

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

Hearing Date: April 14, 2025

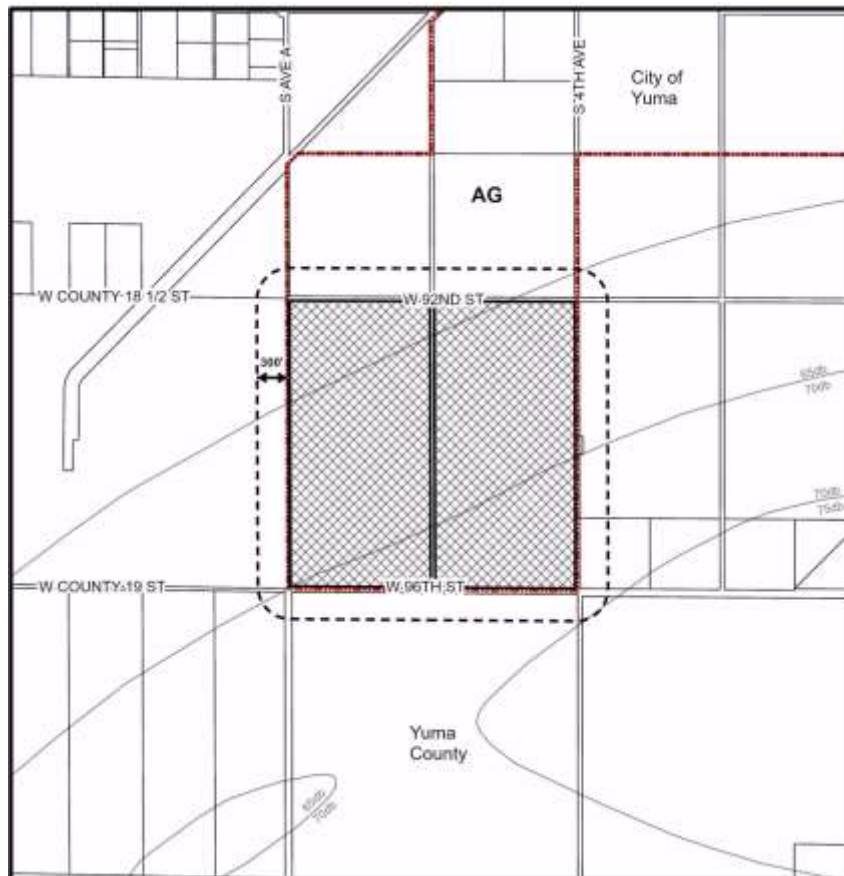
Case Number: ZONE-43671-2025

Project Description/
Location:

This is a request by Dahl Robins and Associates, Inc., on behalf of 19 A, LLC, to rezone approximately 160 acres from the Agriculture (AG) District to the Heavy Industrial (H-I) District, for the properties located at the northeast corner of W. 96th Street and S. Avenue A, Yuma, AZ.

| | Existing Zoning | Use(s) on-site | General Plan Designation |
|--------------|------------------------------|----------------|---|
| Site | Agriculture (AG) District | Agriculture | Industrial |
| North | Agriculture (AG) District | Agriculture | Low Density Residential, Resort/Recreation/Open Space |
| South | County Rural Area-10 (RA-10) | Agriculture | Agriculture |
| East | County Rural Area-10 (RA-10) | Agriculture | Agriculture |
| West | County Rural Area-10 (RA-10) | Agriculture | County Agricultural/Rural Residential |

Location Map



Prior site actions: Pre-Annexation Agreement: Res. R2009-31 (June 15, 2009); Annexation: Ord. O2009-39 (July 3, 2009); General Plan Amendment: GP-2009-003, Resolution R2009-87 (November 18, 2009) Major Amendment to change land use designation to a mix of uses; General Plan Amendment: GP-42834-2024, Resolution R2024-066 (November 20, 2024) Major Amendment to change land use designation to Industrial.

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Agriculture (AG) District to the Heavy Industrial (H-I) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-43671-2025 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is recommending approval to City Council for the request to rezone approximately 160 acres from the Agriculture (AG) District to the Heavy Industrial (H-I) District for the properties located at the northeast corner of W. 96th Street and S. Avenue A, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Staff Analysis: The subject properties are located at the northeast corner of 96th Street and Avenue A and are approximately 160 acres in total. Since being annexed into the City of Yuma on July 3, 2009, the properties have been subject to several general plan amendments. The area is part of the Estancia Development Area, which was planned as a mixed-use development comprised of 3,741.5 acres. The Estancia Development Area has not materialized, leaving much of the land predominantly farmland. The most recent approved General Plan Amendment request changed the land use designation from Low Density Residential, Resort, Recreation & Open Space, Business Park, and Public/Quasi-Public to Industrial. The properties are currently zoned Agriculture (AG), have historically been used for farming, and are now operated as lemon groves.

With this request the applicant is seeking to rezone the 160 acres to the Heavy Industrial (H-I) District for the development of heavy industrial uses. The Heavy Industrial (H-I) District would allow for a variety of principal uses such as any use allowed in the Light Industrial (L-I) District, military installations and support facilities, airports and related activities, including heliports, aircraft-related uses including air transport of goods, materials or passengers. In addition, the Heavy Industrial (H-I) District would allow conditional uses such as utility plants, any uses allowed in the General Commercial (B-2) District, except medical care facilities, extraction, processing or packing of raw materials, including agricultural products, and any use which requires a state or federal agency permit, license or other type of certification for the use or handling of dangerous materials.

Further specified in 154-09.03, the following are some of the development standards required of a development within the Heavy Industrial (H-I) District:

1. A minimum area for the Heavy Industrial (H-I) District shall be 20 acres;
2. A minimum lot area within any Heavy Industrial District shall be 20,000 square feet;

3. Any building, outdoor area, or portion thereof where the public may be received, shall be set back a minimum distance of 20 feet from any public or private street right-of-way;
4. Landscaping is required for yards fronting on any public or private street and shall not be used for parking, loading or product display;
5. All activities not within an enclosed building shall be enclosed by a minimum six foot high security fence, provided, however, that any dismantling, salvage or wrecking yards shall be screened by a solid fence or wall, and no materials shall be stored in such a manner as to project or be visible above the wall or fence when viewed from any public street right-of-way;
6. Off-street parking and loading shall be in accordance with the parking regulations of the zoning code;
7. Exterior lighting fixtures shall be arranged and located so as to direct the light away from any public or private street.

At this time there is no specific industrial use or design for the site. The developer is aware of the need for right-of-way dedications for road improvements, potential traffic impacts and the lack of City utilities and City emergency services.

The request to rezone the property from the Agriculture (AG) District to the Heavy Industrial (H-I) District conforms with the General Plan as requested by the applicant.

1. Does the proposed zoning district conform to the Land Use Element? Yes.

| Land Use Element: | | | | | | | | | |
|-----------------------------|----------------|--|----|---|--|-------------|--|------|---|
| Land Use Designation: | | | | Industrial | | | | | |
| Issues: | | | | Provision of services and protection of agriculture | | | | | |
| Historic District: | Brinley Avenue | | | Century Heights | | Main Street | | None | X |
| Historic Buildings on Site: | Yes | | No | X | | | | | |

2. Are there any dedications or property easements identified by the Transportation Element?

Yes.

| FACILITY PLANS | | | | | | |
|---|---------------------|----------|---------|--------|--------|-------|
| Transportation Master Plan | Planned | Existing | Gateway | Scenic | Hazard | Truck |
| County 19 th Street- 4 Lane Minor Arterial | 50 FT HW | 20 FT FW | | | | |
| County 18 ½ Street- not identified | To be determined | 40 FT FW | | | | |
| Avenue A- not identified | To be determined | Varies | | | | |
| 4 th Avenue- not identified | To be determined | Varies | | | | |
| Bicycle Facilities Master Plan | None | | | | | |
| YCAT Transit System | None | | | | | |
| Issues: | Roadway connections | | | | | |

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan? Yes.

Parks, Recreation and Open Space Element:

| | | | | | | | | | | | |
|---|--|------|----------------------------------|-----------------------------------|---------------------------|------------------------------------|---------------------------------|-------------------------------|-------------------|---|--|
| Parks and Recreation Facility Plan | | | | | | | | | | | |
| Neighborhood Park: | Existing: Las Casitas Park | | | | | Future: Las Casitas Park | | | | | |
| Community Park: | Existing: Smucker Memorial Park | | | | | Future: Smucker Memorial Park | | | | | |
| Linear Park: | Existing: Eastmain Canal Linear Park | | | | | Future: Eastmain Canal Linear Park | | | | | |
| Issues: | No facilities planned in the area. | | | | | | | | | | |
| Housing Element: | | | | | | | | | | | |
| Special Need Household: | N/A | | | | | | | | | | |
| Issues: | Provisions of services | | | | | | | | | | |
| 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: | None | | | | | | | | | | |
| Public Services Element: | | | | | | | | | | | |
| <u>Population Impacts</u> Population projection per 2018-2022 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person | | | Dwellings & Type | | Projected | Police | Water | | Wastewater | | |
| | | | <i>Non-residential</i> | | Population | Impact | Consumption | | Generation | | |
| | | | Maximum | Per Unit | | Officers | GPD | AF | GPD | | |
| | | | 0 | 0 | 0 | 0.00 | 0 | 0.0 | 0 | | |
| | | | Minimum | | | | | | | | |
| | | | 0 | 0 | 0 | 0.00 | 0 | 0.0 | 0 | | |
| Fire Facilities Plan: | Existing: Fire Station No. 2 | | | | | Future: Fire Station No. 2 | | | | | |
| Water Facility Plan: | Source: | City | X | Private | | Connection: | None at this time | | | | |
| Sewer Facility Plan: | Treatment: | City | X | Septic | | Private | | Connection: None at this time | | | |
| Issues: | Connections to water and sewer are not available in this area. | | | | | | | | | | |
| Safety Element: | | | | | | | | | | | |
| Flood Plain Designation: | 500 Year Flood | | | | Liquefaction Hazard Area: | | Yes | | No | X | |
| Issues: | None | | | | | | | | | | |
| 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 | X | None | | | | |
| Issues: | For the overall Estancia Area this is a minor change to the mix of land use. | | | | | | | | | | |

4. Does the proposed rezoning conform to the adopted facilities plan?

Yes. As noted in the Estancia General Plan amendment, the area is lacking in infrastructure for roads and utilities. Future development will need to address the infrastructure needs.

5. Does the proposed rezoning conform to Council's prior approval of rezonings, development agreements or subdivisions for this site?

No. The rezoning is in conflict with the planned land uses identified in Resolution R2009-031 – the pre-annexation development agreement for the Estancia development. The land uses were amended by City Council via General Plan amendment case GP-42834-2024, adopted by Resolution R2024-066 on November 20, 2024.

Public Comments Received: None Received

External Agency Comments: See Attachment C.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: 3/18/2025

Final staff report delivered to applicant on: 3/31/2025

| | |
|--|---|
| <input checked="checked" type="checkbox"/> | Applicant agreed with all of the conditions of approval on: 4/2/2025 |
| <input type="checkbox"/> | Applicant did not agree with the following conditions of approval: |
| <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 | D | E | F |
|------------------------|----------------------|-----------------|----------------------------|-------------------|--------------|
| Conditions of Approval | Agency Notifications | Agency Comments | Neighbor Notification List | Neighbor Postcard | Aerial Photo |

Prepared By: *Erika Peterson*

Date: 3/25/2025

Erika Peterson
Senior Planner

(928)373-5000, x3071

Erika.Peterson@YumaAZ.Gov

Reviewed By: *Jennifer L. Albers*

Date: 3/25/25

Jennifer L. Albers
Assistant Director of Planning

Approved By: *Alyssa Linville*

Date: 03/31/25

Alyssa Linville
Director, Planning and Neighborhood Services

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Department of Planning and Neighborhood Services Comments: Alyssa Linville, Director (928) 373-5000, x 3037:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

Department of Engineering, Andrew McGarvie, Engineering Manager, (928) 373-5000 x 3044:

3. Owner/developer shall dedicate rights-of-way, such that the City of Yuma obtains 40 feet half width (collector street standard) along:
 - 96th Street (County 19th Street)
 - 4th Avenue
 - 92nd Street (County 18 ½ Street)
 - Avenue A
4. Owner/Developer shall dedicate corner triangles with a leg length of 40 feet and additional right-of-way for turn lane widening, as per Figure 3 of the 2005/2007 Major Roadways Plan with a collector street standard, at the four outside corners of the property involved in the rezone request.
5. Owner/Developer shall record a waiver acknowledging that there is no City water, City sewer, or City emergency services within the local development area. Emergency services response times will be extended due to the travel distance from existing City of Yuma Police and Fire stations, or other mutual aid stations, to this location, and services will be limited due in part due to the lack of water infrastructure.

Community Planning, Erika Peterson, Senior Planner, (928) 373-5000 x 3071:

6. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B


AGENCY NOTIFICATIONS

- **Legal Ad Published: The Sun** 03/21/25
- **300' Vicinity Mailing:** 02/24/25
- **34 Commenting/Reviewing Agencies noticed:** 02/27/25
- **Site Posted on:** 04/07/25
- **Neighborhood Meeting:** N/A
- **Hearing Date:** 04/14/25
- **Comments due:** 03/10/25

| External List (Comments) | Response Received | Date Received | "No Comment" | Written Comments | Comments Attached |
|--|--------------------------|----------------------|------------------------|---------------------------|--------------------------|
| Yuma County Airport Authority | YES | 2/27/2025 | | | X |
| Yuma County Engineering | NR | | | | |
| Yuma County Public Works | YES | 2/28/2025 | X | | |
| Yuma County Water Users' Assoc. | YES | 2/28/2025 | X | | |
| Yuma County Planning & Zoning | YES | 3/6/2025 | | | 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 Fish and Game | NR | | | | |
| USDA – NRCS | NR | | | | |
| United States Postal Service | NR | | | | |
| Yuma Metropolitan Planning Org. | NR | | | | |
| El Paso Natural Gas Co. | NR | | | | |
| Western Area Power Administration | YES | 2/27/2025 | X | | |
| Ft. Yuma Quechan Indian Tribe | YES | 2/27/2025 | X | | |
| City of Yuma Internal List (Conditions) | Response Received | Date Received | "No Conditions" | Written Conditions | Comments Attached |
| Police | NR | | | | |
| Parks & Recreation | NR | | | | |
| Development Engineer | YES | 3/17/2025 | | X | X |
| Fire | YES | 3/17/2025 | | | X |
| Building Safety | NR | | | | |
| City Engineer | NR | | | | |
| Traffic Engineer | NR | | | | |
| MCAS / C P & L Office | YES | 2/28/2025 | | | X |
| Utilities | NR | | | | |
| Public Works | NR | | | | |
| Streets | NR | | | | |

ATTACHMENT C **AGENCY COMMENTS**

| | | | |
|--|-------------------------------------|--------|------------------|
| <input checked="" type="checkbox"/> COMMENT <input type="checkbox"/> NO COMMENT | | | |
| <i>Enter comments below:</i> | | | |
| <p>The subject property is within the 65-70 dB noise contour. While land use and related structures for the intended business is compatible without restriction, measures to achieve NLR of 25 dB are recommended to be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where the normal noise level is low.</p> | | | |
| DATE: | 2/27/25 | NAME: | Gladys Brown |
| | | TITLE: | Airport Director |
| AGENCY: | Yuma County Airport Authority, Inc. | | |
| PHONE: | 928-726-5882 | | |
| RETURN TO: | Erika Peterson | | |
| | Erika.Peterson@YumaAZ.gov | | |

| | | | | | |
|--|---------------------------|---|---|---|------------------------------|
| <input type="checkbox"/> Condition(s) | | <input checked="" type="checkbox"/> No Condition(s) | | <input checked="" type="checkbox"/> Comment | |
| <p>Enter conditions here: MCAS Yuma has reviewed this request for APN 212-16-011 / 012 and offer no conditions for the rezoning process. This location was previously under the AUX-II noise zones, which were recommended to be removed due to the number of aviation operations from this runway no longer meeting the minimum threshold. Once a development proposal is provided, MCAS Yuma would request that due to the proximity to the airfield, it is required that a Federal Aviation Administration (FAA) Form 7460-1 (Notice of Proposed Construction or Alteration) be electronically filed for review and approval, their website is: (https://oeaaa.faa.gov/oeaaa/external/portal.jsp). It is imperative that one filing is submitted per proposed structure that clearly identifies the building(s) four point coordinates, not just a single point in the center of the location. Thank you for the opportunity to review and comment.</p> | | | | | |
| DATE: | 28 Feb 2025 | NAME: | Antonio Martinez | TITLE: | Community Liaison Specialist |
| | | |  | | |
| CITY DEPT: | MCAS Yuma | | | | |
| PHONE: | 928-269-2103 | | | | |
| RETURN TO: | Erika Peterson | | | | |
| | Erika.Peterson@YumaAZ.gov | | | | |

| | | | | | |
|--|--------------------------|-------|-----------------|--------|---------------------|
| DATE: | 3/17/2025 | NAME: | Andrew McGarvie | TITLE: | Engineering Manager |
| AGENCY: | City of Yuma Engineering | | | PHONE: | 928-373-5000, 3044 |
| <i>Enter comments below:</i> | | | | | |
| <p>Owner/Developer may have to provide offsite road construction/pavement to provide harden surfaces to the site for emergency vehicles.</p> | | | | | |

| | | | | | |
|--|-------------------------------------|-------|----------------|--------|----------------|
| DATE: | 3/6/2025 | NAME: | Richard Mungia | TITLE: | Senior Planner |
| AGENCY: | Yuma County of Development Services | | | PHONE: | 928-817-5090 |
| <i>Enter comments below:</i> | | | | | |
| Property is identified as Unique Farmland, other than prime by USDA Important Farmland maps. | | | | | |

| | | | | | |
|--|------------------------------|-------|----------------|--------|--------------------|
| DATE: | 3/17/2025 | NAME: | Kayla Franklin | TITLE: | Fire Marshal |
| AGENCY: | City of Yuma Fire Department | | | PHONE: | 928-373-5000, 3044 |
| <i>Enter comments below:</i> | | | | | |
| <p>Comments for awareness only:</p> <p>Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a paved surface, in accordance with the COY engineering standard for a local road.</p> <p>An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises on which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.</p> <p>Fire hydrants required per the adopted fire code.</p> | | | | | |

ATTACHMENT D
NEIGHBOR NOTIFICATION LIST

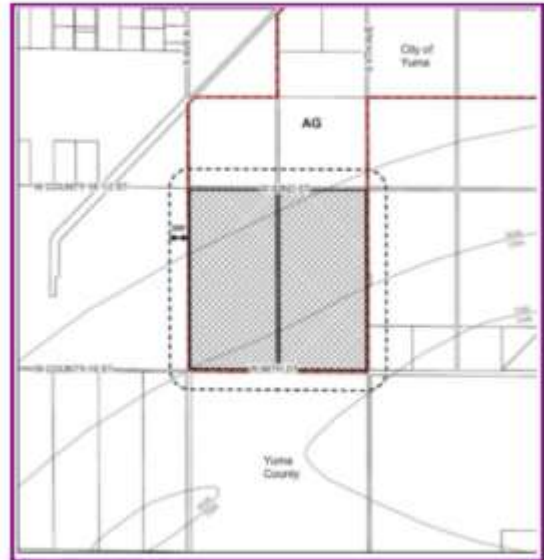
| Property Owner | Mailing Address | City/State/Zip Code |
|-------------------------------------|--------------------------|----------------------------|
| 19 A LLC | 190 S MADISON AVE STE 2 | YUMA, AZ 85364 |
| CR&R INC | 11292 WESTERN AVE | STANTON, CA 90680 |
| RBC CITRUS LLC | 416 E SOUTH AVE | FOWLER, CA 93625 |
| STATE OF ARIZONA | 1110 W WASHINGTON ST | PHOENIX, AZ 85007 |
| YELLOWSTONE LAND COMPANY LLC | 3064 S AVENUE B | YUMA, AZ 85364 |
| YUMI DATE COMPANY LAND HOLDINGS LLC | 5701 TRUXTUN AVE STE 201 | BAKERSFIELD, CA 93309 |

ATTACHMENT E
NEIGHBOR MAILING

This is a request by Dahl Robins and Associates, Inc., on behalf of 19 A, LLC, to rezone approximately 160 acres from the Agriculture (AG) District to the Heavy Industrial (H-I) District, for the properties located at the northeast corner of W. 96th Street and S. Avenue A, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-43671-2025**

PUBLIC HEARING
04/14/2025@ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of the northwest corner of west of the NEC of W. 96th Street and S. Avenue A, Yuma, AZ, you are invited to attend the public hearing to voice your comments. If you have questions or wish to submit written comments, please contact Erika Peterson by phone at (928) 373-5000 ext. 3071 or by email at Erika.Peterson@YumaAz.gov

ATTACHMENT F
AERIAL PHOTO

