



Ordinance

No. 456

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, ZONING REGULATIONS, TO REVISE SECTION 18.150.30(G) IN COMPLIANCE WITH UPDATES TO THE ARIZONA REVISED STATUTES BY ESTABLISHING REQUIRED TIMEFRAMES FOR REVIEW OF REZONING APPLICATIONS; REPEALING CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Arizona Legislature adopted S.B. 1162, codified as Ariz. Rev. Stat. § 9-462.10, which mandates that cities and towns adopt zoning code amendments on or before January 1, 2025, related to the approval of residential zoning applications; all required public hearings have been held and all public notices have been posted;

WHEREAS, this Ordinance is being adopted by the City Council to comply with the new mandates under S.B. 1162 and;

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 18.15.030(G) of the San Luis City Code entitled "Procedures" is proposed to read as follows:

(G) *Procedures.* All zoning map changes (rezoning) and text amendment applications shall be processed in the manner outlined herein.

(1) A pre-application conference may be scheduled and attended by the applicant with the Zoning Administrator to discuss the proposal.

(2) The petitioner shall submit a completed application, the required fees, and all materials and studies related to the development plan or the proposed text amendment.

(3) The Zoning Administrator, or designee, shall review the applications and determine whether a zoning application is administratively complete within thirty (30) days after receiving an application.

- (a) If it is determined that the application is not administratively complete, a comprehensive list of specific deficiencies shall be provided to the applicant, either in writing or electronically.
- (b) A determination of whether a resubmitted application is administratively complete shall be made within fifteen (15) days after receiving it. Additional notices of deficiencies may be provided based on the applicant's submission of missing information.
- (c) An application shall be considered administratively complete when all necessary forms and/or information have been provided and fees have been paid. A notation of the date shall be made on the application record, and initiation of the substantive review process may begin.
- (d) During the substantive review time frame, the City may identify other requirements that have not been addressed by the application and provide a written or electronic comprehensive request for corrections. Upon issuance of a request for corrections, the substantive review period and the overall time frame shall be paused until the applicant resubmits the required corrections.
- (e) An application will be considered withdrawn if, by thirty (30) days after the date of the notice or request for corrections, the applicant does not supply the documentation and information requested or an explanation of why the information cannot be provided within the established time period.

(4) After determining that the application is administratively complete, the application will be forwarded to the appropriate reviewing agencies and City departments for comments and a public hearing will be scheduled.

(5) As a prerequisite to the Commission public hearing, the application must first be presented to the public at the citizen review meeting, conducted by the Zoning Administrator, in accordance with the provisions outlined in SLCC 18.15.010(C). The citizen review meeting is only required for applications involving a zoning ordinance that changes any property from one zone to another, that imposes any regulation not

previously imposed or that removes or modifies any such regulation previously imposed, and/or an application for a specific plan.

(6) The Commission, in accordance with the requirements of A.R.S. § 9-462.04, shall conduct a public hearing. Notification of the public hearing shall be provided as set forth in A.R.S. § 9-462.04 and SLCC 18.15.020.

(7) The Commission shall render a decision in the form of a written recommendation for: (a) approval, (b) approval with conditions, or (c) denial of the petitioned rezoning or zoning text amendment. The recommendation shall then be forwarded to the Mayor and Council unless withdrawn in writing by the applicant.

(8) The City Council shall: (a) approve, (b) approve with conditions, or (c) deny the rezoning or zoning text amendment request within 180 days of the determination that the application is administratively complete. Approval of a petition to rezone land may not be enacted as an emergency measure and the rezoning shall not become effective for at least 30 days after City Council approval. The City may extend the time frame to approve or deny beyond one hundred and eighty (180) days as follows:

(a) Staff may grant a one-time extension of not more than thirty (30) days for extenuating circumstances; or

(b) Staff may grant extensions in thirty (30) days increments at the request of the applicant.

(9) Subsections 18.15.030(G) (3) and (4) above do not apply to land that is designated as a district of historical significance pursuant to A.R.S. §9-462.01(a) and an area that is designated as historic on the national register of historic places.

(10) When an application for rezoning is accompanied by an application for a conditional use permit or subdivision plat approval, both applications may be processed and reviewed concurrently. If the proposed rezoning is not in compliance with the City of San Luis General Plan – Land Use Plan, an application for an amendment to the Land Use Plan shall be submitted by the applicant in accordance with A.R.S. § 9-461.06, the City of San Luis General Plan, and SLCC 18.15.090.

Section 2. 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 3. 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 County, Arizona, this 20th day of November 2024.

Nieves Riedel, Mayor

ATTEST:

APPROVED AS TO FORM:

Sonia Cornelio, City Clerk

Kay Marion Macuil, City Attorney