



## **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, September 11, 2018. 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, September 11, 2018. 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



## AMENDED AGENDA

9/10/2018

### AGENDA

**Planning & Zoning Commission  
Regular Meeting  
San Luis Council Chambers  
1090 E. Union Street  
San Luis, AZ 85349  
Tuesday, September 11, 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. **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. **APPROVAL OF MINUTES -**

**-Regular Planning and Zoning Commission meeting held August 14, 2018**

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. 2018-0299. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations by amending and adding regulations to Section 152.121 Light Industrial (L-1) Zoning District.

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. 2018-0299

4. B. Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2018-0385. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations by amending and adding regulations to Section 152.106(C) relating to conditional uses in the Neighborhood Commercial (C-1) Zoning District.

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. 2018-0385

**4. C.** Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2018-0321. A request by Edais Engineering Inc. on behalf of Riedel Holdings LLC, owner, to rezone approximately 10 acres, located north of County 22nd Street and east of the East Main Canal from R1-6 to R1-12 Medium Density Residential.

- 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. 2018-0321

**5. ITEMS REQUIRING DISCUSSION AND/OR ACTION** – 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.** Discussion and possible action on any and all matters regarding Subdivision Case No. 2018-0345P. A request by Vega and Vega Engineering PLC on behalf of Comite de Bienestar, property owner, for the preliminary plat approval for Bienestar Estates 9C Subdivision. The property is located at 3415 E. Janet Napolitano Boulevard (Tract "A" of Bienestar 9B), San Luis, Arizona.

- A. Staff presentation
- B. Action on Subdivision Case No. 2018-0345P

**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**



## AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

3.A.

Meeting Date: 09/11/2018

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#### Summary

#### **APPROVAL OF MINUTES -**

**-Regular Planning and Zoning Commission meeting held August 14, 2018**

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#### Attachments

Minutes August 14, 2018

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## **MINUTES**

REGULAR MEETING  
PLANNING AND ZONING COMMISSION  
SAN LUIS COUNCIL CHAMBERS  
1090 E. UNION STREET  
August 14, 2018  
7:00 PM

**1. CALL TO THE ORDER /ROL CALL:** The meeting was called to order at approximately 7:03 PM., by Chairman Javier Barraza.

**2. PLEDGE OF ALLEGIANCE:** Pledge of Allegiance was led by Commission Member Daniel Bazua.

**PRESENT:** Chairman Javier Barraza  
Commission Member Daniel Bazua  
Commission Member Hugo Garcia  
Commission Member Jose A. Ponce  
Commission Member Guillermina Fuentes  
Commission Member Veronica Zavala

**Absent:** Vice Chairman Marco A. Pinzon

**Others Present:** Jose A. Guzman, Director of Planning and Zoning  
Roman Pacheco, Planning Technician  
Kay Macuil, City Attorney  
Jonathan Dumadag, I.T. Technician

### **3. CONSENT AGENDA**

#### **3. A. APPROVAL OF MINUTES**

-Regular Planning and Zoning Commission meeting held May 8, 2018

**MOTION: Commission Member Jose A. Ponce / Commission Member Daniel Bazua** to approve the consent agenda as presented. Motion passed unanimously (6-0).

**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. 2018-0298. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations by adding Section 152.301 Landscaping Exemptions and Waivers.**

**A. Open public hearing**

**MOTION: Commission Member Guillermina Fuentes/Commission Member Hugo Garcia** to open public hearing for Text Amendment Case No. 2018-0298. Motion passed unanimously (6-0).

**1. Staff presentation**

**Jose A. Guzman, Director of Planning and Zoning** explained the intent of the Text Amendment. He added that this was in order to provide a more uniform process in regards to the landscape revelation submittal. **Mr. Guzman** stated that when an application for a subdivision is submitted, the opportunity to submit the plans at a later time is given; but due to having issues in the past, this would require the applicant to submit the plans with the application, preventing issues in the future.

**Chairman Javier Barraza** asked if this was an exemption or a waiver to the plans. He added that this seems like the developers are allowed to request an exemption or a waiver at the time of submittal.

**Mr. Guzman** explained cases where subdivisions only have 1-2 feet of right-of-way from the fence to the side walk, leaving no space for landscape. If this was the case it could be exempted, or waived.

**Chairman Javier Barraza** asked about what the case would be if a subdivision purposely left 1-2 feet of right-of-way.

**Mr. Guzman** stated that no specifics are determined, that the right-of-way is based upon the design of the subdivision.

**Commission Member Guillermina Fuentes** asked about what the purpose of requiring a landscape is. She added that when waivers are involved, because so many citizens are not used to them, citizens are going to be requesting not to do them. **Commission Member Fuentes** asked if the waiver was going to be an application, or if it was going to be very specific as to who could request it.

**Mr. Guzman** stated that the idea of the Text Amendment is to waive, or exempt the number of trees required or the actual design. He added that the current regulations require for a lot of trees, which in the long run requires a lot of maintenance from the city. **Mr. Guzman** mentioned that this is the first time the city is implementing the landscape requirement, which is why they have been having issues with developers. He added that by doing so, this will give council the opportunity to approve or deny the landscape design, if not, it would be up to staff.

**Commission Member Veronica Zavala** asked if the retentions would be considered part of the landscape.

**Mr. Guzman** assured her that retentions would be following the landscape plans. He added that there are no requirements for the retention basin landscape, therefore they will work with the developer to come up with a design. Overall the decision will be up to them or staff to approve the design, so council can look at the plans before approving the subdivision.

**Chairman Javier Barraza** stated that the City Code 152.298 talks about the landscape that is fronting, not the inferior. He added the landscape and retention basins are paid for by the improvement districts.

**Mr. Guzman** stated that the maintenance of the subdivision landscape is charged to the improvement district. He added that when a subdivision is built, the developer installs the landscape or the retention.

**Chairman Javier Barraza** asked if subdivisions can apply for the waiver at the time of submittal or after.

**Mr. Guzman** stated that ideally staff should go with the developer to settle plans that will work for both, and the plan will then be presented to council for exemption.

A discussion about the difference between waive, and exempt occurred.

**Kay Macuil, City Attorney** proceeded to explain the difference of waiver, and exempt in legal terms.

**Chairman Javier Barraza** asked if there was a possibility of using a variance.

**Macuil** stated that for a variance, you have to have different criteria, therefore it is not a good idea.

**Chairman Javier Barraza** added that if after the request is reviewed will they have the opportunity to exempt or waive it completely.

**Mr. Guzman** assured him that this would go through them during the subdivision process.

**Commission Member Veronica Zavala** mentioned that in Somerton they did a nice job in the retention, but the city ended having to do a lot of work on the trees.

**Chairman Javier Barraza** mentioned the many places in the city that have trees, and he added that without the landscaping requirements, it will look sad.

## **2. Call to the Public on this item**

There was no comment from the public.

## **B. Close public hearing**

**MOTION: Commission Member Guillermina Fuentes/Commission Member Daniel Bazua** to close public hearing for Text Amendment Case No. 2018-0298. Motion passed unanimously (6-0).

**C. Action on Text Amendment Case No. 2018-0298**

**MOTION: Commission Member Hugo Garcia/Commission Member Jose A. Ponce** to forward Text Amendment Case No. 2018-0298 to the City Council with recommendation of approval as presented by staff. Motion passed unanimously (6-0).

**4. B. Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2018-0385. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations by amending and adding regulations to Section 152.106(C) relating to conditional uses in the Neighborhood Commercial (C-1) Zoning District.**

Staff requested to move item to next Regular Planning & Zoning Meeting.

**Mr. Jose A. Guzman, Director of Planning and Zoning** explained that this Text Amendment is in regards to food trucks. He added that there is a new state law, and in order to assure that they are following it correctly they are requesting to move it to the next meeting.

**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. 2018-0385**

**MOTION: Commission Member Hugo Garcia/Commission Member Jose A. Ponce** to continue item 4.B with Text Amendment Case No. 2018-0385 to the September 11, 2018 Regular Planning & Zoning Meeting. Motion passed unanimously (6-0).

**4. C. Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2018-0299. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations by amending and adding regulations to Section 152.121 Light Industrial (L-1) Zoning District.**

Staff requested to move item to next Regular Planning & Zoning Meeting.

**Mr. Jose A. Guzman, Director of Planning and Zoning** explained that this Text Amendment is in regards to the Light Industrial Zoning District, and to make changes in order to make it more compatible with the needs of the city.

**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. 2018-0299**

**MOTION: Commission Member Jose A. Ponce/Commission Member Daniel Bazua** to continue item 4.C with Text Amendment Case No. 2018-0299 to the September 11, 2018 Regular Planning & Zoning Meeting. Motion passed unanimously (6-0).

**5. CALL TO THE PUBLIC**

There was no comment from the public.

## **6. ADJOURNMENT**

**MOTION: Commission Member Guillermina Fuentes/Commission Member Hugo Garcia** to adjourn the regular Planning & Zoning Commission Meeting at approximately 7:25 pm. Motion passed unanimously (6-0).



## PLANNING & ZONING AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

4.A.

**Meeting Date:** 09/11/2018

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

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#### ITEM:

Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2018-0299. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations by amending and adding regulations to Section 152.121 Light Industrial (L-1) Zoning District.

- 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. 2018-0299

#### BACKGROUND:

The purpose of the Light Industrial Zoning District is to provide for a mix of light manufacturing uses, offices park, and limited open land uses in an attractive business park setting with proper screening and landscaping; all compatible with adjoining uses. It is intended that this district allow for employment bases through the establishment of high quality, planned industrial centers for corporate offices and indoor manufacturing uses.

Staff have received several requests for uses that seem appropriate and meet the purpose for this zoning district but are not listed as permitted uses or are too restrictive.

#### SUMMARY:

The intent of this amendment is to make positive changes to the Light Industrial Zoning District and make it more compatible with the needs of our Community.

#### RECOMMENDED MOTION:

**I MOVE TO FORWARD TEXT AMENDMENT CASE NO. 2018-0299 TO THE CITY COUNCIL WITH RECOMMENDATION OF APPROVAL AS PRESENTED BY STAFF.**

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#### Attachments

Proposed Amendments

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**TEXT AMENDMENT CASE NO. 2018-0299  
LIGHT INDUSTRIAL ZONING DISTRICT  
CITY OF SAN LUIS CODE- CHAPTER 152: ZONING REGULATIONS  
PROPOSED AMENDMENTS BY STAFF**

**Subsection 152.121 (B) of the San Luis City Code entitled “Permitted uses- “L-I” Zoning District” is proposed to read as follows:**

(B) *Permitted uses - “L-I” Zoning District.*

- (1) Laboratories for research and product development.
- (2) Corporate offices/headquarters.
- (3) Broadcasting stations and studios and publishing facilities.
- (4) Assembling, fabrication, handling and packaging, treating, and renovating goods, merchandise, products and equipment, excluding agricultural products, provided that such uses shall conform to the following requirements:
  - (a) The primary use of the property is not the basic processing and compounding of raw materials;
  - (b) All activities pertaining to the actual manufacture or processing of the product involved shall be conducted entirely within an enclosed building(s);
  - (c) All outdoor storage of material or equipment, as ancillary to the primary use, shall occupy the rear one-half of the lot; and
  - (d) A masonry wall shall screen all outdoor storage of materials or equipment.
- (5) Limited retail commercial provided the product(s) sold at retail are the product(s) which are assembled, fabricated, handled, packaged, treated, or renovated as the primary use and the retail area does not exceed 10% of the total gross floor area.
- (6) Hospitals and outpatient clinics.
- (7) Public or private substance abuse, detoxification and treatment centers, and recovery centers.
- (8) Agri-business and aquaculture business provided such businesses are conducted within a completely enclosed building or under a roofed structure that is screened from all adjacent properties and public view.
- (9) Mini-storage facility except that no outdoor open storage will be allowed. A night watchman quarters, as a security provision, may be an accessory use.
- (10) RV and boat storage facility provided any outdoor storage area is enclosed on all sides by a solid fence or wall at least six feet in height.
- (11) Welding shops, contractors offices and contractors equipment yards provided the yard area is enclosed on all sides by a solid fence or wall at least six feet in height and no supplies, products, materials or equipment are stacked higher than the fence or wall.
- (12) Product distributorships, wholesale and warehouse facilities; excluding transfer facilities for general freight.
- (13) Equipment sales and rental, farm equipment and supplies stores.
- (14) Outdoor display areas for the sale of new manufactured homes provided all units

within public view and for public display shall be ground mounted, anchored and finished in a manner representative of the actual finished product.

(15) Retail sales conducted outdoors as a primary use, such as but not limited to; swap meets, flea markets and auctions.

(16) On-site child care center as an accessory use for the permitted industrial business. The facility shall comply with the State of Arizona Department of Health Services regulations for licensing.

(17) Mobile food vendors provided that such uses may not be located within any portion of the public right-of-way (including sidewalks).

(18) Mobile vendors provided that such uses may not be located within any portion of the public right-of-way (including sidewalks).

(19) Religious institutions.

**(20) Towing and impound facilities provided any outdoor storage area is enclosed on all sides by a solid fence or wall at least six feet in height.**

**(21) Facility of storage yard for the transport of operable vehicles into Mexico provided any outdoor storage area is enclosed on all sides by a solid fence or wall at least six feet in height.**

**Subsection 152.121(B) of the San Luis City Code entitled “Conditional uses – “L-I” Zoning District” is proposed to read as follows:**

**(C) Conditional uses - “L-I” Zoning District.**

(1) Travel plazas or truck stops subject to the following:

~~(a)~~ **The lot or parcel for the travel plaza/truck stop use shall be no more than 500 feet from a state or federal highway interchange or right-of-way;**

~~(b)~~**(a)** The minimum lot or parcel size shall be **205** acres;

~~(c)~~**(b)** All off-site public roadway improvements, including but not limited to: 1) right and left turn lanes and; 2) driveway and access points shall be in compliance with the American Association State Transportation and Highway Officials standards (AASTHO);

~~(d)~~**(c)** On-site improvements, including but not limited to: 1) turning radius; 2) drive aisle dimensions and; 3) parking stall dimensional standards shall be in compliance with the AASTHO standards;

~~(e)~~**(d)** Any fuel dispenser, perimeter of underground storage tanks or pumps shall be a minimum of one hundred (100') feet from any residential zoning district and at least forty (40') feet from any property line or public right-of-way line;

~~(f)~~**(e)** All vehicular parking along with the necessary maneuvering areas, drive aisles and driveways shall be contained on the same parcel or lot and shall be paved with asphalt or concrete to a sufficient thickness to withstand repeated vehicular traffic;

~~(g)~~**(f)** A 15 foot wide landscaped buffer area shall be provided along all

property lines. There shall be no parking permitted within this buffer area;

~~(h)~~(g) Outdoor lighting standards shall be fully shielded, shall not exceed a height of 30 feet, and shall be in compliance with the regulations of §§ 152.275 through 152.282;

~~(h)~~(h) A masonry sound attenuation wall of at least six feet shall be installed along all property lines that abut or are adjacent to a residential zoning district or use;

~~(h)~~(i) Semi-truck washes and/or semi-truck polishing, semi-truck servicing, or semi-truck tires only when ancillary to an approved travel plaza/truck stop. All truck washing and/or polishing shall be under a canopied bay and all truck engine repairs shall be under a roofed structure if such amenities are provided;

~~(h)~~(j) A minimum of one toilet, one sink, and one hot shower provided for men and one toilet, one sink, and one hot shower provided for women, each designed for complete privacy, for each 20 truck parking spaces provided or fraction thereof;

~~(h)~~(k) A common use laundry facility shall be provided at a ratio of one washer and one dryer for each 20 truck parking spaces provided or fraction thereof; and

~~(m)~~(l) Parking stalls shall be in accordance to the parking standards in §§ 152.240 through 152.244.

- (2) Social health related services such as plasma centers, charity dining services, homeless shelters, day labor hiring centers, rescue missions, and other similar social service uses.
- (3) Warehouse and transfer facilities for general freight.
- (4) Public or private detention and correctional facilities and only after it has been found to be in compliance with all applicable federal and state regulations.
- (5) Wireless communication towers and antennas in accordance with the requirements of §§ 152.315 through 152.322.
- (6) Sexually oriented business. Subject to Chapter 113 Sexually Oriented Businesses of the City of San Luis City Code.
- (7) Medical marijuana dispensary, subject to the requirements found in § 152.225 Medical Marijuana Uses.
- (8) Medical marijuana dispensary offsite cultivation location, subject to the requirements found in § 152.225 Medical Marijuana Uses.
- (9) Refining, processing, or packaging of agricultural or edible food products.
- (10) Parking lot/terminal for farm worker buses.**
- (11) Commercial uses compatible with the purpose of this district.**



## PLANNING & ZONING AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

4.B.

**Meeting Date:** 09/11/2018

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

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#### ITEM:

Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2018-0385. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations by amending and adding regulations to Section 152.106(C) relating to conditional uses in the Neighborhood Commercial (C-1) Zoning District.

- 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. 2018-0385

#### SUMMARY:

This text amendment is to allow outdoor mobile food “parks” or “courts” as a primary use of a property zoned as Neighborhood Commercial (C-1) as a conditional use. Outdoor food courts would allow for the congregation of multiple mobile food units at a single location. Property owners seeking to create an outdoor food court would be required to provide for the necessary site amenities as any other commercial business such as the provision of off-street parking, landscaping, restrooms, and building permits for any permanent structures on the property.

City staff has received many inquiries from citizens regarding the ability to allow food trucks to be established in the C-1 district, prompting staff to review the current regulations. Currently mobile food vendors are not allowed in the C-1 district. Rather than listing it as a permitted use and allowing mobile food vendors to be established dispersed around in the C-1 district, staff is proposing to allow outdoor food courts as a conditional use. This will allow the mobile vendors to be located within this district in a place with necessary improvements.

#### RECOMMENDED MOTION:

**I MOVE TO FORWARD TEXT AMENDMENT CASE NO. 2018-0385 TO THE CITY COUNCIL WITH RECOMMENDATION OF APPROVAL AS PRESENTED BY STAFF.**

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#### Attachments

Proposed Amendment

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**TEXT AMENDMENT CASE NO. 2018-0385  
“C-1” NEIGHBORHOOD COMMERCIAL ZONING DISTRICT  
CITY OF SAN LUIS CODE- CHAPTER 152: ZONING REGULATIONS  
PROPOSED AMENDMENTS BY STAFF**

**Subsection 152.106(C) of the San Luis City Code entitled “*Conditional uses – “C-1” Zoning District*” is proposed to read as follows:**

(C) *Conditional uses - “C-1” Zoning District.*

- (1) Retail uses over 4,000 square feet but under 25,000 square feet.
- (2) Mixed use neighborhood center for permitted retail, service or office use; each business tenant space not to exceed 4,000 square feet with the total center not to exceed 25,000 square feet with no drive-through window facilities.
- (3) Live entertainment and outdoor dining associated with a café, restaurant, and/or tavern; excluding drive-in and drive-through facilities.
- (4) Parking lot for passenger vehicles only; but not for overnight parking.
- (5) Banks with drive-thru facilities if the bank is located along an arterial street.
- (6) Wireless communication towers and antennas in accordance with the requirements of §§ 152.315 through 152.322.
- (7) Outdoor food vendor park**



## PLANNING & ZONING AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

4.C.

**Meeting Date:** 09/11/2018

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

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#### ITEM:

Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2018-0321. A request by Edais Engineering Inc. on behalf of Riedel Holdings LLC, owner, to rezone approximately 10 acres, located north of County 22nd Street and east of the East Main Canal from R1-6 to R1-12 Medium Density Residential.

- 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. 2018-0321

#### BACKGROUND:

The subject property is Assessor Parcel ID No. 211-31-012 and is located east of the East Main Canal and north of County 22nd Street. The areas to the west, east and north are zoned as Rural Area Residential (RA-10) and are undeveloped and only the property to the west is being used for agricultural purposes. The area to the south is zoned as Medium Density Residential (R1-6) and is where the new residential subdivision Las Quintas de San Luis 2 is located.

#### GENERAL PLAN:

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

#### AGENCY 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. San Luis Fire Department
- 2. Yuma County Water Users' Association
- 3. Arizona Game and Fish Department
- 4. U.S. Department of the Interior Bureau of Reclamation

As required by State Statute, staff sent notification letters to property owners within 300 feet of the proposed project (7 letters).

The City has not received any other significant concerns or objections from the various review agencies or adjacent property owners.

#### CITIZEN REVIEW MEETING:

As required by State Statute (A.R.S. §9-462.03) and City of San Luis Zoning Ordinance (Section 3.0-C), a Citizen Review meeting was held at City Hall on September 4, 2018.

The purpose of the Citizen Review Meeting is to provide adjacent landowners and other potentially affected citizens an opportunity to ask questions and express any issues or concerns that they may have with the proposed rezoning or specific plan application prior to the public hearing. There were no members of the public present.

**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

Aerial Picture

San Luis Fire Department comments

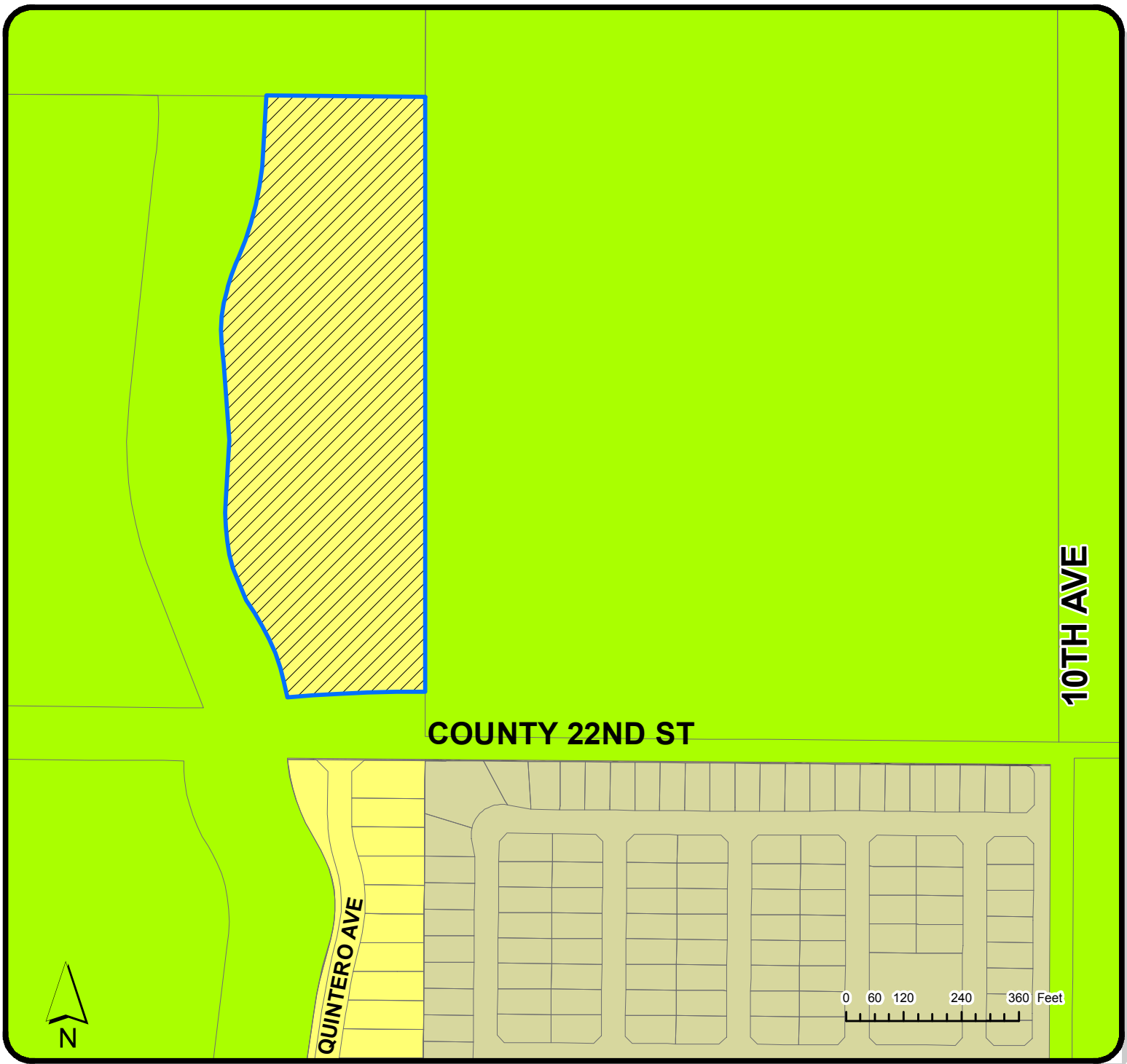
Yuma County Water Users' Association comments

Arizona Game and Fish Department comments

Yuma County Development Services comments

U.S. Department of the Interior Bureau of Reclamation comments

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**LOCATION OF SUBJECT PROPERTY**

 Las Quintas de San Luis 3

address/location: Quintero Avenue and County 22nd Street; Parcel No. 211-31-012 (10.52 acres)

**Location Map**

**ZONING LEGEND**

MULTIPLE RESIDENCE ZONING DISTRICTS

 R-2

SINGLE RESIDENCE ZONING DISTRICTS

 RA-10

 R1-6

**REZONING**

REZONE FROM R1-6 to R1-12

 R1-6

 R1-12

**Date:**

8/8/2018

**Checked By:**

ROMAN PACHECO



GIS DIVISION

**Prepared By:**

IG

**APPROVED BY:**

JOSE A. GUZMAN

**Case No.**

2018-0321



**LOCATION OF SUBJECT PROPERTY**

 Las Quintas de San Luis 3

address/location: Quintero Avenue and County 22nd Street; Parcel No. 211-31-012 (10.52 acres)

# Location Map

## REZONING

REZONE FROM R1-6 to R1-12

 R1-6  R1-12

**Date:**

8/8/2018

**Checked By:**

ROMAN PACHECO



GIS DIVISION

**Prepared By:**

IG

**APPROVED BY:**

JOSE A. GUZMAN

**Case No.**

2018-0321



August 9, 2018

**REZONING CASE NUMBER: 2018-0321**

**CASE SUMMARY:** A request by Najeh Edais, of Edais Engineering, Inc., applicant, on behalf of Riedel Holdings, LLC, owner, to rezone 10.52 acres from Medium Density Residential (R1-6) to Medium Density Residential (R1-12) zoning district. Assessor parcel ID # 211-31-012 located at Quintero Avenue and County 22<sup>nd</sup> Street, San Luis, Arizona. The purpose of the zone change is to allow for the building of a future subdivision to be called Las Quintas de San Luis 3.

A Citizen Review Meeting has been scheduled on the 4<sup>th</sup> day of September, 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: September 11, 2018**

**COMMENTS DUE: August 21, 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](mailto:Jaguzman@cityofsanluis.org)

Thank you,

Jose A. Guzman  
Director of Planning & Zoning  
Attachment: Location Map and Conceptual 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:**

08/13/18

**Agency:**

The City of San Luis Fire Department

**Phone:**

928/341-8550

**Return to: [P&Z@cityofsanluis.org](mailto:P&Z@cityofsanluis.org)**



August 9, 2018

**REZONING CASE NUMBER: 2018-0321**

**CASE SUMMARY:** A request by Najeh Edais, of Edais Engineering, Inc., applicant, on behalf of Riedel Holdings, LLC, owner, to rezone 10.52 acres from Medium Density Residential (R1-6) to Medium Density Residential (R1-12) zoning district. Assessor parcel ID # 211-31-012 located at Quintero Avenue and County 22<sup>nd</sup> Street, San Luis, Arizona. The purpose of the zone change is to allow for the building of a future subdivision to be called Las Quintas de San Luis 3.

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Thank you,

Jose A. Guzman  
Director of Planning & Zoning  
Attachment: Location Map and Conceptual Plan

COMMENTS       NO COMMENTS

**Enter Comments below:**

We have no comments about the rezoning; however, the YCWUA will need is to review the plans at the preliminary, 15%, 30%, etc. for comments accordingly. A 1' non-access easement will be needed adjacent to the east side of the East Main Canal Rights-of-Way.

**Date: 8/10/18**

**Agency: YCWUA, Yuma County Water Users' Association**

**Phone: 928-627-8824**

**Return to: [P&Z@cityofsanluis.org](mailto:P&Z@cityofsanluis.org)**



August 9, 2018

**REZONING CASE NUMBER: 2018-0321**

**CASE SUMMARY:** A request by Najeh Edais, of Edais Engineering, Inc., applicant, on behalf of Riedel Holdings, LLC, owner, to rezone 10.52 acres from Medium Density Residential (R1-6) to Medium Density Residential (R1-12) zoning district. Assessor parcel ID # 211-31-012 located at Quintero Avenue and County 22<sup>nd</sup> Street, San Luis, Arizona. The purpose of the zone change is to allow for the building of a future subdivision to be called Las Quintas de San Luis 3.

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**PUBLIC HEARING: September 11, 2018**

**COMMENTS DUE: August 21, 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](mailto:Jaguzman@cityofsanluis.org)

Thank you,

Jose A. Guzman  
Director of Planning & Zoning  
Attachment: Location Map and Conceptual Plan

.....  
 COMMENTS       NO COMMENTS     

**Enter Comments below:**

The Department recommends, if not already done so, using the free Environmental Review Tool found at <https://azhgis2.esri.com> as an aid in project planning for identifying potential impacts on resources of special concern which may be present in or near the project area.

**Date:** 08/13/2018

**Agency:** Arizona Game and Fish Department

**Phone:** (928)341-4069

**Return to:** [P&Z@cityofsanluis.org](mailto:P&Z@cityofsanluis.org)



August 9, 2018

**REZONING CASE NUMBER: 2018-0321**

**CASE SUMMARY:** A request by Najeh Edais, of Edais Engineering, Inc., applicant, on behalf of Riedel Holdings, LLC, owner, to rezone 10.52 acres from Medium Density Residential (R1-6) to Medium Density Residential (R1-12) zoning district. Assessor parcel ID # 211-31-012 located at Quintero Avenue and County 22<sup>nd</sup> Street, San Luis, Arizona. The purpose of the zone change is to allow for the building of a future subdivision to be called Las Quintas de San Luis 3.

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**PUBLIC HEARING: September 11, 2018**

**COMMENTS DUE: August 21, 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](mailto:Jaguzman@cityofsanluis.org)

Thank you,

Jose A. Guzman  
Director of Planning & Zoning  
Attachment: Location Map and Conceptual Plan

.....  
 COMMENTS       NO COMMENTS     

**Enter Comments below:**

No comment just a thought; I do not understand why the rezoning to R1-12, since lots can be larger than what the current zoning allows, but not smaller. In that case I would recommend R1-20 or R1-15.

**Date:**

August 14, 2018

**Agency:**

Yuma County, DDS, Planning & Zoning

**Phone:**

(928) 817-5000

**Return to:** [P&Z@cityofsanluis.org](mailto:P&Z@cityofsanluis.org)

## Jose A. Guzman

---

**From:** Pinnell, Anna <apinnell@usbr.gov>  
**Sent:** Friday, August 17, 2018 1:42 PM  
**To:** planning@ycwua.org  
**Cc:** Roman Pacheco; Jose A. Guzman; Omar Penunuri; Luis Rodriguez  
**Subject:** Re: [EXTERNAL] Re: Request for Comments for Rezoning Case No. 2018-0321 Las Quintas de San Luis 3

Hi Roman - Reclamation concurs with YCWUA's response. We also will require review of the design plans, and will require a non-access easement, determined by our engineering staff.

Please let me know if you have any questions.

Anna

### **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](mailto:apinnell@usbr.gov)

On Fri, Aug 10, 2018 at 7:21 AM, YCWUA Planning <[planning@ycwua.org](mailto:planning@ycwua.org)> wrote:

Good morning,

We have no comments about the rezoning; however, the YCWUA will need to review the plans at the preliminary, 15%, 30%, etc. for comments accordingly. A 1' non-access easement will be needed adjacent to the east side of the East Main Canal Rights-of-Way.

Thanks for your request!

--

Omar Peñuñuri  
Yuma County Water Users' Association  
Sr. Engineering Tech  
Lands and Right-of-Way  
Bus: (928) 627-8824 Ext. 25  
Cell: (928) 581-5200  
Fax: (928) 627-3065

Office:  
3800 W. County 15th Street  
Somerton, Arizona 85350  
Mail: P.O. Box 5775  
Yuma, Arizona 85366-5775

Yuma County Water Users' Association  
On 8/9/2018 6:30 PM, Roman Pacheco wrote:

Good Evening-

Please find attached request for comments form, location map and conceptual 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](http://www.cityofsanluis.org)**





## PLANNING & ZONING AGENDA ITEM REVIEW FORM

### Planning & Zoning Commission Meeting

5.A.

**Meeting Date:** 09/11/2018

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

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#### ITEM:

Discussion and possible action on any and all matters regarding Subdivision Case No. 2018-0345P. A request by Vega and Vega Engineering PLC on behalf of Comite de Bienestar, property owner, for the preliminary plat approval for Bienestar Estates 9C Subdivision. The property is located at 3415 E. Janet Napolitano Boulevard (Tract "A" of Bienestar 9B), San Luis, Arizona.

A. Staff presentation

B. Action on Subdivision Case No. 2018-0345P

#### BACKGROUND:

The subject property is located on the east mesa of the City of San Luis. It is located in the center of Bienestar Estates 9B Subdivision. Bienestar Estates 9B is a single-family residential subdivision zoned as Medium-High Density Residential (R-2). The property to the east is developed and used as a retention basin for the subdivision.

This property was originally designated as Tract A, usually tracts are intended for a public purpose such as parks or retention basins. This particular tract was not designated with a specific public use in the recorded plat and may be developed.

This property was rezoned from High Density (R-3) to Medium Density Residential (R1-6) in order to allow the construction of the proposed subdivision (Rezoning Case No. 2018-0115).

The proposed project is to develop the land as single residential residences with lots of 6,000 square feet minimum; approximately 16 lots.

#### 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.

#### SUMMARY:

In 2007, the Arizona Legislature adopted legislation that required municipalities to certify that all new subdivision had an assured 100-year water supply. On February 11, 2011 the City of San Luis was designated by the Arizona Department of Water Resources (ADWR) as having a 100-year adequate water supply. Consequently, individual subdivision do not have to submit additional certification.

#### RECOMMENDED MOTION:

**RECOMMENDED MOTION WILL BE PROVIDED TO THE COMMISSION AT THE TIME OF THE MEETING.**

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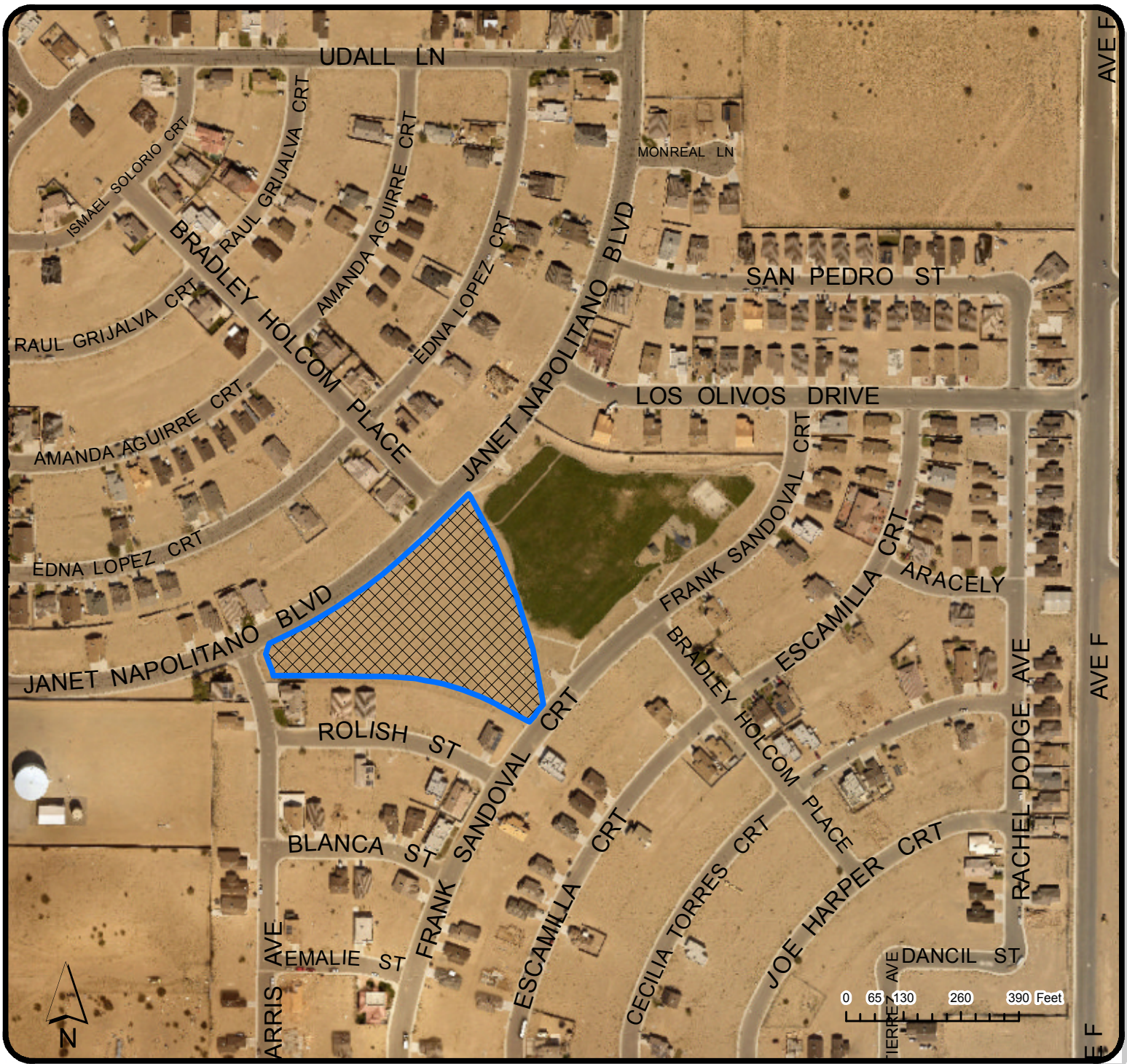
## Attachments

Location Map

Aerial

Preliminary Plat

---



# Location Map

# SUBDIVISION

### LOCATION OF SUBJECT PROPERTY

 BIENESTAR ESTATES 9C

address/location: 3415 E. Janet Napolitano Blvd.; Assessor's Parcel No. 777-59-900

**Date:**  
8/8/2018

**Checked By:**  
ROMAN PACHECO



**Prepared By:**  
IG

**APPROVED BY:**  
JOSE A. GUZMAN

**Case No.**  
2018-0345P



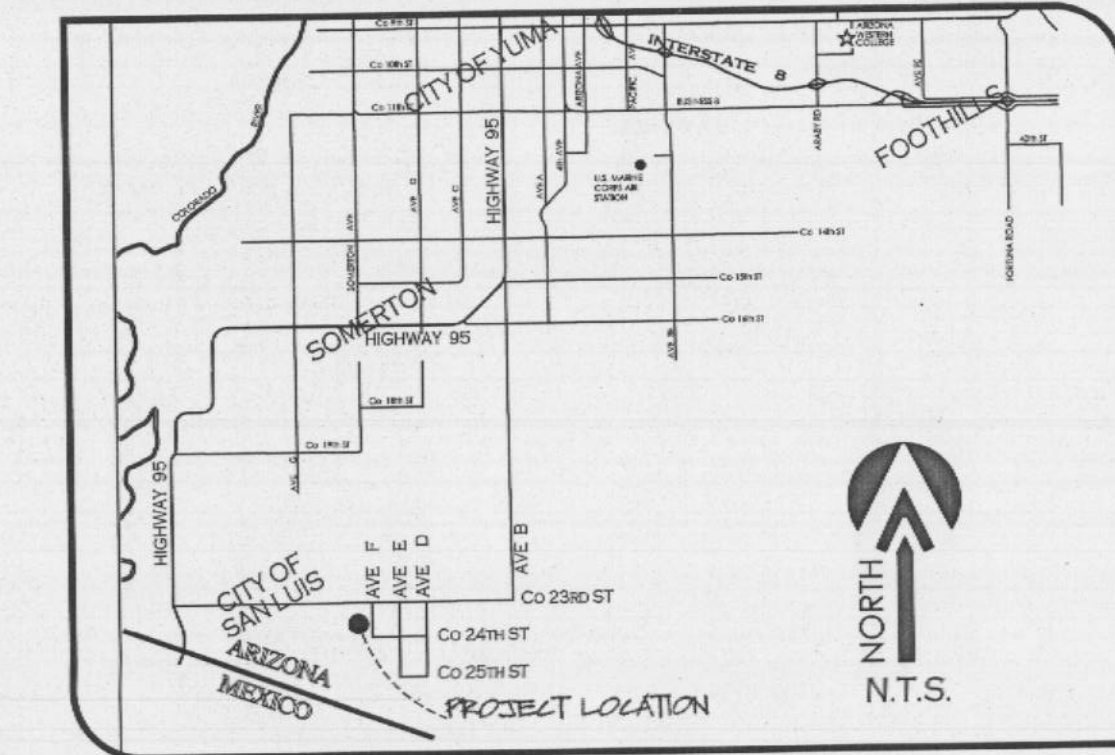
Google Earth

© 2018 Google

# BIENESTAR ESTATES 9C

A SUBDIVISION OF TRACT "A" OF BIENESTAR ESTATES 9B SUBDIVISION, AS RECORDED IN BOOK 24 OF PLATS, PAGES 14-16, YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, AZ JULY OF 2018 ACREAGE: 3.45 AC (GROSS)

## PRELIMINARY PLAT



VICINITY MAP

**OWNER OF RECORD:**

COMITE DE BIENESTAR INC. AZ CORP.  
963 E. 18<sup>TH</sup> STREET  
PO BOX 7170  
SAN LUIS, AZ. 85349

**BASIS OF BEARING**

THE NORTH-SOUTH MID-SECTION LINE OF SEC. 9 T11S, R24W, G.A.S.B.M., YUMA COUNTY, ARIZONA (BEING THIS LINE THE CENTERLINE OF AVENUE "F"), AS SHOWN ON BIENESTAR ESTATES 9B SUBDIVISION, AS RECORDED IN BOOK 24 OF PLATS, PAGES 14-16, YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, AZ

BEARING N00°01'49"W

**KEYNOTES**

- ① NEW 8' UTILITY EASEMENT
- ② NEW 1' NON-ACCESS EASEMENT
- ③ EXISTING 8' UTILITY EASEMENT (R1)

**NOTE**

- ✦ PROPERTY CORNERS TO BE MARKED BY 1/2" DIAMETER REBAR TAGGED WITH CAP L.S. 16528
- ✦ PROJECT ZONING: R-1-6

**ELABORATED BY:**

VNV18-350



1846 S. 8th Avenue 928-329-0000 Tel  
Yuma, Az. 85364 928-247-6232 Fax  
www.vegaivega.com

**LEGEND**

- INDICATES BOUNDARY LINE
- - - INDICATES CENTERLINE
- · - · - INDICATES EASEMENT LINE
- 11 NEW LOT NUMBER
- SET PROPERTY CORNERS TO BE MARKED BY 1/2" DIA. REBAR TAGGED WITH CAP L.S. 16528 (UNLESS NOTED OTHERWISE)
- NEW YUMA COUNTY STD. DETAIL No. 4-080 STREET MONUMENT
- EXISTING MONUMENT (TYPE AS SHOWN)
- B.C. INDICATES BRASS CAP
- Y.C.R. INDICATES YUMA COUNTY RECORDS
- G.L.O. INDICATES GENERAL LAND OFFICE
- N.A.E. INDICATES NON ACCESS EASEMENT
- [M] INDICATES MEASURED DATA
- [R] DATA REFERS TO BIENESTAR ESTATES 9B, AS RECORDED IN BOOK 24, PAGES 14-16, Y.C.R., YUMA COUNTY, AZ.



SCALE: 1"=40'

**LINE DATA**

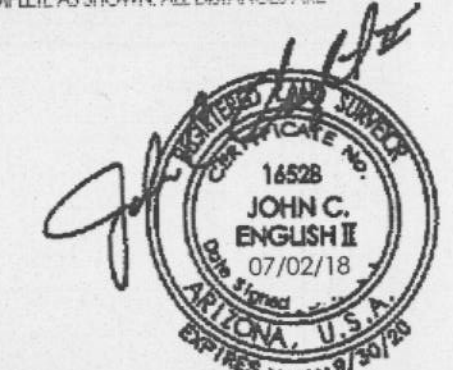
NUMBER	LENGTH	BEARING
L1	29.96'	N66°33'15"W
L2	25.10'	N1°18'57"E
L3	30.46'	S77°05'16"E
L4	24.71'	N10°25'21"E
L5	24.96'	S20°39'45"W

**CURVE DATA**

NUMBER	DELTA ANGLE	CHORD DIRECTION	CHORD LENGTH	TANGENT	RADIUS	ARC LENGTH
C1 [M]	45°07'31"	N67°32'14"E	924.70'	500.67'	1205.00'	949.04'
C2 [R]	14°28'34"	S37°44'11"W	303.64'	153.04'	1205.00'	304.45'
C3 [R]	30°32'36"	S74°46'24"E	105.36'	54.61'	200.00'	106.62'
C4	15°38'18"	S14°15'59"E	142.85'	72.09'	525.00'	143.29'
C4 [R]			525.00'		525.00'	143.29'
C5	1°46'46"	N37°48'47"E	50.00'	25.00'	1610.00'	50.00'
C6	13°55'20"	N14°22'42"W	22.79'	11.48'	94.00'	22.84'
C7	23°33'43"	S29°37'50"E	38.38'	19.60'	94.00'	38.66'
C8	214°20'28"	S45°52'13"W	87.90'	148.87'	46.00'	172.08'
C9	22°23'52"	N1°59'08"W	504.96'	257.38'	1300.00'	508.19'
C9 [R]	22°23'52"	N1°59'08"W	504.96'	257.38'	1300.00'	508.19'
C10	2°32'47"	S20°48'44"E	24.44'	12.22'	550.00'	24.44'
C11	17°10'14"	S19°32'39"E	28.07'	14.19'	94.00'	28.17'
C12	17°10'14"	S32°42'54"E	28.07'	14.19'	94.00'	28.17'
C13	214°20'28"	N65°52'13"E	87.90'	148.87'	46.00'	172.08'
C14	27°24'51"	S76°20'17"E	272.50'	140.25'	575.00'	275.12'
C15	19°51'28"	N54°54'11"E	425.89'	216.18'	1235.00'	428.03'
C15 [R]	19°51'27"	N54°54'12"E	425.89'	216.18'	1235.00'	428.02'

**LAND SURVEYOR'S CERTIFICATE:**

I HEREBY CERTIFY THAT I AM A LAND SURVEYOR LISTED ON THE ROSTER OF ACTIVE REGISTRANTS BY THE STATE BOARD OF TECHNICAL REGISTRATION OF ARIZONA AND THAT THIS MAP CONSISTING OF ONE (1) SHEET CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION DURING JUNE OF 2018 THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN, OR WILL BE IN PLACE WITHIN ONE YEAR FROM RECORDATION OF THIS MAP. THE MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RE-TRACED. THE SURVEY IS TRUE AND COMPLETE AS SHOWN. ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS.



BY: *John C. English II*  
JOHN C. ENGLISH II R.L.S. No. 16528