Otondo Elementary School located at 2251 Otondo Drive and junior high school students are within the boundary of Castle Dome Middle School at 2353 Otondo Drive.

Conservation and Environmental

The land use amendment area is located outside of the Flat Tailed Horned Lizard Yuma Desert Management Area but is within the area where Flat Tailed Horned Lizards have historically been found. For development projects within the Management Area, specific development requirements must be followed to minimize any adverse impacts to the habitat. Development requirements include but are not limited to minimizing soil disturbance, fencing where appropriate to limit access to the habitat, habitat restoration following disturbances due to construction and fencing to minimize lizard encroachment on development sites. At this point in time, mitigation measures are not required for private development projects outside of the Management Area but are encouraged by the State of Arizona Game and Fish Department.

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 Element:**FACILITY PLANS**

Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
40 th Street – Minor Arterial	50FT HW	61FT HW				X

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?

No The surrounding area has received land use plan amendments to support a similar type of single family home residential development.

Scheduled Public Hearings:

<input checked="" type="checkbox"/>	City of Yuma Planning and Zoning Commission: August 12, 2019
<input checked="" type="checkbox"/>	City of Yuma Planning and Zoning Commission: August 26, 2019
<input type="checkbox"/>	City of Yuma City Council: September 18, 2019

Public Comments Received:

None Received

Agency Comments:

See Attachment A

Neighborhood Meeting Comments:

None Required

Final staff report delivered to applicant on:

8/13/19

<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

Jennifer.Albers@YumaAZ.gov

Date:

8/13/19

(928) 373-5180

Reviewed By:

Alyssa Linville,

Assistant Director Community Development

Date:

08/13/19

Approved By:

Laurie L. Lineberry, AICP,

Community Development Director

Date:

8-13-19


**ATTACHMENT A
AGENCY COMMENTS**

DATE:	5/23/19	NAME:	Javier Barraza	TITLE:	Senior Planner
AGENCY:	Yuma County, Development Services			PHONE:	(928) 817-5150
<i>Enter comments below:</i>					
The subject property is already surrounded by the proposed Low Density land Use, and the current land use appears to be an oversight.					

DATE:	6/7/19	NAME:	Mary Ellen Finch	TITLE:	Community Liaison Specialist
AGENCY:	Marine Corps Air Station Yuma			PHONE:	(928) 269-2103
<i>Enter comments below:</i>					
The subject property Parcel 726-03-002 is located approximately 1.78 miles from the boundary of the Barry M Goldwater Range (BMGR) and as such will experience noise, interference or vibrations due to aviation operations that may occur during BMGR Range Operations. We would also request a Range Disclosure statements be included due to this proximity. As is standard these documents will be included in each subsequent home/lot sale. Please send a copy of the recorded subdivision easements to MCASYUMA_CPLO@usmc.mil . Thank you for the opportunity to comment.					

DATE:	6/11/19	NAME:	Tyler Williford	TITLE:	Habitat Specialist
AGENCY:	Arizona Game and Fish Department			PHONE:	(928) 341-4069
<i>Enter comments below:</i>					
Area is potential habitat for the flat-tailed horned lizard (Phrynosoma mcalli) which is listed as a Species of Greatest Conservation Need (SGCN) in Arizona.					

**ATTACHMENT B
STAFF WORKSHEET**

	STAFF RESEARCH – GENERAL PLAN AMENDMENT CASE #: GP-26140-2019 CASE PLANNER: JENNIFER L. ALBERS
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I. PROJECT DATA

Project Location:		East of the SEC of Avenue 8½E and 40 th Street									
Parcel Number(s):		726-03-002									
Parcel Size(s):		19.3 acres									
Total Acreage:		19.3									
Proposed Dwelling Units:		Maximum: 94		Minimum: 19							
Address:											
Applicant:		Riedel Construction Company									
Applicant's Agent:		Edais Engineering									
Land Use Conformity Matrix:		Current Zoning District Conforms: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> X <input type="checkbox"/>									
Zoning Overlay:	Public <input type="checkbox"/>	AO <input type="checkbox"/>	Auto <input type="checkbox"/>	B&B <input type="checkbox"/>	Historic <input type="checkbox"/>	Infill <input type="checkbox"/>	None <input type="checkbox"/>	X <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"/>				
	Existing Zoning		Current Use			General Plan Designation					
Site	County Rural Area – 10 acre (RA-10)		Undeveloped			Rural Density Residential					
North	County Manufactured Home Subdivision (MHS-10)		Single Family Homes			Suburban Density Residential					
South	Agriculture (AG)		Undeveloped			Low Density Residential					
East	Agriculture (AG)		Undeveloped			Low Density Residential					
West	Low Density Residential (R-1-6)		Undeveloped			Low Density Residential					
Prior Cases or Related Actions:											
Type	Conforms		Cases, Actions or Agreements								
Pre-Annexation Agreement	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A								
Annexation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	ANEX-24913-2019								
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 checked="" type="checkbox"/>	No <input type="checkbox"/>	Date: 1/8/19								
Enforcement Actions	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A								
Land Division Status:		Legal Lot of record									
Irrigation District:		None									
Adjacent Irrigation Canals & Drains:		None									
Water Conversion: (5.83 ac ft/acre)		112.52 Acre Feet a Year									
Water Conversion Agreement Required		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	X <input type="checkbox"/>							

II. CITY OF YUMA GENERAL PLAN

Land Use Element:	
Land Use Designation:	Rural Density Residential
Issues:	

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		Gateway	Scenic	Hazard	Truck	
40 th Street – Minor Arterial		50FT HW		61FT HW					X	
Bicycle Facilities Master Plan	40 th Street Proposed Bike Lanes									
YCAT Transit System	None									
Issues:										
Parks, Recreation and Open Space Element:										
Parks and Recreation Facility Plan										
Neighborhood Park:	Existing: Saguaro Park				Future: Saguaro Park					
Community Park:	Existing: Kennedy Park				Future: Agua Viva Park					
Linear Park:	Existing: East Main Canal Linear Park				Future: Gila Valley Main Canal Linear Park					
Issues:										
Housing Element:										
Special Need Household:	N/A									
Issues:										
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:										
Public Services Element:										
Population Impacts Population projection per 2013-2017 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	Police	Water		Wastewater		
		<i>Single Family</i>		Population	Impact	Consumption		Generation		
		Maximum	Per Unit		Officers	GPD	AF	GPD		
		94	2.8	263	0.50	78,960	88.5	26,320		
		Minimum								
		19	2.8	53	0.10	15,960	17.9	5,320		
Fire Facilities Plan:	Existing: Fire Station No. 5				Future: Fire Station No. 7					
Water Facility Plan:	Source:	City	X	Private		Connection:	40 th Street 30" Line			
Sewer Facility Plan:	Treatment:	City	X	Septic		Private	Connection: 40 th Street 24" Line			
Issues:										
Safety Element:										
Flood Plain Designation:	500 Year Flood Zone				Liquefaction Hazard Area:		Yes		No	X
Issues:										
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:										

NOTIFICATION

- Legal Ad Published: The Sun 7/27/19
- Display Ad Published: 7/27/19
- 660' Vicinity Mailing: 7/15/19
- 54 Commenting/Reviewing Agencies noticed: 5/21/19
- Site Posted: 6/12/19
- Neighborhood Meeting: 7/10/19
- Hearing Dates: 8/12/19 & 8/26/19
- Comments Due: 7/22/19

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)	Yes	5/23/19		X
Yuma County Public Works	NR			
Yuma County Airport Authority	Yes	5/21/19	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	5/21/19	X	
Arizona Game & Fish Dept.	Yes	6/11/19		X
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	6/7/19		X
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	5/23/19	X	
Yuma Irrigation District	NR			
Yuma Mesa Irrigation Drainage District	Yes	5/21/19	X	
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
Susan Smith, Police	NR			
Rod Hamilton, Police	NR			
Damon Chango, Parks and Rec – Admin	NR			
Ron Ramirez, Parks and Rec – Grounds	NR			
Jeff Kramer, City Engineer	NR			
Joel Marcuson, Traffic Engineer	NR			
Andrew McGarvie, Engineering	NR			
Kayla Franklin, Fire – Prevention	Yes	5/22/19	X	
Randal Crist, DCD – Building Safety	NR			
Jeremy McCall, Utilities	NR			
Joel Olea, Public Works	NR			
NR=None Received	NR			

Neighborhood Meeting	Comments Available
JULY 10, 2019	None
Prop. 207 Waiver	
Received by Owner's signature on the application for this land use action request.	

The map displays a residential neighborhood with a grid of streets. A red rectangle highlights the 'Subject Property' located between E 39th Pl and E 40th St, and between S Avenue 8 1/2 E and S Avenue 9 E. The surrounding streets include E 37th Ln, E 38th St, E 38th Pl, E 39th St, E 39th Pl, E 40th St, and E County 12th St S. Other streets shown are S Eagle, S Falcon, S Avenue 8 1/2 E, S Hinkle, S Isot, S Ben, S Des, S Laura, S Kimball, S Susann, S Joshua, S Etera Ln, E Kaye Dr, E Jean St, E Mae Dr, and S Avenue 9 E.