



# REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:**

May 20, 2020

**DEPARTMENT:**

City Administration

**DIVISION:**

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

**TITLE:**

Resolution: Extension of Time

**SUMMARY RECOMMENDATION:**

Approve a resolution granting a 180-day extension of time for a permittee to exercise rights under certain permits and authorizations issued by the City pursuant to Title 15 of the Yuma City Code and creating certain exceptions. (Administration) (Philip Rodriguez)

**REPORT:**

Since early March of 2020, the State of Arizona has been under a Declaration of Public Health Emergency issued by Arizona Governor Doug Ducey. In connection with the Governor's Declaration of Public Health Emergency, numerous Executive Orders have been issued by the Governor relating to the closures of certain business and the implementation of measures intended to prevent or slow the spread of the CODID-19 virus.

As a result, many Arizona businesses engaged in the support of real estate, land development, construction, project design, project management, engineering and surveying and other related development industries may have experienced difficulties related to delays, materials shortages, staffing and supply chain disruptions and other impedances. These disruptions to the development industry may have impacted anticipated projects in the City of Yuma that have previously issued approvals, permits or authorizations that contain completion deadlines, expiration dates or are subject to other timing considerations.

In recognition of the unprecedented impacts of the COVID-19 crisis, and particularly the possible impacts on the development industry and approved development projects in Yuma, a 180 day extension of the time periods for which a permittee may exercise rights under a previously issued permit or City authorization may provide some relief and limit the economic impact COVID-19 has on the commencement and completion of approved development projects in the City of Yuma.

The 180-day extension will extend approvals granted by the City of Yuma Hearing Officer, Zoning Administrator, Building Official, Planning Commission and City Council, which could include, among

other things, zoning approvals containing conditions of development relating to the timing of filing applications for subdivision plats, the expiration or term of building permits, the time period upon which to install certain public infrastructure, and other construction and development related approvals containing deadlines or timing considerations.

The 180 day extension will be added to the date of expiration on any permit or authorization issued prior to June 1, 2020, and should give the developer or property owner sufficient time to complete all requirements. After June 1, 2020, the Department of Community Development will anticipate any necessary extensions in a prospective manner.

The 180 day time extension does not affect the statutory process applicable to the City, found at A.R.S. §9-462.01(E), relating to unfulfilled timing conditions of a rezoning approval other than that the expiration of the extension would be the applicable date for which compliance must be achieved.

Additionally, while the 180 day extension applies to most permits and authorizations issued pursuant to Title 15 of the Yuma City Code, the 90 day extension does not apply to any permits or authorizations that:

- 1) are governed by a Federal or State law prohibiting extensions, or;
- 2) in pending non-compliance or enforcement actions; or
- 3) subject to a court order or proceeding; or
- 4) an extension would create an immediate threat to the public health or safety; or
- 5) any permit or authorization approved after June 1, 2020; or
- 6) any contractual term or any development agreement previously entered into with the City.

There are no known economic impacts to the City as a result of the proposed extension.

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.			
ADDITIONAL INFORMATION	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			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Philip Rodriguez		5/13/2020	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		5/11/2020	
SIGNATURES	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
	WRITTEN/SUBMITTED BY:		DATE:	