

CITY OF SOMERTON

Planning and Zoning Commission Meeting

Regular Meeting Minutes

May 17th, 2021

Call to Order: Chairman Flores, 6:06PM

Roll Call:

Chairman Flores, Present
Vice Chairman Rice, Present
Commissioner Magana, Present
Commissioner Rangel, Present
Commissioner Zendejas, Present
Commissioner Galaviz, Present
Commissioner Valenzuela, Present

Staff Members Present:

Carmen Juarez, CDD Director
Saul Albor Planner, II

Pledge of Allegiance:

Read in Unison

Approval of Minutes:

From February 22nd Meeting, Approved as is.

Motion by Commissioner Rangel, Second by Vice-Chairman Rice

Vote 7-0, Motion Carried

Call to the Public:

No Members of the Public Addressed the Commission

Public Hearing:

6.1 Text Amendment Case #PLN21-00013

A request by the City of Somerton to amend certain sections of the Somerton Zoning Ordinance related to the following categories. Specific sections to be amended listed below.

Saul Albor, Planner II for the Zoning Department presented this item. Mr. Albor stated that the City is proposing on amending certain texts in the Zoning Ordinance to reflect certain requested changes. The City has requested changes to the marijuana regulations; since marijuana is currently legal in the stat of Arizona, swimming pool barriers regulations and school location requirements.

Mr. Albor explains that the City proposes on eliminating and replaces the entire marijuana section in the Zoning Ordinance and replaced with a new section named "Medical Marijuana and Marijuana Establishments and Testing Facilities". Saul continues to explain that when there is on-site marijuana cultivation, the location will be permitted on either L-1 (Light Industrial) or C-2 (General Commercial). When there is no On-Site cultivation, location can be permitted on L-1, C-2, MSC (Main Street Corridor), and the Infill Incentive Overlay Entertainment District.

Commissioner Zendejas asked the areas where these facilities would be permitted. Saul explains that if the amendment proposal is approved by the City Council, there will be a large area where these facilities would be permitted.

Vice-Chairman Rice inquired to see if the City Attorney has carefully examined this and complies with the Arizona laws. Saul confirms that all the stages of the draft has been reviewed by the City Attorney. Saul explains that everything has been done accordingly as required by the state statutes.

Commissioner Magaña asked about the reasoning about the 300 feet area. Saul explained that the first place that was looked at was the state statute for the minimum number to comply and it turns out that it was really up to the City to determine the minimum. The Department's direction was to make the area more flexible and settled on a liquor store and there has been positive feedback from the public on that particular number.

Saul explains that for the swimming pool barrier amendment is just striking out a requirement and inserting an exception. Saul stated that in order to receive a pass on the final inspection, a physical barrier is required. Research has been conducted and it turns out that Somerton is the only city in Yuma County that does not residents the option to install an alarm system instead of a physical barrier. There's been a lot of pushback on this physical barrier from residents and contractors. Swimming pools are becoming high on demand. Saul believes that it

would be appropriate for Somerton to be as the other cities and not require a physical barrier.

The text change for the school location is not huge. The only thing being proposed to be removed from this section is a sighting requirement, which prohibits elementary schools to be located next to arterial roads or roads of higher classification as well as requiring high school boarding schools and colleges to be located on a collector roadway or higher for the Somerton Transportation. The proposal is for flexibility for schools in Somerton.

Motion

To Recommend Approval of Text Amendment Case #PLN21-00013

Move: Vice Chair Rice

Second: Chairman Flores

Vote: 7-0, Motion Carried

- 6.2 A request by Ramon Arias on behalf of Nomar Properties and Pensco Trust for the rezoning of the following properties.

Saul explains that this is a proposal to rezone four (4) parcels on Somerton Ave. to R-3 (Multi-family Residential) for the purpose of building luxury apartment complexes. The developer's vision is to build something similar to that of Arizona Ave. in Yuma, AZ.

Saul states that it is staff's recommendation to table this item to next month's meeting because there's a requirement for the applicant to have a neighborhood meeting with near by neighbors and explain the project to them.

Motion

To table Case for Ramon Arias for next month's meeting.

Move: Commissioner Rangel

Second: Vice-Chairman Rice

Summary of Current Events:

Presented by Carmen Juarez

Adjournment: 7:04PM

Daniel Flores 6-21-21