

MINUTES
REGULAR WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS - YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
April 2, 2019
6:00 p.m.

CALL TO ORDER

Mayor Nicholls called the Regular City Council Worksession to order at 6:04 p.m.

Councilmembers Present: Shelton, Watts, Thomas, Knight, McClendon, Miller, and Mayor Nicholls
Councilmembers Absent: None
Staffmembers Present: City Administrator, Gregory K. Wilkinson
Neighborhood Services Specialist, Tad Zavodsky
Director of Community Development, Laurie Lineberry
Principal Planner, Alyssa Linville
Assistant Director of Community Development, Randy Crist
Engineering Manager, Andrew McGarvie
Various department heads or their representatives
Deputy City Attorney, Rodney Short
City Clerk, Lynda Bushong

I. RECOGNITION OF THE 2019 NEIGHBORHOOD LEADERSHIP ACADEMY MEMBERS

Mayor Nicholls stated that the Neighborhood Leadership Academy (NLA) program was launched in 1996 at the direction of Mayor Marilyn Young with the goals of improving communication between the local government and the community, to train and empower citizens to bring community issues forward to City staff and to City Council, and to encourage and prepare individuals for appointment to City boards and commissions or to serve as elected officials. The NLA consists of a group of 25-30 citizens selected through an application process who then commit to a 15-week course consisting of three-hour sessions which includes an overview of every City department as well as training on leadership and teambuilding.

Zavodsky recognized the following members of the 2019 Neighborhood Leadership academy:

- | | | |
|------------------------|--------------------|-------------------|
| • Evelyn Aello | • Gel Lemmon | • Sandra Nevels |
| • Edward Arviso | • John Lizarraga | • Jenny Nguyen |
| • Eula Baumgarner | • Melissa Lovett | • Allison Norris |
| • Mark Briones | • John MacDonald | • Brandee Remeika |
| • Tee Cervantes | • Mariana Martinez | • Miguel Salcedo |
| • Shawn Clavell | • Angela Maske | • Karl Shaner |
| • Joel De La Vara | • Adriana McBride | • Stuart Smith |
| • Rodger Diaz | • Mary McClendon | • Deborah Staszak |
| • Michelle Hetu-Norris | • Arturo Morales | |

Mayor Nicholls thanked Zavodsky for the presentation and thanked everyone who has gone through the NLA program. **Shelton** added that the NLA prepares citizens to become community leaders and encouraged those who have completed the program to keep the vision alive.

II. COMPANY HOUSING

Lineberry introduced Principal Planner Alyssa Linville to present an overview on company housing, previously called Farmworker or H2A Housing. **Lineberry** explained that the name was changed during the review and development of the proposed ordinance to better reflect the use of such housing, which is not limited to the agricultural industry.

Linville stated that while there are a number of company housing projects within the City of Yuma, they are not formally addressed within the zoning code. Currently company housing is located within single-family neighborhoods, existing apartment complexes, and motels that have been converted for company housing purposes. With those conversions the City is now seeing a shortage in multi-family housing options for permanent residents and a reduction in school enrollment in those areas. The purpose of the proposed ordinance is to address some of those issues while formalizing what is already existing and ensuring it does not impact facilities currently in operation. The types of company housing that are addressed in the ordinance are:

- Small Complexes
 - Adjacent single-family homes or duplexes
 - Can occupy up to six occupants per unit
 - No more than two occupants per bedroom
 - Distance separation of 1,000 feet
 - Helps maintain the residential character of the neighborhood
 - Permitted in the Agricultural, R-1, R-2, and R-3 zoning districts
- New Conversions
 - Consists of motels and apartments constructed prior to the adoption of this ordinance
 - Permitted in High Density Residential and General Commercial zoning districts
 - No distance separation required
 - Onsite bus parking is required to help alleviate roadway congestion
 - Tenant parking areas may be converted for use as outdoor recreation space
 - If complex returns to market rate use, adequate parking would need to be re-established
 - Indoor and outdoor recreation spaces required
 - Indoor – such as media lounge with televisions and couches
 - Outdoor – such as basketball or volleyball court, soccer field, ramada with benches, barbecue area
 - Onsite laundry facility required
 - Annual inspections required
 - Annual inspections are already being conducted by City staff, so this would not be a new requirement
- New Construction
 - Can translate to a much larger project and a higher density than is typically seen in residential neighborhoods
 - Bedrooms are often enlarged to accommodate more residents
 - New construction will be permitted along certain roadway classifications, typically in areas with commercial activity
 - This is a benefit to the occupants as they will have easy access to stores and restaurants

- Onsite bus parking, indoor and outdoor recreation areas, laundry facilities, and annual inspections will be required
- The housing occupancy for these large facilities is determined by the International Property Maintenance Code (IPMC)
- Existing Conversions
 - Facilities that were legally established prior to the adoption of this ordinance would not need to be modified unless converted back to market rate apartments and then again converted to company housing in the future

Linville stated that during this process the City received comments that resulted in changes to the draft ordinance, including the removal of the 1,000 foot separation between large facilities, which might limit where new facilities could be located, as well as the removal of the requirement for onsite management, which was found to be unnecessary. This project began in 2015 and there have been several meetings with members of the agricultural community to discuss their concerns and consider their feedback during the drafting of this ordinance. In addition to the agricultural community, several of the school districts have shown their support in hopes that allowing new construction in commercial districts might help increase school enrollment numbers. The latest outreach meeting took place in January where nearly 150 representatives from the agricultural community were in attendance.

Linville concluded by summarizing the following key points:

- This ordinance will not impact existing facilities
- The occupancy will be determined by the IPMC, which is a current City practice
- There is no distance requirement between large facilities
- Onsite management will not be required
- Onsite parking can be used for outdoor recreation with the understanding that if that company housing were to be converted at a later date that the onsite parking be re-established
- The main purpose is to adopt something that addresses the current use that is occurring within the City while also protecting single-family neighborhoods

Mayor Nicholls asked if this version of the draft ordinance was made available to the 150 representatives at the meeting in January. **Linville** confirmed that it had. **Mayor Nicholls** asked what is missing in the City's current code that would be addressed by this ordinance. **Linville** replied that the City's current code does not address company housing, which is different than typical multi-family housing. For example, multi-family housing has an average occupancy of 2.1 persons per unit, while company housing can see as many as 6-8 persons per unit. **Crist** explained that while the City currently has the IPMC in place, without this ordinance new construction can increase the bedroom sizes to increase the occupancy of units far beyond what is typical for a normal market rate apartment. Furthermore, with single-family dwellings the current code requires 50-square-feet for each occupant and a home with five large bedrooms can quickly become occupied outside of the realm of a standard single-family home.

Mayor Nicholls expressed concern that the proposed ordinance may be creating regulations that are not needed rather than addressing specific issues that have arisen, adding that City Council has yet to see the proposed ordinance. **Lineberry** explained that the proposed ordinance has not been presented to the Planning and Zoning Commission yet so this is only an overview of the topic so that City Council would not be blindsided by any potential questions or comments from the public.

Knight asked how increased traffic will be addressed by new construction. **Lineberry** stated that typically new facilities are located along major corridors that can accommodate the additional traffic and where higher volume is already expected. There are also ample services within walking distance as opposed to if they were located in the middle of a single-family neighborhood.

Thomas asked if this ordinance is specifically addressing the agricultural community. **Linville** explained that while the agricultural community is probably the main user of company housing in Yuma, the Yuma Regional Medical Center has a similar facility that would fall in line with the requirements of this ordinance. **Thomas** stated that he was under the impression that farmworker housing was for rural areas rather than more urban areas. **Crist** replied that the original rules for farmworker housing were established in the 1970s for onsite barracks in agricultural areas. Eventually there was not enough space in those areas for farmworker housing and it slowly began to migrate into the City limits. **Thomas** asked if this ordinance affirms that it is acceptable for farmworker housing to be in residential areas. **Lineberry** clarified that there is already a significant amount of farmworker housing in residential neighborhoods and the purpose of this ordinance is to address what is already taking place. The City has worked with growers for years on issues related to worker housing and much of it functions very well as it is. However, new construction needs to be placed in an appropriate area that will accommodate the intensity of what is not a standard residential apartment but is instead a more commercial endeavor.

Shelton asked if there are any conversions taking place at this time. **Crist** responded that there are motel conversions taking place right now, and there have been motel and apartment complex conversions within the last year. While it would seem that agricultural use of company housing would be seasonal, it is actually utilized throughout the year due to the different crops and their varied growing periods. **Shelton** asked for clarification on the school districts' concerns regarding company housing. **Linville** explained that as multi-family complexes are converted to company housing, families with children are moving elsewhere and this is impacting school enrollment numbers. **Lineberry** added that schools are located based on housing and school districts draw their boundaries based on where housing and children are located, so the migration of children to other areas based on the influx of company housing is a concern.

Mayor Nicholls asked if industries other than agriculture have been included in the discussions regarding the proposed ordinance. **Lineberry** stated that they have not, but staff can certainly reach out to them.

III. REGULAR CITY COUNCIL MEETING AGENDA OF APRIL 3, 2019

Public Hearing on Ordinance O2019-019 – Adoption of North Service Area Development Fees (based on the Land Use Assumptions and Infrastructure Improvement Plan (IIP) adopted on February 27, 2019) (Engineering)

Knight pointed out that the proposed fee schedule does not match the increases laid out in the Request for City Council Action. **McGarvie** stated that the numbers in the staff report are based on the current fees in effect, and the new fees include the South Mesa Park that was recently added into the IIP. **Wilkinson** noted that a presentation will be given at tomorrow night's City Council Meeting and suggested that the math be double checked between now and then to ensure all of the numbers are correct.

Watts asked what the development fees were prior to the last change in 2010. **McGarvie** stated that they were almost double what they are currently.

Shelton asked if the development community is in agreement with the fees that are being presented. **Wilkinson** explained that they were in agreement with the original fees that were presented. However, since that time City Council requested the design fees for the South Mesa Park be added into the IIP. **Mayor Nicholls** clarified that City Council added the South Mesa Park at the request of some people in the development community; City Council did not independently decide to make that change.

IV. EXECUTIVE SESSION

Motion (Thomas/McClendon): To adjourn the meeting to Executive Session. Voice vote: **adopted** 7-0. The meeting adjourned at 6:55 p.m.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor