



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, February 13, 2018. The meeting will take place at the San Luis City Hall Multi-Purpose Room, 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, February 13, 2018. La junta se llevará a cabo en el Salon Multiusos Palacio Municipal, 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 City Hall Multi-Purpose Room
1090 E. Union Street
San Luis, AZ 85349
Tuesday, February 13, 2018
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. **PRESENTATIONS**
3. A. Presentation of plaque to William "Bill" Cordova in recognition of his years of service to the Planning and Zoning Commission.
4. **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.
4. B. **Approval of Minutes** - None
5. **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.
 5. A. Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 0802. A request by Riedel Holdings L.L.C, Nieves Riedel, owner, to rezone approximately 15.1 acres, from Rural Area Residential (RA-10) to Medium-High Density Residential (R-2) zoning district. The property is located west of 8th Avenue between Bienestar Estates No. 5 Subdivision and the East Main Canal.
 - A. Open public hearing
 1. Staff presentation
 2. Call to the public on this item
 - B. Close public hearing
 - C. Action on Rezoning Case No. 2018-0802

5. B. Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2018-015. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations, Sections 152.040(D) and 152.040(E) by allowing the Planning and Zoning Commission and City Council to hold public hearings related to planning and zoning at both their regular and special meetings.

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. 2018-015

6. **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.

7. ADJOURNMENT



PRESENTATION

Planning & Zoning Commission Meeting

3.

Meeting Date: 02/13/2018

Presentation Topic/Summary:

PRESENTATIONS



PRESENTATION

Planning & Zoning Commission Meeting

3.A.

Meeting Date: 02/13/2018

Presentation Topic/Summary:

Presentation of plaque to William "Bill" Cordova in recognition of his years of service to the Planning and Zoning Commission.



PLANNING & ZONING AGENDA ITEM REVIEW FORM

Planning & Zoning Commission Meeting

5.A.

Meeting Date: 02/13/2018

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 Rezoning Case No. 0802. A request by Riedel Holdings L.L.C, Nieves Riedel, owner, to rezone approximately 15.1 acres, from Rural Area Residential (RA-10) to Medium-High Density Residential (R-2) zoning district. The property is located west of 8th Avenue between Bienestar Estates No. 5 Subdivision and the East Main Canal.

- A. Open public hearing
 - 1. Staff presentation
 - 2. Call to the public on this item
- B. Close public hearing
- C. Action on Rezoning Case No. 2018-0802

BACKGROUND:

The subject property is located between Bienestar Estates No. 5 Subdivision and the East Main Canal. San Luis High School is located to the north across the East Main Canal and is zoned as Rural Area Residential (RA-10). The property to the east and west are undeveloped land and are also zoned (RA-10). The property to the south is developed as a single family residential subdivision and is zoned Medium-High Density Residential (R-2).

The purpose of the request is to allow the construction of a future townhouse subdivision to be called La Esperanza Estates. The conceptual plan shows a total of 106 lots with a street connecting 6th Avenue to 8th Avenue.

GENERAL PLAN:

This area is designated as Neighborhood in the City of San Luis 2020 General Plan. The activities proposed will be consistent with that designation (Chapter 2, Page 19-20). The Neighborhood Land use designation allows all types of residential development.

REVIEW:

As part of the review process, all land use cases are reviewed by various City and outside agencies. We have received comments from the following agencies:

- 1. City of San Luis Fire Department (1-17-18)
- 2. U.S. Dept. of the Interior Bureau of Reclamation (1-19-18)
- 3. Yuma County Water Users' Association (1-22-18)

As required by State Statute, staff sent notification letters to property owners within 300 feet of the proposed project (60 letters).

CITIZEN REVIEW MEETING:

As required by State Statute and the City Code, a Citizen Review meeting was held on February 6, 2018 at City Hall Council Chambers at 6:00 p.m. The intent of this meeting was to allow the public to learn about the project, ask questions and express any comments. There were more than 15 people from the public present.

Representatives from the South Yuma County Domestic Violence Coalition were present, and expressed their support of the project and its importance to the City and the Coalition.

SUMMARY:

Staff recommendation will be provided to the Commission at the time of the meeting.

RECOMMENDED MOTION:

Recommended Motion will be provided to the Commission at the time of the meeting.

Attachments

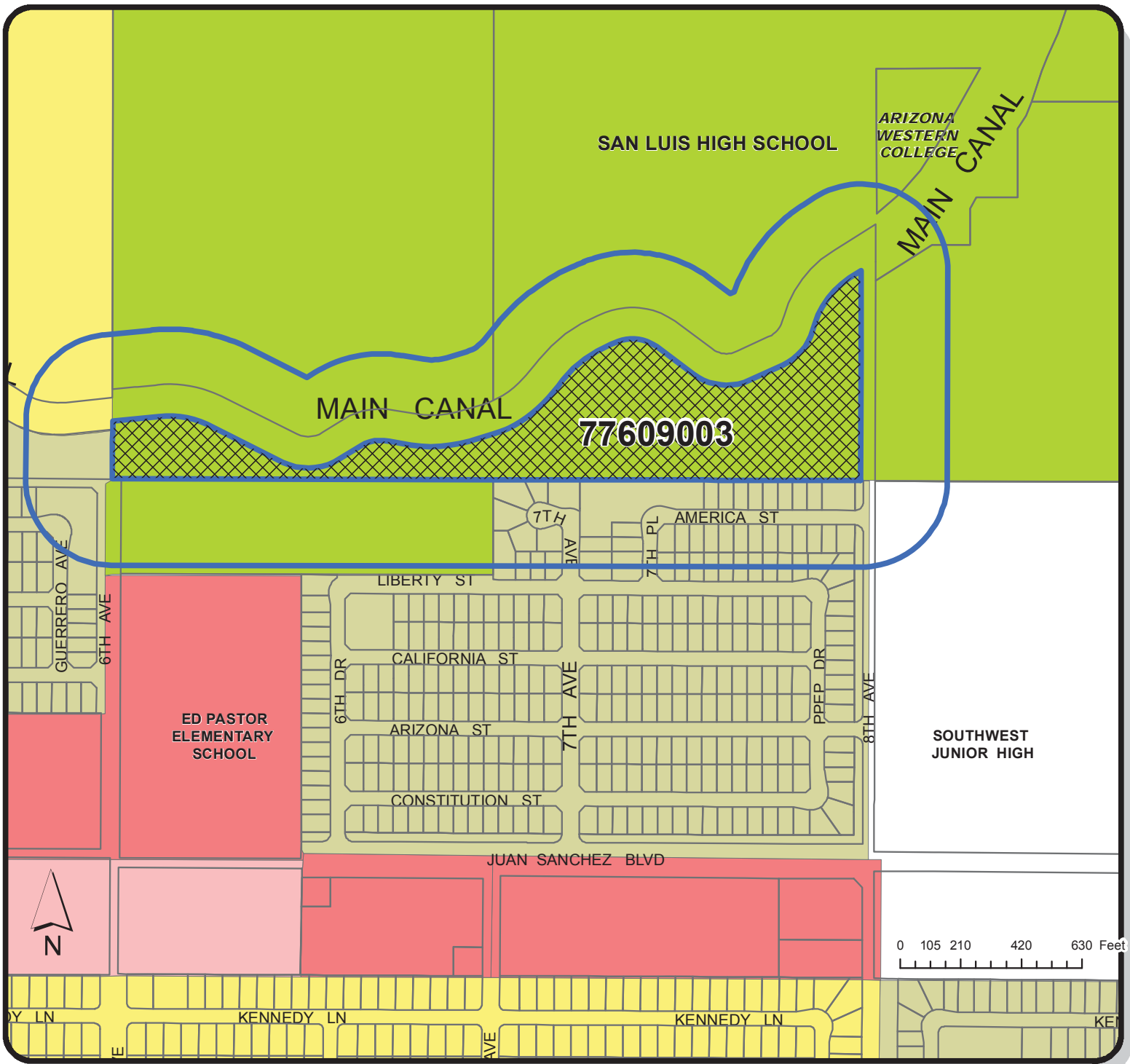
Location Map

Conceptual Plan

City of San Luis Fire Department Comments (1-17-18)

U.S. Bureau of Reclamation Comments (1-19-18)

Yuma County Water Users' Association Comments (1-22-18)




LOCATION OF SUBJECT PROPERTY

 Parcel:776-09-003






Section: 06 Township: 11S Range: 24W LOT 6 S PT OF CANAL & NE4 SW4 S PT OF CANAL BEG AT S4 COR TH NLY 1318.64 FT TH WLY 50 FT TO TPOB TH NLY 710.15 FT TH WLY ALONG THE S LINE OF THE EAST MAIN CANAL TO A POINT ON THE W LINE OF SEC 6 TH SLY 199.86 FT TH

Location Map

 300ft Notification Area

REZONING

REZONE FROM RA-10 to R-2

- Legend**
- SINGLE RESIDENCE ZONING DISTRICTS
 -  RA-10
 -  R1-5
 - COMMERCIAL ZONING DISTRICTS
 -  C-1
 -  C-2
 - MULTIPLE RESIDENCE ZONING DISTRICTS
 -  R-2

Date:
12/27/2017

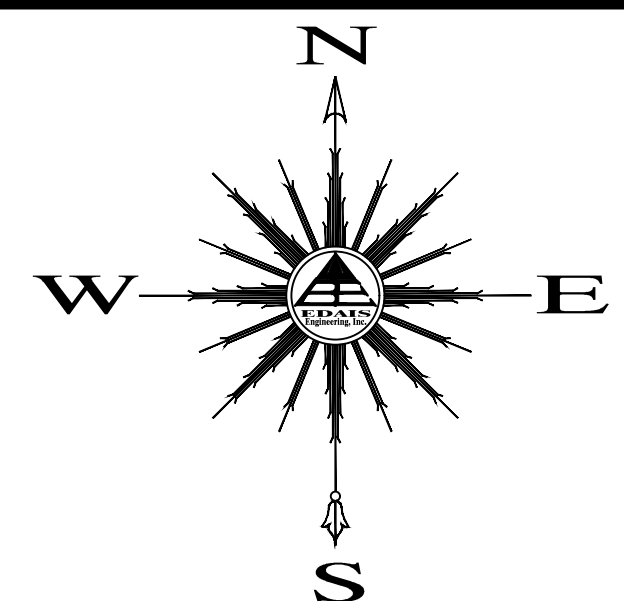
Checked By:
ROMAN PACHECO



Prepared By:
IG

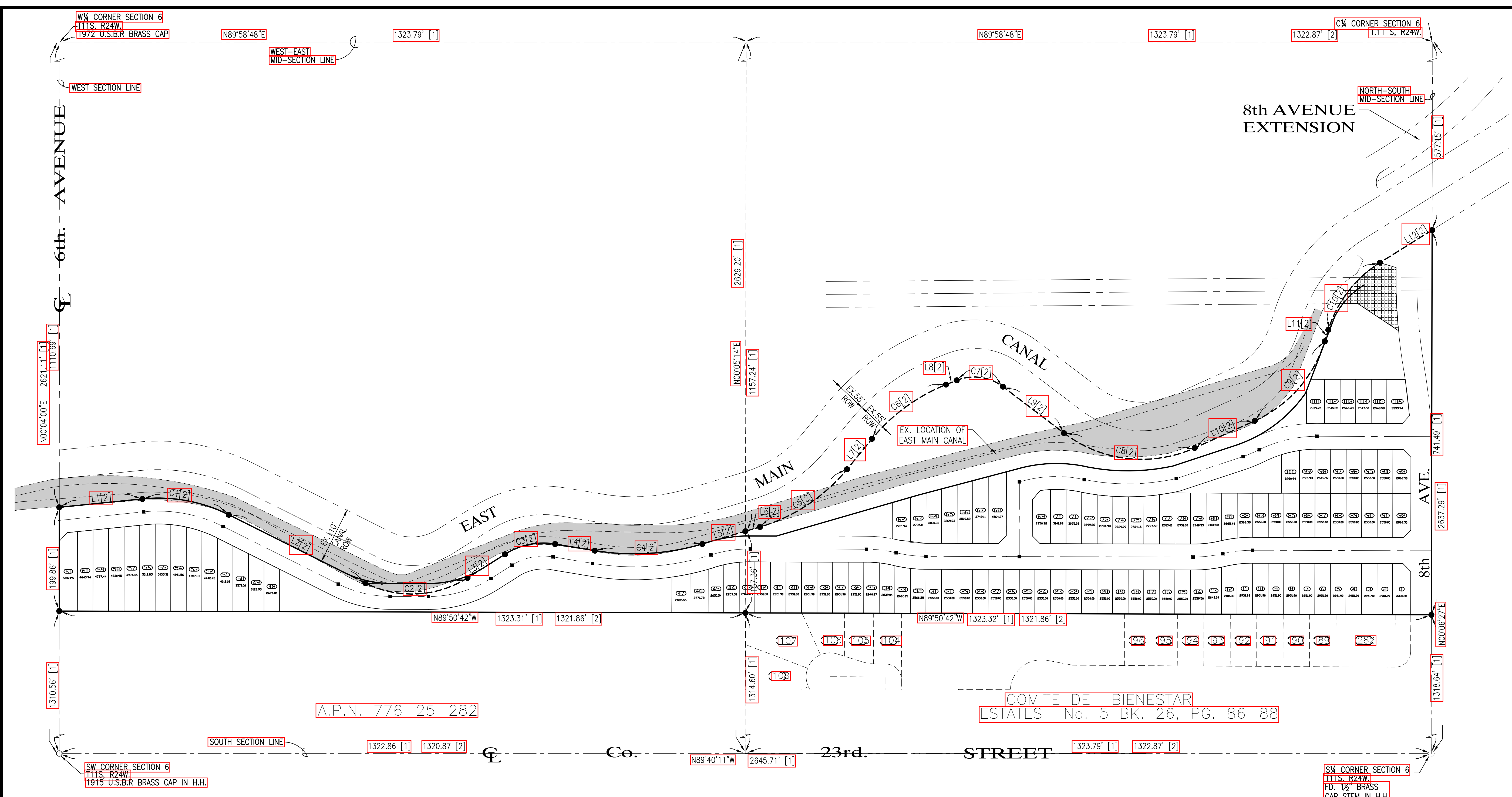
APPROVED BY:
JOSE A. GUZMAN

Case No.
2018-0802



SCALE: 1"=100'

- LEGEND**
- CENTERLINE
 - - - BOUNDARY LINE
 - - - EXISTING LOTS
 - EXISTING DIRT ROAD
 - o FOUND MONUMENT (TYPE AS SHOWN)
 - B.C. INDICATES BRASS CAP
 - H.H. INDICATE HAND HOLE
 - ([1]) DATA REFER TO BARKLEY PROPERTY - SAN LUIS, BOUNDARY SURVEY CONDUCTED BY DAHL, ROBINS & ASSOCIATES, INC. PROJECT No. 07076 SIGNED BY JUAN N. LOMELI DATED JULY 24, 2007.
 - ([2]) DATA REFER TO 110' U.S.B.R. EAST MAIN CANAL R.O.W. AS SHOWN ON R.O.W. MAP No. 35-303-646 RECORD @ YUMA COUNTY WATER USERS ASSOC.
 - ([3]) DATA REFER TO 100' 34.5 KV TRANSMISSION LINE R/W U.S.B.R. DWG. No. 1292-303-3636 AS SET FORTH IN DKT 136, PG 418-420, Y.C.R.
 - A.P.N. ASSESSOR PARCEL NUMBER
 - 139 EXISTING NUMBER LOT



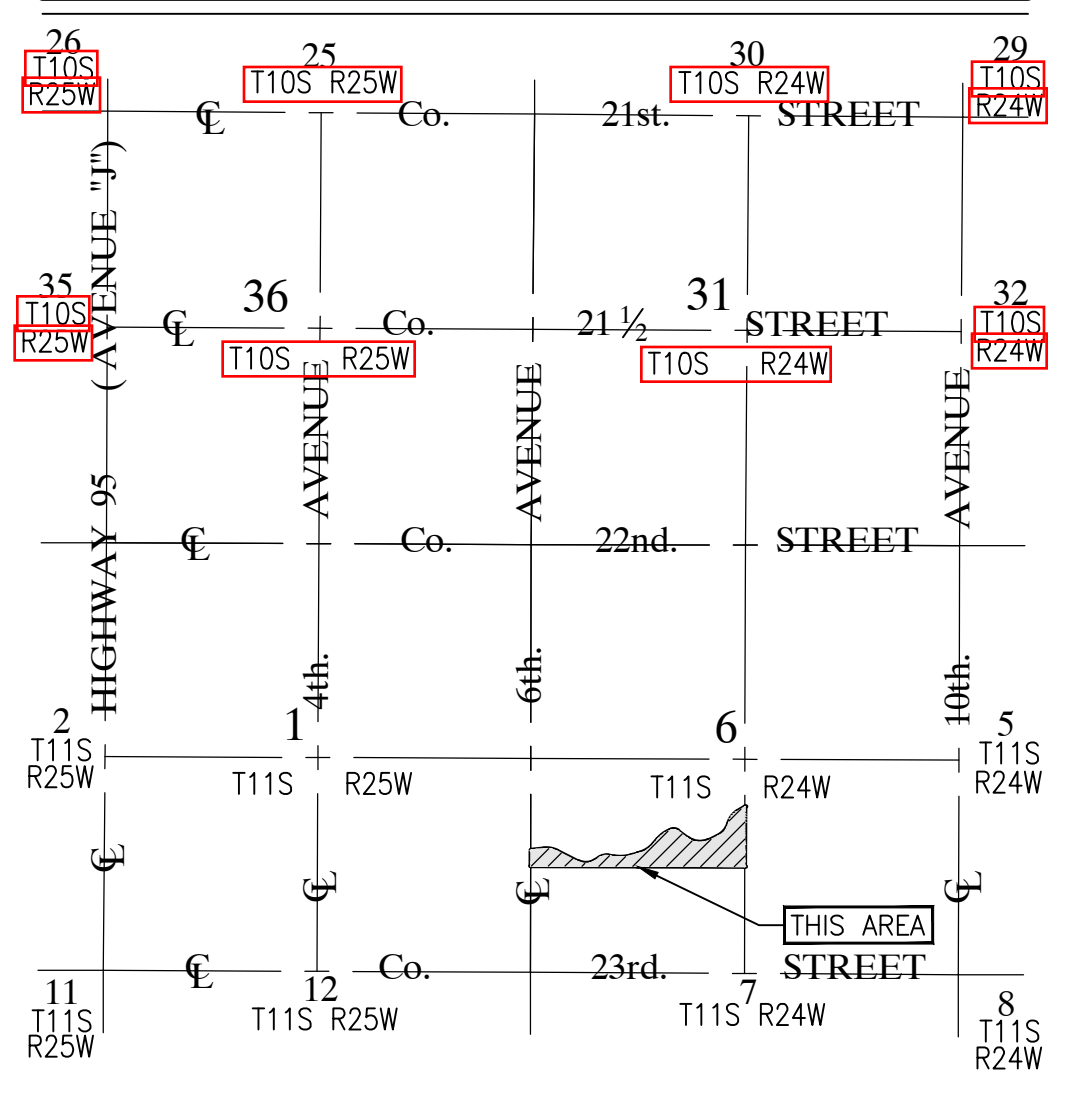
CURVE DATA

| NUMBER | DELTA | TANGENT | RADIUS | LENGTH |
|--------|-----------|---------|---------|---------|
| C1[2] | 32°20'00" | 88.22' | 304.30' | 171.72' |
| C2[2] | 58°50'00" | 113.45' | 201.20' | 206.60' |
| C3[2] | 41°40'00" | 52.59' | 138.20' | 100.50' |
| C4[2] | 25°50'00" | 106.71' | 465.30' | 209.79' |
| C5[2] | 34°10'00" | 105.38' | 342.90' | 204.48' |
| C6[2] | 28°50'00" | 91.34' | 355.30' | 178.80' |
| C7[2] | 59°00'00" | 51.60' | 91.20' | 93.91' |
| C8[2] | 61°30'00" | 147.66' | 248.20' | 266.41' |
| C9[2] | 48°40'00" | 112.24' | 248.20' | 210.82' |
| C10[2] | 41°00'00" | 87.08' | 232.90' | 166.66' |

LINE DATA

| NUMBER | DIRECTION | DISTANCE |
|--------|-------------|----------|
| L1[2] | N84°13'22"E | 160.99' |
| L2[2] | S63°26'38"E | 294.20' |
| L3[2] | N57°43'22"E | 85.70' |
| L4[2] | S80°36'38"E | 77.50' |
| L5[2] | N73°33'22"E | 86.56' |
| L6[2] | N73°33'22"E | 29.24' |
| L7[2] | N39°23'22"E | 75.90' |
| L8[2] | N68°13'22"E | 22.10' |
| L9[2] | S52°46'38"E | 148.10' |
| L10[2] | N65°43'22"E | 126.90' |
| L11[2] | N17°03'22"E | 23.20' |
| L12[2] | N58°03'22"E | 118.72' |

KEY MAP



LOT AREAS

| LOT | AREA | LOT | AREA | LOT | AREA | LOT | AREA | LOT | AREA | LOT | AREA |
|-----|---------|-----|---------|-----|---------|-----|---------|-----|---------|-----|---------|
| 1 | 3331.38 | 19 | 2550.00 | 37 | 2951.90 | 55 | 5035.31 | 73 | 2784.98 | 91 | 2550.00 |
| 2 | 2951.90 | 20 | 2550.00 | 38 | 2951.90 | 56 | 5012.85 | 74 | 2729.99 | 92 | 2862.50 |
| 3 | 2951.90 | 21 | 2550.00 | 39 | 2951.90 | 57 | 4924.45 | 75 | 2734.15 | 93 | 2862.50 |
| 4 | 2951.90 | 22 | 2550.00 | 40 | 2951.90 | 58 | 4830.95 | 76 | 2797.52 | 94 | 2550.00 |
| 5 | 2951.90 | 23 | 2550.00 | 41 | 2951.90 | 59 | 4737.44 | 77 | 2913.61 | 95 | 2550.00 |
| 6 | 2951.90 | 24 | 2550.00 | 42 | 2951.90 | 60 | 4643.94 | 78 | 2951.90 | 96 | 2550.00 |
| 7 | 2951.90 | 25 | 2550.00 | 43 | 2944.89 | 61 | 5187.25 | 79 | 2940.33 | 97 | 2550.00 |
| 8 | 2951.90 | 26 | 2550.00 | 44 | 2859.08 | 62 | 2721.94 | 80 | 2839.31 | 98 | 2549.97 |
| 9 | 2951.90 | 27 | 2550.00 | 45 | 2650.54 | 63 | 2735.11 | 81 | 2665.44 | 99 | 2521.93 |
| 10 | 2951.90 | 28 | 2550.00 | 46 | 2771.78 | 64 | 3030.33 | 82 | 2566.39 | 100 | 2760.94 |
| 11 | 2931.93 | 29 | 2550.00 | 47 | 2505.56 | 65 | 3269.93 | 83 | 2550.00 | 101 | 2879.75 |
| 12 | 2811.30 | 30 | 2550.00 | 48 | 2676.80 | 66 | 3509.52 | 84 | 2550.00 | 102 | 2545.35 |
| 13 | 2642.04 | 31 | 2550.00 | 49 | 3123.93 | 67 | 3749.11 | 85 | 2550.00 | 103 | 2546.43 |
| 14 | 2559.50 | 32 | 2566.28 | 50 | 3571.06 | 68 | 4564.27 | 86 | 2550.00 | 104 | 2547.50 |
| 15 | 2550.00 | 33 | 2665.15 | 51 | 4018.18 | 69 | 3356.32 | 87 | 2550.00 | 105 | 2548.58 |
| 16 | 2550.00 | 34 | 2839.04 | 52 | 4442.72 | 70 | 3141.88 | 88 | 2550.00 | 106 | 3333.94 |
| 17 | 2550.00 | 35 | 2940.27 | 53 | 4757.13 | 71 | 3055.33 | 89 | 2550.00 | | |
| 18 | 2550.00 | 36 | 2951.90 | 54 | 4951.56 | 72 | 2899.86 | 90 | 2550.00 | | |

NOTE:
FOR BOUNDARY INFORMATION REFER TO BARKLEY PROPERTY - SAN LUIS, BOUNDARY SURVEY CONDUCTED BY DAHL, ROBINS & ASSOCIATES, INC. PROJECT No. 07076. SIGNED BY JUAN N. LOMELI. DATED JULY 24, 2007. THIS PROJECT PREPARED BY EDAIS ENGINEERING, INC. IS A TOPOGRAPHIC SURVEY ONLY.

PRELIMINARY NOT FOR CONSTRUCTION

COPYING, REPRODUCTION, OR PUBLICATION OF THESE PLANS BY ANY METHOD, IN WHOLE OR IN PART IS PROHIBITED.

LA ESPERANZA ESTATES

CONCEPT PLAN

SCALE: AS SHOWN DESIGNED BY: JLS CHECKED BY: N.K.E.
DATE: DEC'17 DRAWN BY: JLS JOB No. 17-025

EDAIS Engineering, Inc.

3075 S. Ave. 4E Yuma, Arizona 85395
(928) 344-3566 FAX (928) 341-1075
EMAIL: EE@Edaisengineering.com

SHEET

1



January 17, 2018

REZONING CASE NUMBER: 2018-0802

CASE SUMMARY: 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.

A Citizen Review Meeting has been scheduled on the 6th day of February, 2018 at 6:00 p.m. at the San Luis City Hall Council Chambers, 1090 E. Union Street, San Luis, Arizona, in order to give interested parties an opportunity to meet with the applicant to have questions answered and express any issues or concerns prior to any public hearing.

PUBLIC HEARING: February 13, 2018

COMMENTS DUE: January 23, 2018

Your comments on this case will help us prepare an accurate and timely staff report. Your comments on this case will be inserted “as is” into the staff report with your name, department, and telephone number, should the applicant have any questions. Your comments are a public record and will be available to the public, media, and the applicant, in addition to the Commission hearing this case. Please complete the section below and return via e-mail. For additional information please contact me at 341-8563, extension 2014, or at Jaguzman@cityofsanluis.org

Thank you,

Jose A. Guzman
Acting Planning & Zoning Director
Attachment: Location Map and Site Plan

.....
 COMMENTS NO COMMENTS

Enter Comments below:

The City of San Luis Fire Department has no comments at this time, but reserves the right to comment upon subsequent submittals. Final decisions regarding this request are best made by the Planning and Zoning Department.

Date:

01/18/18

Agency:

The City of San Luis Fire Department

Phone:

928/341-8550

Return to: rpacheco@cityofsanluis.org

Jose A. Guzman

From: Roman Pacheco
Sent: Monday, January 22, 2018 7:05 AM
To: Jose A. Guzman
Subject: FW: Request for Comments for Rezoning Case No. 2018-0802

FYI

From: Pinnell, Anna [<mailto:apinnell@usbr.gov>]
Sent: Friday, January 19, 2018 1:00 PM
To: Roman Pacheco
Cc: openunuri@ycwua.org; Cowan, Charles A.; Cynthia Flores; Kerns, Scott
Subject: Re: Request for Comments for Rezoning Case No. 2018-0802

Roman:

In response to the subject request, we offer the following:

The Bureau of Reclamation (Reclamation) has no comments to offer regarding the Rezoning Case Number: 2018-0802/Location Map for Parcel No. 776-09-003. However, it is necessary to respond that Reclamation holds certain Federal rights for the East Main Canal (Canal) and its associated appurtenances within the area shown for the future townhouse project described on the La Esperanza Estates, December Concept Plan/Edias Engineering, Job No. 017-25.

Reclamation is currently working with Yuma County Water Users' Association (Association) researching the Federal rights within this area, and will be scheduling a meeting with the Association to discuss and make a determination of the rights-of-way. Following our meeting, Reclamation and the Association will provide response to City of San Luis Planning and Zoning.

Please contact me if you have any questions.

Anna Pinnell

Lands Team Lead/Realty Officer
U.S. Dept. of the Interior
Bureau of Reclamation | Yuma Area Office
Phone: 928-343-8514 | Fax: 928-343-8405
Email: apinnell@usbr.gov

On Wed, Jan 17, 2018 at 6:07 PM, Roman Pacheco <RPacheco@cityofsanluis.org> wrote:

Good Evening,

Please find attached request for comments form, location map and site plan for your review. If you have any questions concerning this request, please contact the office of the Planning and Zoning Department.

Thanks.

Roman Pacheco

Planning Technician

Planning & Zoning Department

1090 E. Union Street | P.O. Box 3750

San Luis, Arizona 85349

P: 928.341.8563 Ext. 2047 | F: 928.341.8599

www.cityofsanluis.org





January 17, 2018

REZONING CASE NUMBER: 2018-0802

CASE SUMMARY: 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.

A Citizen Review Meeting has been scheduled on the 6th day of February, 2018 at 6:00 p.m. at the San Luis City Hall Council Chambers, 1090 E. Union Street, San Luis, Arizona, in order to give interested parties an opportunity to meet with the applicant to have questions answered and express any issues or concerns prior to any public hearing.

PUBLIC HEARING: February 13, 2018

COMMENTS DUE: January 23, 2018

Your comments on this case will help us prepare an accurate and timely staff report. Your comments on this case will be inserted “as is” into the staff report with your name, department, and telephone number, should the applicant have any questions. Your comments are a public record and will be available to the public, media, and the applicant, in addition to the Commission hearing this case. Please complete the section below and return via e-mail. For additional information please contact me at 341-8563, extension 2014, or at Jaguzman@cityofsanluis.org

Thank you,

Jose A. Guzman
Acting Planning & Zoning Director
Attachment: Location Map and Site Plan

COMMENTS NO COMMENTS

Enter Comments below:

The Yuma County Water Users' Association (YCWUA) has no comments about the rezoning for subject case. However the U.S. Bureau of Reclamation (USBR) and the YCWUA are currently researching the existing USBR East Main Canal Rights-of-Way and appurtenances within the townhouse project. Upon completion of research the USBR and the YCWUA will meet to determine a response regarding the USBR East Main Canal Rights-of-Way and appurtenances to the City of San Luis Planning and Zoning.

Date:

1/22/18

Agency:

YCWUA

Phone:

928-627-8824 x25

Return to: rpacheco@cityofsanluis.org



PLANNING & ZONING AGENDA ITEM REVIEW FORM

Planning & Zoning Commission Meeting

5.B.

Meeting Date: 02/13/2018

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. 2018-015. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations, Sections 152.040(D) and 152.040(E) by allowing the Planning and Zoning Commission and City Council to hold public hearings related to planning and zoning at both their regular and special meetings.

- 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. 2018-015

BACKGROUND:

The intent of this proposed ordinance is to provide less delay, more efficiency and better service to people with Planning and Zoning cases. Currently, Section 152.040(D) requires:

"The Planning and Zoning Commission shall hold regularly scheduled public hearings to receive and review public input on those items required by this chapter"

To be sure the City was in compliance with the code, this has been interpreted to mean public hearings could only be scheduled on Planning and Zoning Commission Regular Meetings which are on the second Tuesday of the month. If the Commission holds a Special Meeting on another day, public hearings could not be held on those days.

Section 152.040(E) requires:

"The City Council shall hold public hearings, to act upon those items as required by this chapter, at their regularly scheduled meetings."

To be sure the City was in compliance with the code, this has been interpreted to mean public hearings could only be scheduled on City Council Regular Meetings which are on the second and fourth Wednesday of the month. If Council holds a Special Meeting on another day, public hearings for Planning and Zoning cases could not be held on those days. This causes delays to the applicants and also for staff-initiated text amendments to the Zoning Regulations.

SUMMARY:

This proposed ordinance allows for Planning and Zoning cases to proceed to hold a public hearing at either a regular or special meeting of the Commission and City Council.

RECOMMENDED MOTION:

I MOVE TO FORWARD TEXT AMENDMENT CASE NO. 2018-015 TO THE CITY COUNCIL WITH RECOMMENDATION OF APPROVAL AS PRESENTED BY STAFF.

Attachments

Proposed Amendments

TEXT AMENDMENT CASE NO. 2018- 015
P&Z PUBLIC HEARINGS AT REGULAR OR SPECIAL MEETINGS
CITY OF SAN LUIS CODE- CHAPTER 152: ZONING REGULATIONS
PROPOSED AMENDMENT BY STAFF

Subsection 152.040 (D) of the San Luis City Code entitled “Planning and Zoning Commission” is proposed read as follows:

(D) *Planning and Zoning Commission.* The Planning and Zoning Commission shall hold ~~regularly scheduled~~ public hearings, *at their regular or special meetings*, to receive and review public input on those items required by this chapter. On those items where the Commission has review authority only, the Commission shall make a recommendation to the City Council that the Council: 1) approve; 2) approve with conditions; or 3) deny the application. The Commission’s recommendations and actions shall be based on consideration of the following evidence and analysis including, but not limited to, all of the following:

- (1) Conformance with this chapter, and adopted city standards and policies;
- (2) Compliance with the City of San Luis General Plan and other adopted specific area plans;
- (3) Staff recommendations;
- (4) Outside reviewing agency input;
- (5) Public input and testimony received during the citizen review session and at the Commission hearing; and
- (6) Overall effects of the proposal on the neighborhood, area, and community-at-large.

Subsection 152.040 (E) of the San Luis City Code entitled “City Council” is proposed to read as follows:

(E) *City Council.* The City Council shall hold public hearings, to act upon those items as required by this chapter, at their ~~regularly-scheduled~~ *regular or special* meetings. The City Council shall decide whether or not to: 1) approve; 2) approve with conditions; or 3) deny an application. Action on those items heard will be based on consideration of evidence presented including, but not limited to, all of the following:

- (1) Planning and Zoning Commission recommendations;
- (2) Conformance with this chapter, and adopted city standards and policies;
- (3) Compliance with the City of San Luis General Plan, and other adopted specific area plans;
- (4) Staff recommendations;
- (5) Outside reviewing agency input;
- (6) Public input and testimony received at the Commission hearing as well as the Council’s hearing; and
- (7) Overall effects of the proposal on the neighborhood, area, and community-at-large.