



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – TEXT AMENDMENT
CASE PLANNER: JENNIFER L. ALBERS

Hearing Date October 27, 2025

Case Number: ZONE-44497-2025

Project Description: This is a request by the City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154 to authorize administrative personnel to review and approve design review, and to add rules and regulations regarding the voice or video appearance by a Design and Historic Review Commissioner.

Staff recommendation: Staff recommends **APPROVAL** of the text amendment to authorize administrative personnel to review and approve design review, and to add rules and regulations regarding the voice or video appearance by a Design and Historic Review Commissioner.

Suggested Motion: Move to **APPROVE** the text amendment ZONE-44497-2015 as presented in the staff report.

Effect of the Approval: By approving the text amendment, the Planning and Zoning Commission is recommending approval to City Council for the request to authorize administrative personnel to review and approve design review, and to add rules and regulations regarding the voice or video appearance by a Design and Historic Review Commissioner.

Staff Analysis: The purpose of this text amendment is twofold: first, to align the City of Yuma zoning code with recent State of Arizona statute changes for the administrative review and approval of design review applications, and second, allow members of the Design and Historic Review Commission to participate telephonically at meetings, similar to members of the Planning and Zoning Commission.

House Bill 2447, approved by the legislature and signed by the Governor on March 31, 2025, requires by ordinance that cities and towns authorize administrative personnel to review and approve design review plans based on objective standards without a public hearing. Currently for the City of Yuma, design review and approval is under the authority of the Design and Historic Review Commission for projects located within the Aesthetic Overlay District, Historic Overlay District and the Old Town Zoning District.

As required by House Bill 2447, the proposed text amendment removes the review authority for design review within the Aesthetic Overlay District from the Design and Historic Review Commission and places that authority with the Zoning Administrator. The role of the Zoning Administrator is completed by the Director of Community Development or their designee.

The Design and Historic Review Commission will still have a role in design review as the Commission will be the appeal body for decisions by the Zoning Administrator regarding design review within the Aesthetic Overlay District.

This text amendment only applies to projects located within the Aesthetic Overlay District. Under Arizona Revised Statutes Title 9 Section 462.01.10, cities have the ability to establish districts of historical significance and require special permission be obtained prior to any development for any structures and sites. The Historic Overlay District and the Old Town Zoning District have been established specifically to preserve historic places and structures.

The second part of this text amendment adds the ability of members of the Design and Historic Review Commission to participate in meetings telephonically, similar to members of the Planning and Zoning Commission. This option is allowed by individual Commissioners only twice per calendar year and is only allowed for meetings that are held at the Yuma City Hall.

1. Does the proposed amendment implement the goals, objectives and policies of the General Plan?

Yes The City of Yuma 2022 General Plan reflects the Visions and Strategic Plan of the City Council for the City. This text amendment supports a Strategic Outcome to be Respected and Responsible as a trusted steward of City Resources and to be relied upon to provide premier services and regional leadership.

2. Does the proposed amendment fit the overall purpose and intent of the zoning ordinance?

Yes This amendment supports the Zoning ordinance and brings the text into alignment with State statute.

3. Will the proposed amendment change the range of uses identified in the zoning code? If so, how?

No

4. Will the proposed text amendment change the development standards of the zoning or subdivision ordinances? If so, how?

No

5. What are the potential impacts of the proposed amendment?

There are no potential negative impacts identified with the proposed text amendment.

6. Does the proposed amendment fit the overall purpose and intent of the subdivision ordinance?

N/A

7. Does the proposed amendment conform to prior City Council actions regarding this issue?

No This amendment supports City Council's commitment to provide premier services to the Yuma community.

External Agency Comments: None Received.

Neighborhood Meeting Comments: No Meeting Required.

Attachments:

A	B
Draft Text	Agency Notification

Reviewed By: *Jennifer L. Albers*
Jennifer L. Albers
Assistant Director of Planning

Date: 9/23/25

Approved By: *Alyssa Linville*
Alyssa Linville
Director, Planning and Neighborhood Services

Date: 10/16/25

ATTACHMENT A
DRAFT TEXT

SECTION 1: Yuma City Code, Title 15, Chapter 154, Article 2, Section 3 Zoning Administrator be amended to insert the bolded text:

§ 154-02.03 Zoning Administrator.

(A) *Establishment.* Pursuant to A.R.S. § 9-462.05 the Planning Director, also known as Director of Planning, or an authorized deputy acting under his or her direction, shall be the Zoning Administrator.

(B) *Duties.* The Zoning Administrator, or his or her authorized deputy shall be charged with responsibility for enforcement of the zoning ordinance:

(1) Supply information about, and provide interpretations of, this chapter to the public, city departments and other agencies;

(2) Provide advice and assistance to all applicants for zoning actions;

(3) Accomplish all administrative actions required by this chapter; including receiving applications, giving notice of hearings, preparation of reports and processing appeals, **completing design review and approval;**

(4) Enforce the provisions of this chapter pertaining to the erection, construction, moving, reconstruction, conversion, alteration or addition to any building or structure and the use of any land, building or premise;

(5) Inspect buildings, structures and lands as may be necessary or desirable for enforcement of this chapter;

(6) Determine other permitted uses consistent with the purpose of each Zoning District; and

(7) Notwithstanding the procedures set forth in § 154-03.04(D)(1)(a) through (D)(1)(c) for consideration of a variance application, the Zoning Administrator may approve a deviation in development standards and/or dimensional criteria upon the making of the findings required in § 154-03.04(D)(1)(a) through (D)(1)(d), when the following conditions are satisfied:

(a) The application requests a deviation from code not exceeding a 10% reduction or increase of a development standard and/or dimension required by the zoning code; and

(b) The Zoning Administrator determines that the request complies with the four findings of fact required by § 154-03.04(D)(1)(a) through (D)(1)(d).

SECTION 2: Yuma City Code, Title 15, Chapter 154, Article 2, Section 4 Design and Historic Review Commission (DHRC), Subsection (D), be amended to insert the bolded text and delete the strike through text:

(D) *Duties.* The Commission's duties are outlined as follows:

(1) To promote the educational, cultural, economic and general welfare of the community and to ensure the harmonious growth and development of the municipality by encouraging the preservation of historic places and structures, and advancing aesthetic and functionally well-designed projects;

(2) To designate sites and districts of historical significances;

(3) To provide regulatory oversight regarding exterior modifications to all historic structures or sites that are listed or eligible for listing on the National Register of Historic Places and have received the city's Historic (H) District Zoning Overlay, as well as projects within the Aesthetic Overlay District;

(4) ~~To review all project design plans within an Aesthetic Overlay District. Such plans shall be reviewed for compliance with the Aesthetic Overlay Design Guidelines;~~ **Hear and decide appeals of the City Zoning Administrator's decisions on project design plans within the Aesthetic Overlay District;**

(5) To provide regulatory oversight regarding the exterior appearance of any structure (new construction, renovation or alteration) within a recognized Historic District ~~or within the Aesthetic Overlay~~ and areas with specific design requirements;

(6) The Commission shall decide whether a permit should be issued for any demolition, removal, exterior renovation, addition or any other exterior alteration of any historic structure, historic site or any property located within an historic district. The Commission's review of applications for new construction shall be limited to building size, scale, exterior elevation, design, color and appearance, to ensure compatibility with the historic character of the property, neighborhood or environment. When the local Commission governing the historic district denies an application or request, the applicant may not legally proceed with any exterior work, including demolishing or moving a structure, unless the Commission's decision is appealed and is set aside or modified by a superior authority;

~~—(7) Review and approval of all private and commercially oriented development of lands located within the RO Zoning District;~~

~~—(8) Review and approval of all exterior lighting in the Bed and Breakfast Overlay District;~~

(7) ~~(9)~~ Hear and decide appeals of the City Zoning Administrator's decisions on signage and building requirements within the Historic Park Zoning District; and

(8) ~~(10)~~ The Commission shall keep the Mayor and Council apprised in all matters concerning historic sites and districts. In this regard it:

(a) May recommend to the Mayor and Council acquisition by the city of structures or easements for maintenance or repair of structures for their preservation where private preservation is not feasible; and

(b) May initiate and conduct detailed studies and surveys of buildings, in conjunction with the Rio Colorado Chapter of the Arizona Historical Society and interested others, the intention of assessing potential of such buildings, structures or areas for designation as historic sites or districts.

SECTION 3: Yuma City Code, Title 15, Chapter 154, Article 3, Section 8 Design Review Procedure, Subsections (A) and (B) be amended to insert the bolded text and delete the strike through text:

(A) *Submittal and approval.* The project design plan, for any project within an Aesthetic Overlay District, shall be submitted and approved by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator** prior to the issuance of any construction or development permits.

(B) *Fee.* The project design plan shall be accompanied by the appropriate fee and shall provide adequate information for the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator** to determine whether the proposed project will meet the ordinance requirements of the district.

SECTION 4: That the Yuma City Code, Title 15, Chapter 154, Article 13, Section 1 Recreation and Open Space District (RO), Subsection (E) be amended to delete the strike through text:

~~—(12) All private and commercially oriented development of lands located within the RO Zoning District shall be subject to the review and approval of the Design and Historic Review Commission (DHRC).~~

SECTION 5: Yuma City Code, Title 15, Chapter 154, Article 14, Section 1 Aesthetic Overlay District (AO), Subsection (C) be amended to insert the bolded text and delete the strike through text:

(C) *Design review procedure.* The project design plan shall be submitted and approved by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator** prior to the issuance of any construction or development permits (see § 154-03.08).

SECTION 6: Yuma City Code, Title 15, Chapter 154, Article 14, Section 1 Aesthetic Overlay District (AO), Subsection (F) be amended to insert the bolded text and delete the strike through text:

(F) *Building permits based upon approved project design.* Within one year of approval of a project design by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**, a building permit may be granted for a site based upon the project design approved by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**. If more than one year has elapsed since approval of the project

design for that location, such design plan shall be resubmitted to the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator** to accept or modify the design previously approved, prior to issuance of a building permit.

SECTION 7: Yuma City Code, Title 15, Chapter 154, Article 14, Section 1 Aesthetic Overlay District (AO), Subsection (G) be amended to insert the bolded text and delete the strike through text:

(G) *Amendments to approved project design.* Any substantial amendment or modification to an approved project design shall be reviewed by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**.

SECTION 8: Yuma City Code, Title 15, Chapter 154, Article 14, Section 1 Aesthetic Overlay District (AO), Subsection (H) be amended to insert the bolded text and delete the strike through text:

(H) *Minor project design plan changes within the Aesthetic Overlay.*

(1) The Zoning Administrator, or his or her designee, shall have the authority to review modifications to an approved project design only for minor changes that do not substantially change the visual appearance of the project as **previously** approved by the ~~Design and Historic Review Commission~~. ~~The Design and Historic Review Commission will be advised of any administrative decisions pursuant to this section.~~

SECTION 9: Yuma City Code, Title 15, Chapter 154, Article 14, Section 3 Bed and Breakfast Overlay District (BB), Subsection (B)(9) be amended to insert the bolded text and delete the strike through text:

(9) *Exterior lighting.* Any exterior lighting shall be residential in nature and character. Lighting shall be located so as to minimize off-site illumination and direct the light away from any public or private street right-of-way or from any residential district or use. All exterior lighting shall be approved by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**. Lighting shall be in accordance with Article 18 of this chapter of the City Code. No color lighting shall be permitted.

SECTION 10: Yuma City Code, Title 15, Chapter 154, Article 14, Section 9 Infill Overlay District (IO), Subsection (F) be amended to delete the strike through text:

(F) *Design review procedures.* Infill Overlay District development standards shall be incorporated into all project plans submitted to the city for which a building permit is required. The Zoning Administrator, or his or her designee, shall review all Infill Overlay District development standards incorporated in such project plans to ensure compliance with the intent and spirit of the district. Any property located within a Historic District ~~or Aesthetic Overlay District~~ will require review and approval by the Design and Historic Review Commission (DHRC) prior to the issuance of any construction or building permits.

SECTION 11: Yuma City Code, Title 15, Chapter 154, Article 19 Personal Wireless Communications, Section 3, Subsection (E) be amended to insert the bolded text and delete the strike through text:

(E) No personal wireless communication facilities are permitted on any building within an Aesthetic Overlay (AO) Designation unless such personal wireless communication facilities are approved through the ~~Design Review Commission~~ **Zoning Administrator**.

SECTION 12: Yuma City Code, Title 15, Chapter 154, Article 19 Personal Wireless Communications, Section 9, Subsection (G)(2) be amended to insert the bolded text and delete the strike through text:

(2) No personal wireless communication facilities are permitted on public highways facing any building within an Aesthetic Overlay (AO) Designation unless such personal wireless communication facilities are approved through the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**.

SECTION 13: Yuma City Code, Title 15, Chapter 154, Article 2, Section 4 Design and Historic Review Commission (DHRC), be amended to insert the bolded text:

(F) *Voice or video appearance.* A Design and Historic Review Commissioner shall have the opportunity to participate by voice or video during a regularly scheduled meeting subject to the following rules and regulations:

(1) Voice or video participation shall mean the participation of the Design and Historic Review Commissioner(s) at Design and Historic Review Commission meetings by voice or video technology where the Design and Historic Review Commissioner is not physically present at the Design and Historic Review Commission meeting.

(2) Voice or video participation shall only apply to Design and Historic Review Commission meetings held at Yuma City Hall, Yuma, Arizona.

(3) A Design and Historic Review Commissioner wishing to participate through voice or video technology shall contact the Director of Community Development regarding the need to participate from an off-site location. Notice shall be provided no later than two business days prior to the meeting to allow sufficient time to post the information on the agenda and to prepare the meeting room for such voice or video participation.

(4) No more than two Design and Historic Review Commissioners may participate by voice or video technology at any meeting. Unless approved by the Design and Historic Review Commission, no Commissioner may participate by video or voice technology more than twice in any calendar year.

(5) When a Design and Historic Review Commissioner is participating by using voice or video technology at a meeting:

(a) The meeting facilities shall be arranged to provide the capability of the public audience to be able to hear such participating Commissioner. Facilities shall also be provided whereby the participating Commissioner can hear any comments made by other members of the Design and Historic Review Commission, by City staff and by the audience in attendance at the meeting.

(b) Communications shall be initiated with the Commissioner prior to the beginning of the Design and Historic Review Commission meeting. The participating Commissioner will identify him or herself during roll call and state that he/she is attending the meeting through voice or video participation.

(6) The meeting agenda shall reflect that a Design and Historic Review Commissioner will be participating through voice or video technology and voting procedures will remain as required by the City of Yuma Code (§ 154-02.04).

ATTACHMENT B AGENCY NOTIFICATION

- Legal Ad Published: The Sun 10/03/25
- 34 Commenting/Reviewing Agencies noticed: 09/08/25
- Neighborhood Meeting: N/A
- Hearing Date: 10/27/25
- Comments due: 09/22/25

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	9/8/25	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	Yes	9/9/25	X		
Yuma County Planning & Zoning	Yes	9/8/25	X		
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	Yes	9/8/25	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineering	NR				
Fire	Yes	9/8/25	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	9/18/25	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

Neighborhood Meeting	Comments Available
None Required	N/A

PUBLIC COMMENTS RECEIVED: NONE