

**ORDINANCE NO. O2018-027**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, REFERENCING CHAPTER 154 OF THE YUMA CITY CODE, REZONING CERTAIN PROPERTY LOCATED IN THE INDUSTRIAL PARK (I-P) DISTRICT TO THE GENERAL COMMERCIAL (B-2) DISTRICT AND AMENDING THE ZONING MAP TO CONFORM WITH THE REZONING**

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on May 14, 2018 in Zoning Case no: ZONE-21484-2018 in the manner prescribed by law for the purpose of rezoning several parcels of real property hereafter described to the General Commercial (B-2) District as provided in Chapter 154 of the Yuma City Code; and,

WHEREAS, due and proper notice of the public hearing was given in the time, form, substance and manner provided by law, including publication of notice of the hearing in the Yuma Sun on April 20, 2018; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE-21484-2018 and finds that the recommendation complies with and conforms to the goals and objectives of the Yuma General Plan, as amended.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: That the following described real property, depicted in Exhibit A, attached:

Commencing at the intersection point of the North-South midsection line of said Section 35 and the South right-of-way line of Gila Ridge Road, said point marked with a Yuma County aluminum cap, said point also being the TRUE POINT of BEGINNING;

Thence North 89°43'33" East along South right-of-way line, for a distance of 547.00 feet to a point;

Thence South 00°02'23" West, for a distance of 478.86 feet to an intersection point with the North property line of parcel owned by Southern Pacific Transportation Company;

Thence North 73°52'31" West along the North property line, for a distance of 569.28 feet to a point of intersection with the North-South midsection line of said Section 35;

Thence North 00°02'23" East along said North-South midsection line, for a distance of 318.14 feet to a point of intersection with the South right-of-way line of Gila Ridge Road, said point being the TRUE POINT OF BEGINNING;

Except the North 9 feet thereof as conveyed to the City of Yuma in Document Fee No. 1999-12622, records of Yuma County, State of Arizona.

Containing an area of 213,053 square feet or 4.891 acres more or less.

shall be placed in the General Commercial (B-2) District, as defined by Chapter 154 of the Yuma City Code as amended; that upon this Ordinance becoming final, the described real property shall be subject to all rules, regulations and requirements of Chapter 154 of the Yuma City Code, as amended, pertaining to the General Commercial (B-2) District, and that the zoning map adopted under Chapter 154 of the Yuma City Code, as amended, is ordered to be changed and amended so as to show that the real property described in this Ordinance will be located within the General Commercial (B-2) District.

SECTION 2: That the following condition(s) must be met and/or completed in order for the zoning amendment to be final:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized "Waiver of Claims under the Private Property Rights Protection Act." The Waiver shall be submitted prior to the issuance of any building permit, Certificate of Occupancy, or City of Yuma Business License for this property.

SECTION 3: With the exception of Condition 2, each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a building permit or business license for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to A.R.S. §9-462.01.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVED:

\_\_\_\_\_  
Douglas J. Nicholls  
Mayor

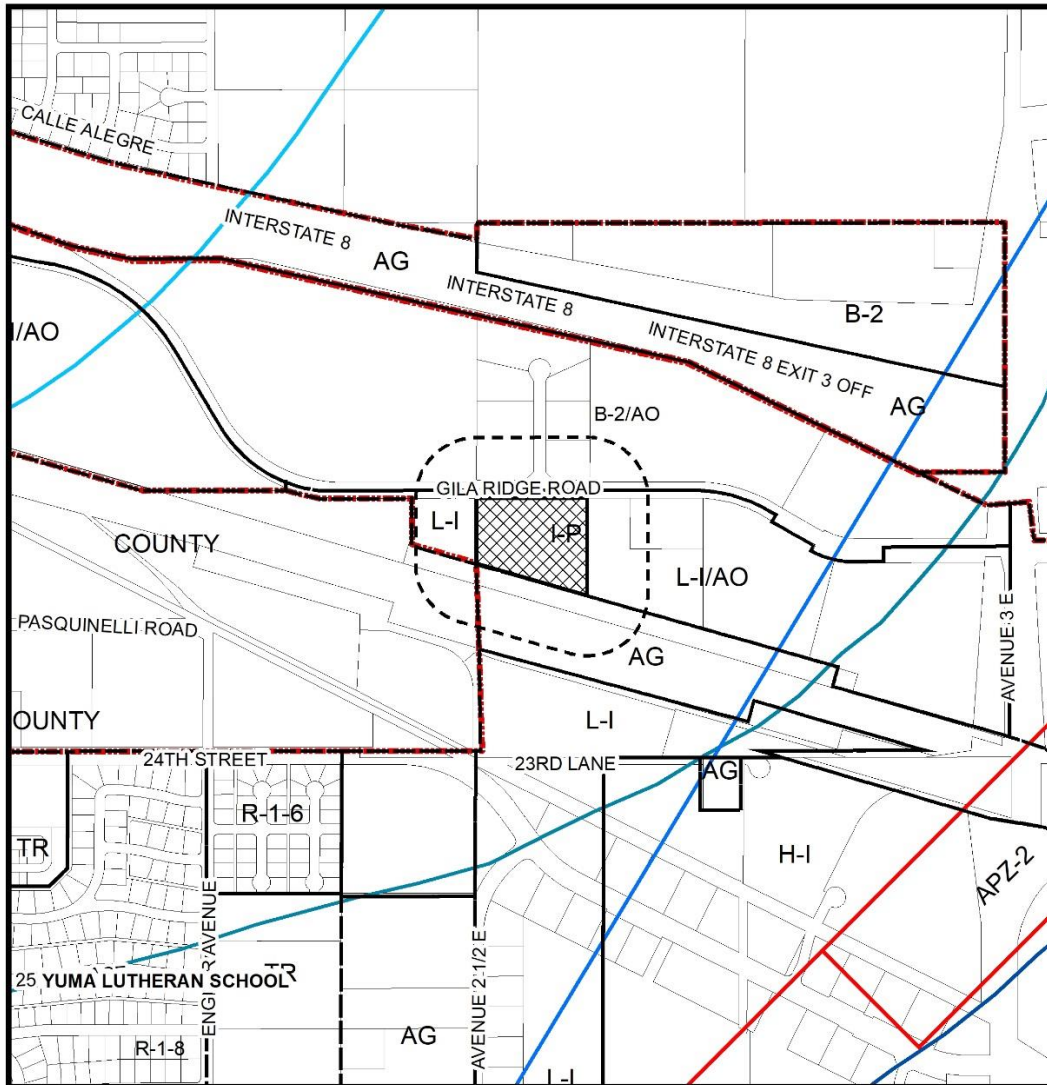
ATTESTED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lynda L. Bushong  
City Clerk

\_\_\_\_\_  
Richard W. Files  
City Attorney

# Exhibit A



## LOCATION MAP

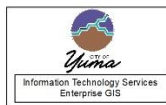


LOCATION OF SUBJECT PROPERTY



Prepared by: KB

Checked by:



Date: 03-19-18

Revised:

Revised:

Case #:

ZONE-021484-2018