



NOTICE OF REGULAR PLANNING AND ZONING COMMISSION MEETING

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 the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission of the City of San Luis, Arizona will hold a Regular Planning & Zoning Commission Meeting at 7:00 p.m., Tuesday, October 10, 2017. The meeting 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 East 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 GIVEN BY:

/s/ Roman Pacheco, Planning Technician

AVISO DE JUNTA REGULAR DE LA COMISIÓN DE PLANEACIÓN Y ZONAMIENTO

De acuerdo a la Sección 38-431.01 de los Estatutos Revisados del Estado de Arizona, se les informa a los Miembros de la Comisión de Planeación y Zonamiento y al público en general que la Comisión de Planeación y Zonamiento de San Luis, Arizona, tendrán una junta regular a las 7:00 p.m., el día Martes, 10 de Octubre del 2017. La junta se llevará a cabo en la Cámara del Consejo de la ciudad, ubicado en el 1090 East Union Street, San Luis, Arizona, 85349. El público esta cordialmente invitado.

De acuerdo con el Acta de Americanos con Discapacidades y la Sección 504 del Acta de Rehabilitación de 1973, la Ciudad de San Luis no discrimina por causa de discapacidad la admisión y acceso a sus programas, actividades, servicios o en el trato en cuanto a empleo. Para más información referente a derechos y provisiones del Acta de Americanos con Discapacidades o Sección 504, o para solicitar adaptaciones que sean razonables para la participación en programas, actividades o servicios de la ciudad, contactar a: Coordinador del Acta de Americanos con Discapacidades/Sección 504, Departamento de Recursos Humanos de la Ciudad de San Luis, 1090 Este Calle Unión, San Luis, Arizona, 85349; (928) 341-8520.

Por medio de éste 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 ante el Estado o alguna subdivisión política 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 a la Secretaria de la Ciudad dicha grabación, o tomar acción personal para asegurarse que su hijo/hija menor no esté presente cuando la grabación se lleve a cabo. Si un menor de edad está presente en el momento de la grabación, la Ciudad asumirá que los padres de familia están cediendo los derechos sobre una posible grabación de acuerdo con el Estatuto Revisado del Estado de Arizona §1-602.A.9.

ESTE AVISO ES DADO POR:

/f/ Roman Pacheco, Técnico en Planeación



AGENDA
Planning & Zoning Commission
Regular Meeting
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
Tuesday, October 10, 2017
7:00 P.M.

MEMBERS OF THE SAN LUIS PLANNING & ZONING COMMISSION WILL ATTEND EITHER IN PERSON, TELEPHONE, OR VIDEO CONFERENCE COMMUNICATION.

1. CALL TO ORDER/ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

All matters are considered to be routine by the Planning & Zoning Commission and will be enacted by one motion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

3. A. MINUTES OF

Regular Planning and Zoning Commission meeting held September 12, 2017

3. B. CONTINUANCES

Rezoning Case No. 2017-0605 / A request by (Nieves Riedel) Riedel Holdings, LLC, owner, to rezone 15.1 acres, more or less, from Rural Area Residential (RA-10) to Medium-High Density Residential (R-2) zoning district. Assessor parcel ID # 776-09-003 located between 6th Avenue and 8th Avenue, north of Bienestar Estates #5 and South of East Main Canal. The purpose of the zone change is to allow for the building of a future townhouse project. **(Item to be presented during the Planning and Zoning Commission meeting on November 14, 2017)**

4. PUBLIC HEARINGS – the Planning & Zoning Commission will be considering a vote or action on the following cases. Any vote or action will be considered separately for each case.

4. A. Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2017-0664. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations §152.078(E)-Table No. 3-Development Standards to amend the provisions for side yard setback for R1-6 zoning district; amending subsections 152.091(A) and (B)(1) to clarify applicability of design and development standards for single detached residence dwelling lots created prior to March 1, 2016.

A. Open public hearing

1. Staff presentation
2. Call to the Public on this item

- B. Close public hearing
- C. Action on Text Amendment Case No. 2017-0664

- 5. **CALL TO THE PUBLIC** - This is the time for the public to comment. Members of the Commission may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona Revised Statute §38-431.01(G), action taken as a result of comment will be limited to directing staff to study the matter, or scheduling the matter for further discussion and decision at a future date. All Planning & Zoning Commission meetings are recorded.
- 6. **ADJOURNMENT**



AGENDA ITEM REVIEW FORM

Planning & Zoning Commission Meeting

3.A.

Meeting Date: 10/10/2017

Summary

MINUTES OF

Regular Planning and Zoning Commission meeting held September 12, 2017

Attachments

P&Z Minutes September 12, 2017

MINUTES

REGULAR MEETING
PLANNING AND ZONING COMMISSION
SAN LUIS COUNCIL CHAMBERS
1090 E. UNION STREET
SEPTEMBER 12, 2017
7:00 PM

1. CALL TO THE ORDER /ROL CALL: The meeting was called to order at approximately 7:02 PM., by Vice Chairman Javier Barraza.

2. PLEDGE OF ALLEGIANCE: Pledge of Allegiance was led by Commissioner Marco A. Pinzon.

PRESENT:

Vice Chairman Javier Barraza
Commission Member Daniel Bazua
Commission Member Hugo Garcia
Commission Member Marco A. Pinzon
Commission Member Jose A. Ponce

ABSENT:

Chairman Bill Cordova
Commission Member Guillermina Fuentes

OTHER PRESENT: Jose A. Guzman, Acting Planning and Zoning Director
Roman Pacheco, Planning Technician
Kay Macuil, City Attorney
Ray Urias, Attorney
Rich Bauermann, Fire Department
Tadeo A. De La Hoya, City Manager
John Starkey, Edais Engineering, Inc.
Jorge Sanchez, Edais Engineering, Inc.

CONSENT AGENDA:

3. A. MINUTES OF

- Regular Planning & Zoning Commission Meeting held August 8, 2017

MOTION: **Jose A. Ponce / Hugo Garcia** to APPROVE the Consent Agenda as presented. Motion passed unanimously (5-0).

4. PUBLIC HEARINGS

4. A. Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2017-0546. A request by Riedel Holdings LLC, on behalf of Border Ranches, LLC, owner, to rezone approximately 33 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6). The property is located on the northwest corner of County 24th Street and 20th Avenue in San Luis, Arizona.

A. Open Public Hearing

Acting Chairman Barraza opened the public hearing.

Jose A. Guzman, Acting Planning and Zoning Director, summarized staff report recommending approval of Rezoning Case No. 2017-0546.

Commissioner Daniel Bazua, asked the reason why they want to go from R-2 to R1-6. **Guzman** responded that the reason is because City Council approved an ordinance which sets the minimum lot size to 6,000 square feet. And the R-2 no longer allows single family house so they have to use the R1-6 that is the minimum allow size for the lot. They can no longer do a subdivision R-2 for single family homes.

Jorge Sanchez, Edais Engineering, Inc., stated he was representing Riedel Holdings LLC., and was present to answer any questions.

Acting Chairman Barraza asked if there was anybody else from the public that wished to speak on this request at this is the time. **Barraza** then stated, “being none, I bring it back to the Commission for either further discussion or motion”.

MOTION: **Marco A. Pinzon / Jose A. Ponce** seconded on staff recommendation for approval on Rezoning Case No. 2017-0546. Motion passed unanimously (5-0).

Acting Chairman Barraza, congratulates applicant. The commissioners were silent.

Legal Counsel Ray Urias advised the board that they had the option with four votes to force a motion to open or close public hearing and that the public hearing should be closed and the action on the rezoning should be done again.

B. Close Public Hearing

Acting Chairman calls for a motion to close public hearing.

MOTION: **Marco A. Pinzon / Hugo Garcia** to close public hearing. Motion passed unanimously (5-0).

C. Action

Acting Chairman brings back to the Planning and Zoning Commission for further discussion or action on Rezoning Case No. 2017-0546.

MOTION: **Marco A. Pinzon / Daniel Bazua** seconded on staff recommendation for approval on Rezoning Case No. 2017-0546. Motion passed unanimously (5-0).

6. CALL TO THE PUBLIC

There were no public comments

7. ADJOURNMENT

MOTION: **Jose A. Ponce / Hugo Garcia** to adjourn the Regular Planning & Zoning Meeting at approximately 7:12 p.m. Motion passed unanimously.



PLANNING & ZONING AGENDA ITEM REVIEW FORM

Planning & Zoning Commission Meeting

3.B.

Meeting Date: 10/10/2017

Submitted By: Jose A. Guzman, Acting Director of Planning & Zoning, Planning & Zoning Department

ITEM:

CONTINUANCES

Rezoning Case No. 2017-0605 / A request by (Nieves Riedel) Riedel Holdings, LLC, owner, to rezone 15.1 acres, more or less, from Rural Area Residential (RA-10) to Medium-High Density Residential (R-2) zoning district. Assessor parcel ID # 776-09-003 located between 6th Avenue and 8th Avenue, north of Bienestar Estates #5 and South of East Main Canal. The purpose of the zone change is to allow for the building of a future townhouse project. **(Item to be presented during the Planning and Zoning Commission meeting on November 14, 2017)**

SUMMARY:

This item is recommended for continuance by staff with concurrence from the applicant.

RECOMMENDED MOTION:

I MOVE TO CONTINUE REZONING CASE NO. 2017-0605 TO THE COMMISSION MEETING OF NOVEMBER 14, 2017.



PLANNING & ZONING AGENDA ITEM REVIEW FORM

Planning & Zoning Commission Meeting

4.A.

Meeting Date: 10/10/2017

Submitted By: Jose A. Guzman, Acting Director of Planning & Zoning, Planning & Zoning Department

ITEM:

Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2017-0664. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations §152.078(E)-Table No. 3-Development Standards to amend the provisions for side yard setback for R1-6 zoning district; amending subsections 152.091(A) and (B)(1) to clarify applicability of design and development standards for single detached residence dwelling lots created prior to March 1, 2016.

- A. Open public hearing
 - 1. Staff presentation
 - 2. Call to the Public on this item
- B. Close public hearing
- C. Action on Text Amendment Case No. 2017-0664

BACKGROUND:

City Council approved Ordinance No. 347 to alleviate the demand for bigger houses, an ordinance to set up the minimum lot size to 6,000 square feet. However, there are still many empty lots around the City that are less than 6,000 square feet making it difficult to construct a bigger house.

Ordinance No. 347 also provides that all existing single family lots in an R-2 zone must be built to R1-6 design standards. By changing R1-6 design standards this works to capture all of these lots and all new 6,000 square feet lots in the future. In order for the new 5 foot setbacks to apply to existing lots in an R-2, the City Code must be amended to include the development standards under Section 152.91(A) and (B)(1).

SUMMARY:

This proposed amendment will allow the reduction of the side yard setback from 7 feet to 5 feet on lots in an R1-6 district and the existing lots in R-2 districts. However, construction with setbacks of less than 7 feet but no greater than 5 feet must be constructed with a minimum of a 2-hour fire resistive construction.

RECOMMENDED MOTION:

I MOVE TO FORWARD TEXT AMENDMENT CASE NO. 2017-0664 TO THE CITY COUNCIL WITH RECOMMENDATION OF APPROVAL AS PRESENTED BY STAFF.

Attachments

Proposed Amendments
Proposed Ordinance

**Proposed Amendments to the City of San Luis City Code Chapter 15 Zoning Regulations
Section 152.078(E) Design Standards Table No. 3**

**TABLE No. 3
Development Standards – Single Residence Zoning Districts**

<i>Zoning District</i>	<i>Minimum Lot Size (ac./sq ft)</i>	<i>Minimum Lot Width (feet)</i>	<i>Maximum Bldg. Height (feet)</i>	<i>Minimum Yard Setback (feet)</i>					<i>Maximum Lot Coverage</i>
				<i>Front</i>	<i>Garage Entrance</i>	<i>Side</i>	<i>Street Side</i>	<i>Rear</i>	
“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) & 5 (d)	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.
- (d) 5 foot setbacks shall be permitted in a R1-6 District where the projections beyond a 7 foot setback are constructed with not less than 2 hour fire resistive construction.

**Proposed Amendments to the City of San Luis City Code Chapter 15 Zoning Regulations
Sections 152.091(A) and 152.091(B)(1)**

§ 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 **and development** standards of a “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 **and development** standards of an “R1-6” zoning district.

NO.

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 SECTION 152.078(E)-TABLE NO. 3 DEVELOPMENT STANDARDS TO AMEND THE PROVISIONS FOR SIDE YARD SETBACKS FOR R1-6 ZONING DISTRICT; AMENDING SUBSECTIONS 152.091(A) AND (B)(1) TO CLARIFY APPLICABILITY OF DESIGN AND DEVELOPMENT STANDARDS FOR SINGLE DETACHED RESIDENCE DEWELLING LOTS CREATED PRIOR TO MARCH 1, 2016; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED by the Mayor and Council of the City of San Luis, Arizona as follows:

SECTION 1: Subsection 152.078(E) Design Standards Table 3 Development Standards for Single Family Zoning Districts is hereby amended to read as follows:

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) & 5 (d)	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.
- (d) 5 foot setbacks shall be permitted in a R1-6 District where the projections beyond a 7 foot setback are constructed with no less than 2 hour fire resistive construction.

SECTION 2: S Subsections 152.091.A and 152.091.B.1 are hereby amended to clarify that both the design standards and the development standards for an “R1-6” zoning district apply to single detached residence dwelling units created prior to March 1, 2016 and shall 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 and development 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 and development standards of an "R1-6" zoning district.

SECTION 3: In the event of a conflict between the provisions of this Ordinance and any other ordinance, resolution, regulation, code, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this Ordinance shall govern.

SECTION 3: 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.

PASSED AND ADOPTED by the Mayor and Council of City of San Luis, Arizona, on this _____ day of _____, 2017.

Gerardo Sanchez, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney