



**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – TEXT AMENDMENT
CASE PLANNER: ERIKA PETERSON**

Hearing Date June 24, 2024

Case Number: ZONE-42689-2024

Project Description: This is a request by Arick Dombrowski, on behalf of Yuma Memorial Park, LLC, for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Article 8, Section 4 General Commercial District, Subsection E to amend the list of Conditional Uses to include Cemeteries on a minimum area of 15 acres as a Conditional Use within the General Commercial (B-2) Zoning District.

Staff recommendation: Staff recommends **APPROVAL** of the text amendment to amend Title 15, Chapter 154, Article 8, Section 4 General Commercial District, Subsection E to amend the list of Conditional Uses to include Cemeteries on a minimum area of 15 acres as a Conditional Use within the General Commercial (B-2) Zoning District.

Suggested Motion: Move to **APPROVE** the text amendment ZONE-42689-2024 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 amend Title 15, Chapter 154, Article 8, Section 4 General Commercial District, Subsection E to amend the list of Conditional Uses to include Cemeteries on a minimum area of 15 acres as a Conditional Use within the General Commercial (B-2) Zoning District.

Staff Analysis: The current City of Yuma Zoning Code allows cemeteries as conditional uses in several districts, including the Agriculture District, Suburban Ranch Districts, Residential Estate Districts, Low Density Residential Districts, Medium Density Residential District, and High Density Residential District. However, the code does not specify a minimum acreage requirement for cemetery development within these districts.

While the community primarily experiences residential and commercial development, it's essential to maintain a balance and consider expanding certain uses to other zoning districts. The proposed text amendment aims to broaden the conditional uses permitted in the General Commercial (B-2) District. Currently, this district allows mortuaries, crematories, funeral parlors, and columbariums as conditional uses, but not cemeteries. The amendment would permit cemeteries with a minimum area of 15 acres, subject to approval through a Conditional Use permit.

The two cemeteries situated within the City of Yuma were developed in the late 1800's and early 1900's. They are both located within the General Commercial (B-2) District.

The proposed text amendment was provided to local agencies for review. The Yuma County Water Users' Association (YCWUA) commented that they will review

and provide feedback on any land located within the YCWUA managed areas when Conditional Use Permit applications are submitted.

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

Yes. The City of Yuma General Plan Land Use Chapter Goal 1.0 addresses the need to create a community where all uses and activities are mutually in balance.

Goal 1.0: Create a community where all uses and activities are mutually in balance.

Objective 1.1: Ensure sufficient land suitably located and serviced to accommodate a desirable mix of residential, business, recreational, industrial, and public activities within the community.

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

Yes. This amendment fits the overall purpose and intent of the zoning ordinance.

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

Yes. This amendment will expand the conditional uses within the General Commercial zoning district.

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

No. This proposed text amendment will not change the development standards of the zoning or subdivision ordinances.

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

There are no potential impacts that have been 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?

N/A

Public Comments Received: None Received.

External Agency Comments: Attachment C.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: N/A

Final staff report delivered to applicant on: N/A

No Conditions of Approval

Attachments:

A	B	C
Draft Text	Agency Notification	Agency Comments

Prepared By: *Erika Peterson*

Date: 5/28/2024

Erika Peterson
Associate Planner

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Reviewed By: *Jennifer L. Albers*

Date: 5/30/24

Jennifer L. Albers
Assistant Director of Planning

Approved By: *Alyssa Linville*

Date: 06/13/24

Alyssa Linville
Director, Planning and Neighborhood Services

ATTACHMENT A
DRAFT TEXT

Draft Text Amendment
General Commercial (B-2) District – Conditional Use

SECTION 1: That the Yuma City Code, Title 15, Chapter 154, Article 8, Section 4 General Commercial District, Subsection E Conditional uses, be amended to insert the bolded text and delete the strike through text:

- (12) **Cemeteries on a minimum area of 15 acres.**
- ~~(12)~~ (13) Multiple food trucks on one property.

**ATTACHMENT B
AGENCY NOTIFICATION**

- Legal Ad Published: The Sun 5/31/2024
- 34 Commenting/Reviewing Agencies noticed: 5/9/2024
- Neighborhood Meeting: N/A
- Hearing Date: 6/24/2024
- Comments due: 5/20/2024

External List (Comments)	Response Received	Date Received	“No Comment”	Written Comments	Comments Attached
Yuma County Airport Authority	YES	5/10/2024	X		
Yuma County Engineering	NR				
Yuma County Public Works	YES	5/9/2024	X		
Yuma County Water Users’ Assoc.	NR	5/10/2024		X	
Yuma County Planning & Zoning	NR				
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	5/13/2024	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	5/9/2024	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	5/13/2024	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

Neighborhood Meeting	Comments Available
None Required	N/A

ATTACHMENT C
AGENCY COMMENTS

5/10/2024

Hi Erika,

The YCWUA does not have any comments about this case. We will be addressing and making comments when individual cases are provided for comments involving land within/involving the YCWUA managed area.

Please let me know about any questions.

Thanks!!

Omar Peñuñuri
Yuma County Water Users' Association