



NOTICE OF WORK SESSION

In accordance with Section 38-431.01 of the Arizona Revised Statutes of the State of Arizona, notice is hereby given to the Members of City Council and to the general public that the Mayor and Council of the City of San Luis, Arizona, will hold a Work Session meeting at 6:30 p.m. Wednesday, January 6, 2016. The Work Session will take place at the City Council Chambers, located at 1090 E. Union Street, San Luis, Arizona, 85349. Everyone from the public is invited to attend the open meeting.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of San Luis does not discriminate on the basis of disability in the admission of or access to, or treatment of employment in its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities or services contact: ADA/Section 504 Coordinator, City of San Luis Human Resources Department, 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recordings. Parents in order to exercise their rights may either file written consent with the City Clerk to such recordings, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.

THIS NOTICE IS APPROVED BY:

/s/ Sonia Cornelio, City Clerk

AVISO DE SESION DE TRABAJO

De acuerdo a la Seccion 38-431.01 de los Estatutos Revisados del Estado de Arizona, se le informa a los Miembros del Cabildo y al publico en general que el Alcalde y el Cabildo de San Luis, Arizona, tendran una Sesion de Trabajo a las 6:30 p.m. el dia Miercoles, 6 de Enero del 2016. La junta se llevara a cabo en la Sala del Cabildo, ubicada en el 1090 E. Union Street, San Luis, Arizona, 85349, el publico esta cordialmente invitado.

De acuerdo con el Acta de Americanos con Discapacidades y la Seccion 504 del Acta de Rehabilitacion del 1973, la Ciudad de San Luis no discrimina por causa de discapacidad la admision y acceso a sus programas, actividades, servicios o en el trato en cuanto a empleo. Para mas informacion referente a derechos y provisiones del Acta de Americanos con Discapacidades o Seccion 504, o para solicitar adaptaciones que sean razonables para la participacion en programas, actividades o servicios de la Ciudad, contactar al: Coordinador del Acta de Americanos con Discapacidades/Seccion 504, Departamento de Recursos Humanos de la Ciudad de San Luis, 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Por medio de este aviso y de acuerdo con los Estatutos Revisados del Estado de Arizona, sujeto a ciertas excepciones reglamentarias, los padres de familia tienen el derecho de dar o no dar el consentimiento antes que el Estado o alguna subdivision politica grabe a un menor de edad, ya sea en audio o video. Las juntas del Concilio se graban en audio y/o video y como resultado, el hecho de que haya menores presentes puede ser sujeto a que sean grabados. Para que los padres de familia puedan ejercer sus derechos pueden solicitar por escrito con la Secretaria de la Ciudad a tal grabacion, o tomar accion personal para asegurarse que su hijo/hija menor no este presente cuando la grabacion se lleve a cabo. Si un menor de edad esta presente en el momento de la grabacion, la Ciudad asumira que los padres de familia estan cediendo los derechos sobre una posible grabacion de acuerdo con el Estatuto Revisado del Estado de Arizona §1-602.A.9.

ESTE AVISO ES APROBADO POR:

/f/ Sonia Cornelio, Actuaría de la Ciudad



AGENDA
Work Session
San Luis City Council
San Luis Council
Chambers
1090 E. Union Street
San Luis, AZ 85349
January 6, 2016
6:30 P.M.

MEMBERS OF THE CITY COUNCIL WILL ATTEND EITHER IN PERSON, TELEPHONE, OR VIDEO CONFERENCE COMMUNICATION

- 1. CALL TO ORDER/ROLL CALL**
- 2. AGENDA ITEM(S):**
 - 2. A. Open Meeting Law Refresher for City Council. (Kay Marion Macuil, City Attorney)**
 - 2. B. Discussion only item of the possibility of a tiered sales tax rates for the City of San Luis. (Kay Marion Macuil, City Attorney)**
 - 2. C. Discussion item only on any and all matters regarding Ordinance 347. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending the San Luis City Code, Chapter 152 Zoning Regulations, §152.061, relating to minimum lot size for residential lots; repealing any conflicting provisions; and providing for severability. (Mayor Gerardo Sanchez)**
- 3. DISCUSSION ITEM(S):**
 - 3. A. Update on any and all matters regarding activities to the projects at the Ports of Entry by Luis Ramirez. (Luis Ramirez, Ramirez Advisors)**
- 4. ADJOURNMENT**

IN THE EVENT A MAJORITY OF THE COUNCIL IS NOT PRESENT, AN INFORMAL PUBLIC WORK SESSION MAY BE HELD.



PRESENTATION

Work Session

2. A.

Meeting Date: 01/06/2016

Presentation Topic/Summary:

Open Meeting Law Refresher for City Council. **(Kay Marion Macuil, City Attorney)**



AGENDA ITEM REVIEW FORM

Work Session

2. B.

Meeting Date: 01/06/2016

Department Head: Kay Macuil, City Attorney, Attorney's Office

Submitted By: Kay Macuil, City Attorney, Attorney's Office

Action Requested: Discussion Item - No Action to be Taken

ITEM:

Discussion only item of the possibility of a tiered sales tax rates for the City of San Luis. **(Kay Marion Macuil, City Attorney)**

SUMMARY:

The Mayor requested this item be put on the work session agenda in order to inform and discuss with Council of the possibility of tiered sales tax rates. Tiered sales tax rates would have a lower tax rate on high-priced items. The idea would be to encourage the purchase of high-priced items in San Luis as well as encourage businesses with high-priced items to sell to set-up their shops in San Luis.

Tiered sales tax rates work where the lower rate is applied to one high-priced item being purchased rather than a number of small purchases adding up to a high price. This is so because it would be difficult for businesses to set up their cash registers for different tax rates and also for the City to monitor and collect the different rates.

The legal process to adopt new tiered rates under A.R.S.§42-6054:

- 60-days of notice on the City's website of a possible change in the sales tax rate,
- 15-days of notice in the newspaper (this can run at the same time as the 60-day notice is running on the website),
- Council then holds a public hearing,
- Council may then vote to pass an ordinance after the public hearing, and
- such an ordinance would become effective 30 days after passing the ordinance.

A more detailed explanation is provided in the attached memorandum which Assistant City Attorney Glenn Gimbut wrote to assist Council to make an informed decision about tiered tax rates.

RECOMMENDATION / SUGGESTED MOTION:

Discussion only item, no action.

Supporting information not attached to the Agenda Item Review Form:

Supporting information is attached to this Agenda Item Review Form.

Document to be Recorded?: No

N/A

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM: N/A

CITY/STATE/FEDERAL FUNDS: N/A

TOTAL: N/A

BUDGETED: N/A

AVAILABLE TO TRANSFER: N/A

ACCOUNT #/REMAINING BALANCE: N/A

FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

At this time this item is presented to Council for discussion as an idea. There are no proposals at this time for specific numbers for the sales tax rates. Council may direct staff to bring back specific recommendations.

Attachments

Tiered Sales Tax Memo

MEMORANDUM

DATE: September 15, 2015

TO: Honorable Mayor and Members of Council

FROM: Glenn Gimbut, City Attorney

Re: Tiered Sales Tax Rates

=====

It is possible to have a tiered sales tax rate. One that exists, and has existed for a while, is the one in Apache Junction. The tiered Apache Junction sales tax rate, as stated on their website, is as follows:

“Retail where the sale amount exceeds \$2,000 for a single item:

Business Class	City Rate
First \$2,000	2.4%
Any amount over \$2,000	1.4%
All other classifications	2.4%”

Please note the design of this. This is limited to retail sales of goods. (For the purposes of this discussion a sale of a vehicle is in this bracket, but construction is not.) Also it is designed to be a different rate for a single item as opposed to a sale of a group of items. This becomes important when one considers practical application. If it applied to the total amount of the sale as opposed to a sale of a single item, then WalMart, as an example, would have a difficult problem with collection and administration when one customer through the line might be charged one rate and the next customer in line another. Sales of goods of single items end up being items like motor vehicles which are usually sold as a single item to a single customer anyways without the use of a cash register.

We can adopt something like this if we wish. The process would be first to put a notice on our website that we might be changing our sales tax rate. This notice needs to be there for sixty days prior to any action of Council. Then we need to advertise a notice of public hearing in the newspaper at least 15 days prior to a public hearing. (This notice can be published while the other sixty day time clock is running.) Then we hold a public hearing. Then Council can pass an ordinance creating the tiered tax rate. Thirty days after adoption the ordinance can go into effect. (See ARS §42-6054.)

cc: Robert Eads, City Manager
Kay Macuil, Asst. City Attorney
Ketie St. Louis, Finance Director



AGENDA ITEM REVIEW FORM

Work Session**2. C.****Meeting Date:** 01/06/2016**Department Head:** John Starkey, Building Safety Director, Planning & Zoning/Building Safety**Submitted By:** Kay Macuil, City Attorney, Attorney's Office**Action Requested:** Discussion Item - No Action to be Taken

ITEM:

Discussion item only on any and all matters regarding Ordinance 347. An ordinance of the Mayor and City Council of the City of San Luis, Arizona, amending the San Luis City Code, Chapter 152 Zoning Regulations, §152.061, relating to minimum lot size for residential lots; repealing any conflicting provisions; and providing for severability. **(Mayor Gerardo Sanchez)**

SUMMARY:

The Mayor requested this item be brought before council for consideration of changing the City's zoning code for minimum lot sizes of 6,000 square feet. It has been brought to his attention that there is interest in encouraging development of bigger lots from both professionals who would be interested in locating to San Luis as well as from the developers of self-help affordable housing for our current residents who are not home owners.

Staff has prepared a proposed ordinance for Council to discuss. The R1-5 Zoning District which allows single family homes on 5,000 square feet lots is eliminated from future development. R-2 and R-3 Zoning Districts which allow 10 and 20 units on 1-acre lots are limited to apartment and other types of clustered housing. Going forward single detached homes are not allowed in R-2 and R-3. In order to encourage small businesses, 4,000 square feet are allowed for commercial districts with residences involved in C-1, C-2, and Mixed Use districts.

Because Zoning Code Amendments require 2 weeks of notice and the Planning and Zoning Commission meets once per month, this item is currently scheduled to be presented to the Planning and Zoning Commission at their January 12, 2016 meeting.

RECOMMENDATION / SUGGESTED MOTION:

Discussion item only, no action.

Supporting information not attached to the Agenda Item Review Form:

Supporting information will be provided before the meeting.

Document to be Recorded?: Yes**Department**

Fiscal Impact**IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM:** N/A**CITY/STATE/FEDERAL FUNDS:** N/A

TOTAL: N/A
BUDGETED: N/A
AVAILABLE TO TRANSFER: N/A
ACCOUNT #/REMAINING BALANCE: N/A
FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):
N/A

Attachments

Ordinance No. 347



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

No. 347

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING THE SAN LUIS CITY CODE, CHAPTER 152 ZONING REGULATIONS, §152.061, §152.075, §152.078, §152.090, §152.091, AND §152.092 RELATING TO MINIMUM LOT SIZE FOR RESIDENTIAL LOTS; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, there are currently in the City of San Luis an abundance of small residential lots;

WHEREAS, the houses built on small residential lots fill the lots up to the minimally required set-backs, which has resulted in numerous instances of improper construction within said set-backs;

WHEREAS, in Southern Yuma County the City of Somerton has set the minimum standard of 6,000 square feet for a lot for a single detached dwelling unit;

WHEREAS, maintaining an appropriate minimum size lot enhances and maintains economic value for the housing stock of the community; and

WHEREAS, it is the intent of the City Council, by this ordinance, to eliminate R1-5 zoning districts and to eliminate the creation of lots for single family detached dwellings in the multiple and high density zoning districts.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AS FOLLOWS:

Section 1. Section 152.061(A) of the Code of Ordinances of the City of San Luis, Arizona, is hereby amended to read as follows:

152.061 ESTABLISHMENT OF ZONING DISTRICTS.

(A) *Zoning districts.* In accordance with the requirements of the Zoning Enabling Act (A.R.S. § 9-462.01(B)) that zoning regulations be by districts, the City of San Luis, as shown on the zoning map(s) accompanying this chapter and incorporated herein by this reference, is hereby divided into the following zoning districts and overlay districts:

(1) *Single residence zoning districts:* (§§152.075 through 152.078).

(a) "RA-10" Rural Area - minimum ten acres/dwelling unit.

- (b) "SR-5" Suburban Ranch - minimum five acres/dwelling unit.
 - (c) "SR-2" Suburban Ranch - minimum two acres/dwelling unit.
 - (d) "R1-35" Low Density - minimum 35,000 square feet/dwelling unit.
 - (e) "R1-20" Low Density - minimum 20,000 square feet/dwelling unit.
 - (f) "R1-12" Medium Density - minimum 12,000 square feet/dwelling unit.
 - (g) "R1-8" Medium Density - minimum 8,000 square feet/dwelling unit.
 - (h) "R1-6" Medium Density - minimum 6,000 square feet/dwelling unit.
 - ~~(i) "R1-5" Medium Density - minimum 5,000 square feet/dwelling unit.~~
- (2) *Multiple residence zoning districts:* (§§ 152.090 through 152.092).
- (a) "R-2" Medium-High Density Residential - maximum ten dwelling units/acre. **Single detached dwelling units shall not be permitted in such district from and after March 1, 2016.**
 - (b) "R-3" High Density Residential -maximum 20 dwelling units/acre. **Single detached dwelling units shall not be permitted in such district from and after March 1, 2016.**
- (3) *Commercial zoning districts:* (§§ 152.105 through 152.108).
- (a) "C-1" Neighborhood Commercial.
 - (b) "C-2" Community Commercial.
 - (c) "MU" Mixed Use.
- (4) *Industrial zoning districts:* (§§ 152.120 through 152.122).
- (a) "L-I" Light Industrial.
 - (b) "H-I" General Industrial
- (5) "R-PUD" Residential Planned Unit Development (§§ 152.135, 152.136).
- (6) "MH" Manufactured Home Zoning District (§§ 152.150 through 152.154).
- (7) "RV" Recreational Vehicle Zoning District (§§ 152.165 through 152.168).
- (8) *Open space zoning districts:* (§§ 152.180 through 152.182).

(a) "OSC" Open Space Conservation.

(b) "OSR" Open Space Recreational.

(9) *Overlay zoning districts:* (§§ 152.195 through 152.199).

(a) "AP" Airport Overlay.

(b) "FP" Floodplain Overlay.

(c) "AO" Aesthetic Overlay.

(d) "P" Public Overlay.

(B) *Additional districts.* Additional zoning districts may be added from time to time upon the recommendation of the Planning and Zoning Commission to the City Council. Proposed changes to the zoning district regulations or the official zoning map, including the addition of new districts, may be submitted by the Planning and Zoning Commission, city staff, City Council, or any other interested party.

Section 2. Section 152.075(A) of the Code of Ordinances of the City of San Luis, Arizona, is hereby amended to read as follows:

152.075 GENERAL REQUIREMENTS - SINGLE RESIDENCE ZONING DISTRICTS.

(A) *Purpose.* The single residence districts are designed to provide for a range of single-dwelling neighborhoods. The purpose of these districts is to protect the stability of existing land uses, existing neighborhoods, and to encourage new residential developments that encompass the many lifestyles and areas of the city. It is also the intent of these districts to accommodate the needs of single residence neighborhoods by providing for associated, limited, non-residential uses. The single residence districts are further delineated in the following categories:

(1) "RA-10" Rural Area Residential;

(2) "SR-5", "SR-2" Suburban Ranch Residential;

(3) "R1-35", "R1-20" Low Density Residential; and

(4) "R1-12", "R1-8", and "R1-6", "~~"R1-5"~~ Medium Density Residential.
Lots of less than 6,000 square feet per dwelling unit shall not be permitted from and after March 1, 2016.

(B) *Review process.* All non-residential construction within any single residence zoning district shall require site plan review by the Zoning Administrator prior to the applicant's submittal for building or grading permits. All applications for site plan review shall comply with the submittal requirements outlined in § 152.046. The required fee shall accompany all applications.

(C) *Development standards.* The development regulations required for each specific single residence zoning districts are outlined in Table No. 3 contained herein. These standards provide certainty to property owners, developers, and neighbors about the limits of what is allowed.

(D) *Compliance with other provisions.*

- (1) *General provisions.* The general provisions in §§ 152.210 through 152.226 shall apply.
- (2) *Parking regulations.* The parking regulations in §§ 152.240 through 152.244 shall apply.
- (3) *Signs.* All signage proposed shall comply with §§ 152.255 through 152.262.
- (4) *Outdoor lighting.* All outdoor lighting shall comply with §§ 152.275 through 152.282.

Section 3. Section 152.078 of the Code of Ordinances of the City of San Luis, Arizona, is hereby amended to eliminate reference to “R1-5” zoning districts and to read as follows:

152.078 “R1-35”, “R1-20”, “R1-12”, “R1-8”, AND “R1-6” ~~AND “R1-5”~~ LOW AND MEDIUM DENSITY RESIDENTIAL ZONING DISTRICTS.

(A) *Purpose.*

- (1) *“R1-35” and “R1-20” low density residential zoning districts.* The purpose of these zoning districts is to provide for low density single residence development in areas where adequate public facilities and services are available. The intent of these districts is to encourage a large lot neighborhood environment where more amenities can be provided privately on the individual lots.
- (2) *“R1-12”, “R1-8”, and “R1-6” ~~and “R1-5”~~ medium density residential zoning districts.* The purpose of these zoning districts is to provide for detached single residence development on urban sized lots in areas where adequate public facilities and services are available. The intent of these districts is to encourage a traditional neighborhood environment where amenities and open space are provided more on a neighborhood basis rather than on the smaller individual lots. **Lots of less than 6,000 square feet per dwelling unit shall not be permitted from and after March 1, 2016.**

(B) *Permitted uses - “R1-35”, “R1-20”, “R1-12”, “R1-8” and “R1-6” ~~and “R1-5”~~ zoning districts.*

- (1) One single-dwelling unit per lot of record.
- (2) New duplex unit or an attached two unit condominium on a corner lot provided the lot and the dwelling units meet the following standards:
 - (a) The area of the corner lot is 8,000 square feet or larger in size; and
 - (b) Each dwelling unit must have its address and main entrance oriented towards a separate street frontage.
- (3) Public and private parks and playgrounds.
- (4) Public and private open space preserves.
- (5) Public and Private recreational amenities and facilities.
- (6) Public and private utility installations for gas, electric, water, wastewater or communications including booster stations and lift stations.
- (7) Child care, home-based. Home-based child care shall comply with the State of Arizona Department of Health Services regulations for licensing.
- (8) Home occupations as prescribed in §§ 152.210 through 152.226.
- (9) Assisted living facilities and group care homes for the elderly and handicapped, provided that:
 - (a) No such home is located on a lot that is within 1,200 feet of another group home for the handicapped and elderly care;
 - (b) No such home contains more than six residents;
 - (c) Such home is licensed by the State of Arizona Department of Health Services; and
 - (d) Such home is licensed with, and administratively approved by the city, as to compliance with the standards of this chapter.
- (10) Accessory buildings and accessory uses as prescribed in §§ 152.210 through 152.226.

(C) *Conditional uses - "R1-35", "R1-20", "R1-12", "R1-8" and "R1-6" and "~~R1-5~~" zoning districts.*

- (1) One accessory dwelling unit on a residential lot provided the lot and the accessory dwelling unit meets the following standards:
 - (a) The area of the lot is 8,000 square feet or larger in size;

- (b) The accessory dwelling unit may not exceed 50% of the gross square footage of the livable area of the primary dwelling unit;
 - (c) The addition of the accessory dwelling unit may not cause the lot to be split; rather the lot remains as one lot under the same ownership as that of the primary dwelling unit;
 - (d) The accessory dwelling unit shall be located in the buildable area of the lot.
 - (e) A single common driveway shall serve both the principal residence and the accessory dwelling unit; and
 - (f) The accessory dwelling unit must be connected to all of the primary structure's utilities; with the exception of phone and cable services.
 - (g) The accessory dwelling unit may not be used for any commercial or non-residential uses.
- (2) Commercial retail use provided the lot meets the following standards:
- (a) The minimum area of the lot must be 8,000 square feet or larger;
 - (b) The lot must be a corner lot with frontage onto a roadway that is designated in the San Luis General Plan – Transportation Element as an arterial or collector roadway;
 - (c) The building shall comply with all setback and development standards of the residential zoning district; and
 - (d) The building size and permitted uses shall be limited to those allowed in the "MU" Zoning District as outlined in § 152.108.
- (3) Public schools (K-12).
- (4) Private schools, including charter schools, with a curriculum substantially the same as customarily offered in public schools.
- (5) Religious institutions.
- (6) Publicly owned or operated library, museum, fire station, police station.
- (7) Amateur (ham) radio towers and antennas.
- (8) Wireless communication towers and antennas as approved in accordance with the requirements of §§ 152.315 through 152.322.

(D) *Temporary uses - "R1-35", "R1-20", "R1-12", "R1-8" and "R1-6" and ~~"R1-5"~~ zoning districts.*

- (1) Model homes or temporary sales office pertaining to the sale of homes being constructed in the immediate subdivision. In the review for a model home or sales office, the city may consider lighting, landscaping, hours of operation, signage, parking, duration, and neighborhood impact. Approval may be granted for a two year period, or until all lots in the subdivision are sold, whichever occurs first.
- (2) Temporary construction site trailer pertinent to the construction of the homes and public improvements within the immediate subdivision.
- (3) Temporary uses such as revivals, carnivals, circus, auctions, holidays or seasonal boutiques or tree lots in conjunction with appropriate dust control abatement.
- (4) Garage sales are limited to three consecutive days conducted no more frequently than three times per year per residential location. Sales of this nature occurring beyond these limits are prohibited.

(E) *Design standards - "R1-35", "R1-20", "R1-12", "R1-8" and "R1-6" and ~~"R1-5"~~ zoning districts.*

- (1) All new residential developments (subdivisions) shall be subject to all requirements set forth in the San Luis Subdivision Ordinance.
- (2) The residential structure should have a strong relationship to the neighborhood street. A walkway from the street to the front entry is strongly encouraged.
- (3) Housing should foster a sense of neighborhood among nearby residents and a sense of community through linkage with surrounding neighborhoods.
- (4) Propane tanks, water filters and similar mechanical or utility equipment shall be installed at ground level or wall mounted and shall be screened from public view and designed to appear as an integral part of the building.
- (5) The residence shall have a permanent foundation and a garage or carport the design and materials of which shall be compatible with the main structure.
- (6) Front porches and courtyards are strongly encouraged and should provide a pedestrian connection, other than the driveway, to the street.
- (7) All residential developments, at the time of subdivision development and on a subdivision basis, within the "R1-35", "R1-20", "R1-12", "R1-8"

and “R1-6” and “~~R1-5~~” zoning districts shall provide the minimum net acreage of open space as delineated in Table No. 2 herein. Net acres shall be defined as the total acres exclusive of the area required for arterial or collector street right-of-way dedications, any commercial or industrial lands, and school/public site reservations.

TABLE No. 2

Open Space Requirements – Single Residence Zoning Districts

(see Open Space definitions in § 152.013)

Zoning District	Open Space Percentage
“RA-10”	0%
“SR-5”	0%
“SR-2”	0%
“R1-35”	2%
“R1-20”	2%
“R1-12”	5%
“R1-8”	5%
“R1-6”	5%
“R1-5”	5%

TABLE No. 3

Development Standards – Single Residence Zoning Districts

Zoning District	Minimum Lot Size (ac./sq ft)	Minimum Lot Width (feet)	Maximum Bldg. Height (feet)	Minimum Yard Setback (feet)					Maximum Lot Coverage
				Front	Garage Entrance	Side	Street Side	Rear	
“RA-10”	10 acres	330	35(b)	50	40	30 & 30	50	50	10%
“SR-5”	5 acres	220	35(b)	40	40	30 & 30	40	40	15%
“SR-2”	2 acres	120	35(b)	30	30	30 & 30	30	40	20%
“R1-35”	35,000 sf	100	30	30	30	15 & 15	30	40	30%

"R1-20"	20,000 sf	100	30	25	20	10 & 10(c)	15	30(c)	40%
"R1-12"	12,000 sf	80(a)	30	20	18	7 & 7(c)	10	25(c)	45%
"R1-8"	8,000 sf	70(a)	30	20	18	7 & 7(c)	10	20(c)	50%
"R1-6"	6,000 sf	60(a)	30	20	18	7 & 7(c)	10	10(c)	50%
"R1-5"	5,000 sf	50(a)	20	15	18	5 & 5(c)	10	10(c)	50%

- (a) Lot width on corner lots shall be increased by five feet.
- (b) Accessory agricultural buildings may be permitted additional height in accordance with regulations in §§ 152.210 through 152.226.
- (c) Increased setbacks for institutional uses allowed by C.U.P. shall be increased one foot for every two foot of building height, but in no case less than 20 feet.

Section 4. Section 152.090(A) of the Code of Ordinances of the City of San Luis, Arizona, is hereby amended to read as follows:

152.090 GENERAL REQUIREMENTS – MULTIPLE RESIDENCE ZONING DISTRICTS.

(A) *Purpose.* The purpose of the multiple residence districts is to provide for a range of different types and densities of multiple residential developments in locations which are suitable and appropriate, taking into consideration existing conditions, future land use needs, and the availability of public services. It is intended that these districts accommodate a variety of dwelling types, including apartments, townhouses or patio homes, duplexes, and condominiums. **These dwelling units shall be multiple residence dwellings and no detached single dwelling units shall be permitted effective as of March 1, 2016. Reference to "R-2" and "R-3" zoning districts shall not include detached single dwelling units from and after March 1, 2016. For all lots created prior to March 1, 2016 in a multiple residence district specifically for detached single residence dwelling units, all such detached single dwelling units shall be developed to the design standards of an "R1-6" zoning district. No detached single residence dwelling unit shall be built on a lot not specifically designed for detached single dwelling units.**

The multiple residence districts are further delineated in the following categories:

- (1) "R-2" Medium-High Density Residential.
- (2) "R-3" High Density Residential

(B) *Review process.* All new development (residential and non-residential) shall require site plan review, by the Zoning Administrator, prior to the applicant's

submittal for building or grading permits. All applications for site plan review shall comply with the submittal requirements outlined in § 152.046. The required fees shall accompany all applications.

(C) *Development standards.* The development regulations for each of the multiple residence zoning districts are outlined in Table No. 5. These standards provide certainty to property owners, developers, and neighbors about the limits of what is allowed.

(D) *Compliance with other provisions.*

(1) *General provisions.* The general provisions in §§ 152.210 through 152.226 shall apply.

(2) *Parking regulations.* The parking regulations in §§ 152.240 through 152.244 shall apply.

(3) *Signs.* All signage shall comply with §§ 152.255 through 155.262.

(4) *Outdoor lighting.* All outdoor lighting shall comply with §§ 152.275 through 152.282.

(5) *Landscape regulations.* The landscaping shall comply with §§ 152.295 through 152.300.

Section 5. Sections 152.091(A) and (B) of the Code of Ordinances of the City of San Luis, Arizona, are hereby amended to read as follows:

152.091 “R-2” MEDIUM-HIGH DENSITY RESIDENTIAL ZONING DISTRICT.

(A) *Purpose.* The purpose of this zoning district is to allow for a variety of building types, including duplex, townhouses, and apartments with varied project amenities. The “R-2” shall provide a balance of housing opportunities to serve the needs of the residents of San Luis. The intent of this district is to permit higher density urban development with a mixture of uses of a similar intensity.

Dwelling units shall be a multiple residences dwelling. No detached single residence dwelling unit shall be permitted from and after March 1, 2016. For all lots created for single detached residence dwelling units prior to March 1, 2016, all such single detached dwelling units shall be developed to the design standards of an “R1-6” zoning district.

(B) *Permitted uses - “R-2” Zoning District.*

(1) Attached or detached single residence dwellings, including townhouses, provided the maximum density does not exceed ten dwelling units per acre. **No single detached residence dwelling units shall be permitted effective as of March 1, 2016. For lots for single detached residence units created prior to March 1, 2016 in a multiple residence**

zoning district, all single detached dwelling units shall be developed to the design standards of an “R1-6” zoning district.

- (2) Multiple residential developments (maximum of ten dwelling units per acre).
- (3) Public and private utility installations, but not including business offices, repair or storage facilities, wastewater treatment plants, booster stations, and generating plants.
- (4) Child care, home-based. Home-based child care shall comply with the State of Arizona Department of Health Services regulations for licensing.
- (5) Group care homes for the elderly and handicapped, provided that:
 - (a) No such home is located on a lot that is within 1,200 feet of another group home for the handicapped and elderly care;
 - (b) No such home contains more than 20 residents;
 - (c) Such home is licensed by the State of Arizona Department of Health Services; and
 - (d) Such home is licensed with, and administratively approved by the city, as to compliance with the standards of this chapter.
- (6) Home occupations as prescribed in §§152.210 through 152.226.
- (7) Accessory buildings and accessory uses as prescribed in §§152.210 through 152.226.

(C) *Conditional uses - “R-2” Zoning District.*

- (1) Public schools (K-12).
- (2) Private schools or charter schools, with a curriculum substantially the same as customarily offered in public schools.
- (3) Religious institutions.
- (4) Bed and breakfast operations provided that the following standards shall apply:
 - (a) No more than four bedrooms per residence may be used for the business;
 - (b) No more than two adult persons per room; and
 - (c) One off-street, non-tandem parking space per bedroom.

(5) Wireless communication towers and antennas in accordance with the requirements of §§ 152.315 through 152.322.

(D) *Temporary uses - "R-2" Zoning District.*

(1) Temporary sales office pertaining to the sale of dwelling units being constructed in the immediate development. In the review for a sales office, the city may consider lighting, landscaping, hours of operation, signage, parking, duration, and neighborhood impact. Approval may be granted for a two year period, or until all units in the development are sold, whichever occurs first.

(2) Temporary construction site trailer pertinent to the construction of the residential units or buildings and public improvements within the immediate development.

(3) Temporary uses such as revivals, carnivals, circus, auctions, holidays or seasonal boutiques or tree lots with appropriate dust control abatement.

(E) *Site design standards - "R-2" Zoning District.* Multiple residential developments and buildings should complement and enhance the built environment of the surrounding residential structures and neighborhood through the creative and imaginative application of architecture, landscape and site design standards.

(1) All new residential developments (subdivisions) shall be subject to all requirements set forth in the San Luis Subdivision Ordinance.

(2) Parking areas, if other than a driveway, that are adjacent to the required front yard shall be screened by a decorative wall or landscape berm or combination thereof to a height not to exceed three feet in order to adequately screen the parked vehicles.

(3) Trash and refuse collection containers shall be screened with a six foot decorative wall. Trash and refuse areas shall be located such that they are not the visual focal point of a driveway or parking area, or cannot be viewed from a public street.

(4) Mechanical equipment and similar utility devices, whether ground level or roof mounted, shall be screened from public view and designed to appear as an integral part of the building. The mechanical equipment screening shall be included in the overall building height. Mechanical

equipment shall be treated to be non-reflective. Electrical meters, service components, and SES cabinets should be screened from public view and designed to appear as an integral part of the building.

(5) All multiple residence developments having more than ten dwelling units shall include a recreational amenity for the residents use at the rate of one amenity per ten dwelling units. Examples of such amenities include, but are not limited to, swimming pool, tot lot, sport court, ramada with picnic tables and barbeque grill. The area utilized by the recreational amenity may be calculated as part of the overall open space required for the development.

(6) Every unit is encouraged to be developed with either a private patio or balcony a minimum of 150 square feet in size. If this private useable outdoor open space is provided it may be calculated as part of the overall open space required for the development.

(7) All multiple residential buildings shall provide covered parking in accordance with §§ 152.240 through 152.244. The required covered parking canopy shall provide motion sensor/detector light fixtures which are to be placed under the parking shade canopy.

(8) All multi-story buildings are encouraged to incorporate 360° architecture. A variety of massing and building heights, and stepping rooflines is strongly encouraged. Straight rooflines should be minimized by using offsets, differing heights, stepping, or different orientations to produce more variety within a development. Roof material shall not be wood shake shingles.

(9) Reflective building materials are prohibited. Mirrored surfaces or any treatment that changes ordinary glass into a mirrored surface are prohibited. Metallic surfaces, including roof materials, shall be chemically treated to be non-reflective.

(10) The building materials of a project shall be durable, require low maintenance, and be of the same or higher quality as surrounding developments. The city strongly encourages all new buildings to meet LEED (Leadership in Energy and Environmental Design) certification standards.

(F) *Open space standards - "R-2" Zoning District.*

- (1) All new multiple residential developments, including but not limited to; apartments and condominiums shall be required to provide open space, provide buffering to adjacent developments, and provide landscaping.
- (2) Open space shall be required for each development, as delineated in Table No. 4, regardless of whether it is a residential or non-residential development. Open space does not include parking areas.
- (3) Open space may be left as landscaped open space or may be developed with recreational amenities for the use and enjoyment of the residents.

Section 6. Sections 152.092 of the Code of Ordinances of the City of San Luis, Arizona, are hereby amended to read as follows:

152.092 "R-3" HIGH DENSITY RESIDENTIAL ZONING DISTRICT.

(A) *Purpose.* The purpose of this zoning district is to provide for high-density attached residential development and destination tourism uses within designated activity centers where adequate public facilities and services are available. It is intended that this district accommodate multi-story residential and tourist developments incorporating unique design and exceptional amenities. **Detached single residence dwelling units shall not be permitted from and after March 1, 2016.**

(B) *Permitted uses - "R-3" Zoning District.*

- (1) Multi-residential developments (maximum of 20 dwelling units per acre). **Detached single residence dwelling units shall not be permitted from and after March 1, 2016.**
- (2) Cemeteries, crematoriums, columbaria and mausoleums including associated on-site mortuary.
- (3) Tennis courts and golf courses including clubhouses located thereon and unlighted driving ranges but not including miniature golf courses.
- (4) Public and private utility installations, but not including business offices, repair or storage facilities, wastewater treatment plants, booster stations, and generating plants.
- (5) Child care, home-based. Home-based child care shall comply with the State of Arizona Department of Health Services regulations for licensing.
- (6) Home occupations as prescribed in §§ 152.210 through 152.226.

(7) Accessory buildings and accessory uses as prescribed in §§ 152.210 through 152.226.

(C) *Conditional uses - "R-3" Zoning District.*

(1) Public schools (K-12).

(2) Private schools, charter schools, or boarding school with a curriculum substantially the same as customarily offered in public schools.

(3) Religious institutions.

(4) Child care center, provided that:

- (a) The facility provides the required outdoor play area; and
- (b) The facility is licensed by the State of Arizona Department of Health Services.

(c) Detached single residence dwelling units shall not be permitted from and after March 1, 2016.

(5) Resorts, but not hotels or motels, provided that the following standards shall apply:

- (a) Each development shall have a minimum area of 20 acres;
- (b) Each development shall provide a restaurant on-site;
- (c) The resort shall provide outside recreational amenities, such as but not limited to, golf, horseback riding, tennis or swimming; and
- (d) The resort development may include meeting rooms or a conference center, health club and spa facilities, beauty and retail shops accessible only from within the primary resort building.

(6) Time-share developments.

(7) Assisted living facilities, nursing homes, congregate care facilities, convalescent homes and homes for the aged provided that the following standards shall apply:

- (a) A minimum of 25 square feet of useable outdoor open space shall be required per bed and may be calculated as part of the overall open space required for the development; and
- (b) The facility is licensed by the State of Arizona Department of Health Services.

(8) Wireless communication towers and antennas in accordance with the requirements of §§ 152.315 through 152.322.

(D) *Temporary uses - "R-3" Zoning District.*

(1) Temporary sales office pertaining to the sale of dwelling units being constructed in the immediate development. In the review for a sales office, the city may consider lighting, landscaping, hours of operation, signage, parking, duration, and neighborhood impact. Approval may be granted for a two year period, or until all units in the development are sold, whichever occurs first.

(2) Temporary construction site trailer pertinent to the construction of the residential units or buildings and public improvements within the immediate development.

(3) Temporary uses such as revivals, carnivals, circus, auctions, holidays or seasonal boutiques or tree lots when uses are located on property with appropriate dust control abatement.

(E) *Site design standards - "R-3" Zoning District.* Multiple residential developments and construction should complement and enhance the built environment of the surrounding residential structures and neighborhood through the creative and imaginative application of architecture, landscape and site design standards.

(1) All new residential developments (subdivisions) shall be subject to all requirements set forth in the San Luis Subdivision Ordinance.

(2) Parking areas, if other than a driveway, that are adjacent to the required front yard shall be screened by a decorative wall or landscape berm or combination thereof to a height not to exceed three feet in order to adequately screen the parked vehicles.

(3) Trash and refuse collection containers shall be screened with a six foot decorative wall. Trash and refuse areas shall be located such that they are not the visual focal point of a driveway or parking area, or cannot be viewed from a public street.

(4) All multiple residence developments having more than ten dwelling units shall include a recreational amenity for the residents use at the rate of one amenity per ten dwelling units. Examples of such amenities include, but are not limited to, swimming pool, tot lot, sport court, ramada with picnic tables and barbeque grill. The area utilized by the recreational amenity may be calculated as part of the overall open space required for the development.

(5) Every unit is encouraged to be developed with either a private patio or balcony a minimum of 150 square feet in size. If this private useable outdoor open space is provided it may be calculated as part of the overall open space required for the development.

(6) All multiple residential buildings shall provide covered parking in accordance with §§ 152.240 through 152.244. The required covered parking canopy shall provide motion sensor/detector light fixtures which are to be placed under the parking shade canopy.

(7) Mechanical equipment and similar utility devices, whether ground level or roof mounted, shall be screened from public view and designed to appear as an integral part of the building. The mechanical equipment screening shall be included in the overall building height. Mechanical equipment shall be treated to be non-reflective. Electrical meters, service components, and SES cabinets should be screened from public view and designed to appear as an integral part of the building.

(8) All multi-story buildings shall incorporate 360° architecture. A variety of massing and building heights, and stepping rooflines is strongly encouraged. Straight rooflines should be minimized by using offsets, differing heights, stepping, or different orientations to produce more variety within a development. Roof material shall not be wood shake shingles.

(9) Reflective building materials are prohibited. Mirrored surfaces or any treatment that changes ordinary glass into a mirrored surface are prohibited. Metallic surfaces, including roof materials, shall be chemically treated to be non-reflective.

(10) The building materials of a project shall be durable, require low maintenance, and be of the same or higher quality as surrounding developments. The city strongly encourages all new buildings to meet LEED (Leadership in Energy and Environmental Design) certification standards.

(G) *Open space standards – “R-3” Zoning District.*

(1) All new multiple residential developments, including but not limited to; apartments and condominiums shall be required to provide open space, provide buffering to adjacent developments, and provide landscaping.

(2) Open space shall be required for each development, as delineated in Table No. 4, regardless of whether it is a residential or non-residential development. Open space does not include parking areas.

(3) Open space may be left as landscaped open space or may be developed with recreational amenities for the use and enjoyment of the residents.

TABLE No. 4
Open Space Requirements – Multiple Residence Zoning Districts
(see Open Space definitions in § 152.013)

Zoning District	<i>Open Space Percentage</i>
"R-2"	5%
"R-3"	5%

TABLE No. 5
Development Standards – Multiple Residence Zoning Districts

Zoning District	Minimum Lot Size (Sq Ft)	Min. Area/DU Total Density	Minimum Lot Width (Feet)	Maximum Bldg. Height (Feet)	Minimum Yard Setback (Feet)					Maximum Lot Coverage
					Front	Garage Entrance	Side	Street Side	Rear	
R-2	4,000 (e)	4,000 (e) 10 du/ac	40 (a)(e)	35 (d)	20	18	7(b)(c)(f)	10	10 (b)	50%
R-3	4,000	2,000/du 20 du/ac	30 (a)	60	20	18	10 (b)(c)(f)	10 (b)	10 (b)	50%

- (du) means dwelling units.
- (ac) means acre.
- (a) Lot width on corner lots shall be increased by five feet.
- (b) Or one-half the height of the building measured at the property line, whichever is the greater (except for single residence dwellings).
- (c) Projections into required setbacks are not allowed.
- (d) **For attached S** single residence dwellings, ~~whether attached or detached~~, shall be limited to **a height of 20 feet**.
- (e) Lots for attached townhouses may be reduced to 2,500 square feet and 30 feet minimum lot width.

(f) Applies only to the perimeter units of an attached unit product.

Section 7. In the event of a conflict between the provisions of this ordinance and any other ordinance, resolution, regulation, or policy within the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this ordinance shall govern.

Section 8. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or said reference regulations.

PASSED AND ADOPTED by the Mayor and City Council of the City of San Luis, Arizona, this _____ day of _____, 2016.

Gerardo Sanchez, Mayor

ATTEST:

Sonia Cornelio, City Clerk

APPROVED AS TO FORM

Kay Marion Macuil, City Attorney



AGENDA ITEM REVIEW FORM

Work Session

3. A.

Meeting Date: 01/06/2016

Submitted By: Sonia Cornelio, City Clerk, Office of the City Clerk

Action Requested: Discussion Item - No Action to be Taken

ITEM:

Update on any and all matters regarding activities to the projects at the Ports of Entry by Luis Ramirez. (Luis Ramirez, Ramirez Advisors)

SUMMARY:

Luis Ramirez requested that this item be placed on the City Council Agenda for discussion at the Work Session for December 16, 2015.

RECOMMENDATION / SUGGESTED MOTION:

Discussion item only, no action.

Supporting information not attached to the Agenda Item Review Form:

N/A

Document to be Recorded?: No

N/A

Fiscal Impact

IS THERE FISCAL IMPACT ASSOCIATED WITH THIS ITEM: N/A

CITY/STATE/FEDERAL FUNDS: N/A

TOTAL: N/A

BUDGETED: N/A

AVAILABLE TO TRANSFER: N/A

ACCOUNT #/REMAINING BALANCE: N/A

FISCAL IMPACT STATEMENT (IF THIS IS A BUDGET TRANSFER, YOU MUST ATTACH THE BUDGET ADJUSTMENT FORM):

N/A