



Ordinance

No. 440

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AMENDING TITLE 18 OF THE CITY CODE OF THE CITY OF SAN LUIS, ZONING REGULATIONS TO AMEND THE PROVISIONS FOR FRONT AND SIDE YARD SETBACKS TO ALLOW CERTAIN SHADE STRUCTURES AND TO AMEND PERMIT REQUIREMENTS FOR ACCESSORY BUILDINGS; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, all required public hearings have been held and all public notices have been posted;

WHEREAS, staff and the Planning and Zoning Commission made a recommendation of approval;

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

Section 1. Subsection 18.05.130(B) of the San Luis City Code entitled "Definitions" is amended by adding the following definition:

DRIVEWAY SHADE STRUCTURE. A structure with a roof or a canopy located on the principal driveway that, if unattached, is open on all sides. If the Driveway Shade Structure is attached to the principal structure, its only closed side is the one side attached to the principal structure. A Driveway Shade Structure consists of no more than four (4) columns to support that structure, said columns shall not be wider than six inches by six inches (6"x6") in width. A Driveway Shade Structure may have an overhang of up to two feet (2) and shall follow the same yard setback as the principal driveway. Its only function is to provide a place for shading motor vehicles.

Section 2. Subsection 18.25.040 Table No. 3 Development Standards – Single Residence Zoning Districts of the San Luis City Code is proposed to read as follows:

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 | 50 | 50 | 10% |
| "SR-5" | 5 acres | 220 | 35 ^(b) | 40 | 40 | 30 | 40 | 40 | 15% |
| "SR-2" | 2 acres | 120 | 35 ^(b) | 30 | 30 | 30 | 30 | 40 | 20% |
| "R1-35" | 35,000 sf | 100 | 30 | 30 | 30 | 15 | 30 | 40 | 30% |
| "R1-20" | 20,000 sf | 100 | 30 | 25 | 20 | 10 ^(c) | 15 | 30 ^(c) | 40% |
| "R1-12" | 12,000 sf | 80 ^(a) | 30 | 20 | 18 | 7 ^(c) | 10 | 25 ^(c) | 45% |
| "R1-8" | 8,000 sf | 70 ^(a) | 30 | 20 | 18 | 7 ^(c) | 10 | 20 ^(c) | 50% |
| "R1-6" | 6,000 sf | 60 ^(a) | 30 | 20 ^(f) | 18 | 7 ^(c) 7>X≥5 ^(d) 5>X≥1 ^(e) | 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 Chapter 18.70 SLCC.

(c) Increased setbacks for institutional uses allowed by CUP shall be increased one foot for every two feet of building height, but in no case less than 20 feet.

(d) Five-foot setbacks shall be permitted in an "R1-6" District where the construction beyond a seven-foot setback is constructed with no less than two-hour fire-resistive construction.

(e) Side yard setbacks may be reduced to one (1) foot when proof of compliance with the International Building Code, and National Fire Protection Association (NFPA 1) is provided and approved by the San Luis Building Safety Division and the Fire Department.

(f) Front setbacks may be reduced to ten (10) feet in the "R1-6" District only for a "Driveway Shade Structure" as defined in this Code.

Section 3. Subsection 18.70.070(A) of the San Luis City Code entitled “Projections into required yards” is proposed to read as follows:

(A) The space in any required yard shall be open and unobstructed, except as allowed under this code for “Driveway Shade Structures” as defined by this Code and except for the ordinary projections of chimney flues, awnings, open outside stairways and balconies, window sills, belt courses, cornices, eaves and other architectural features provided such features shall not project further than two feet into any required yard, and provided further that in no case shall such projections be nearer than five feet to the property line. With respect to “Driveway Shade Structures” as defined in this code, said structures may project as provided in Table No. 3, and shall not have any other projection of any kind, nature, or description attached to it.

Section 4. Subsection 18.70.090(B) and 18.70.090(D) of the San Luis City Code entitled “Accessory buildings and uses” is proposed to read as follows:

(B) Detached accessory buildings shall not be located in the required front yard setback except for “Driveway Shade Structure” as defined by this Code and only as allowed in Table No. 3 of this Code. All other detached accessory buildings may be built in the required rear yard but such accessory buildings shall not occupy more than 30% of the required rear yard and shall not be nearer than three feet to any side or rear lot line.

(D) All accessory buildings and accessory uses, such as but not limited to guest houses, agricultural living quarters, barns and corrals, garages, carports, Driveway Shade Structures, and swimming pools shall require building permits and/or zoning clearance and shall adhere to any applicable provisions elsewhere in this title. Building permits shall not be required for one-story detached accessory buildings, provided that the floor area does not exceed 200 square feet. A building permit shall be required for “Driveway Shade Structure” as defined by this Code regardless of the size, before issuing a building permit the Building Official must receive a notarized agreement from the property owner creating a covenant, that will run with the property, that the sides will never be enclosed. The City will record said covenant with the Yuma County Recorder’s office.

Section 5. In the event of a conflict between the provisions of this ordinance and any other ordinance, order, resolution, regulation, or policy, the conflicting provisions are repealed, superseded, and replaced, and the provisions of this ordinance shall govern.

Section 6. If any section, subsection, sentence, clause, phrase, or portion of this ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED, ADOPTED, and APPROVED by the Mayor and City Council of the City of San Luis, Yuma Arizona, this 26th day of April 2023.

Nieves Riedel, Mayor

ATTEST:

Sonia Cornelio, City Clerk

APPROVED AS TO FORM:

Kay Marion Macuil, City Attorney