

ORDINANCE NO. O2017-026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 154 OF THE YUMA CITY CODE, AS AMENDED, RELATING TO ZONING REGULATIONS, PROVIDING FOR CHANGES TO THE ZONING CODE TO PROVIDE DEFINITIONS RELATED TO ROOMING AND BOARDING HOUSES AND TO IDENTIFY RESIDENTIAL ZONING DISTRICTS WHICH WILL ALLOW ROOMING AND BOARDING HOUSES

WHEREAS, from time to time it may be desirable to modify the zoning code keeping within the context of a dynamic and growing community; and,

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on July 10, 2017 in Zoning Case No.: ZONE-17921-2017 in the manner prescribed by law for the purpose of amending the City of Yuma Zoning 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 June 16, 2017; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the text amendment in Zoning Case No.: ZONE-17921-2017 and finds that the zoning code text amendment supports the goals and objectives of the Yuma General Plan, and is in basic harmony with the goals and objectives of the City of Yuma Zoning Code.

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

SECTION 1: That the Yuma City Code, Title 15, Chapter 154, Section: 01.07 Definitions be amended to delete the strikethrough text and insert the following underlined text thereof:

~~**ROOMING AND BOARDING HOUSES.** An owner occupied establishment primarily engaged in renting rooms, with or without board, on a fee basis. Included are boarding houses (except organizations and commercially operated dormitories).~~

ROOMING AND BOARDING HOUSES (SMALL). An owner occupied establishment primarily engaged in renting rooms, with or without board, on a fee basis. No more than one (1) individual shall be permitted in each designated bedroom with a maximum of two (2) individuals per establishment.

ROOMING AND BOARDING HOUSES (LARGE). An owner occupied establishment primarily engaged in renting rooms, with or without board, on a fee basis. No more than two (2) individuals shall be permitted in each designated bedroom with a maximum of six (6) individuals per establishment.

SECTION 2: That the Yuma City Code, Title 15, Chapter 154, Section 05.04 Low Density Residential Districts (R-1-6, R-1-8, R-1-12, R-1-20 and R-1-40) be amended to insert the following underlined text in subsection (C) thereof:

(C) (2) Rooming and boarding houses, (small).

SECTION 3: That the Yuma City Code, Title 15, Chapter 154, Section 05.05 Low Density Single-Family District (R-1-5) be amended to insert the following underlined text in subsection (C) thereof:

(C) (5) Rooming and boarding houses, (small).

SECTION 4: That the Yuma City Code, Title 15, Chapter 154, Section 06.01 Residence-Manufactured Housing District (R-MH) be amended to insert the following underlined text in subsection (C) thereof:

(C) (9) Rooming and boarding houses, (small).

SECTION 5: That the Yuma City Code, Title 15, Chapter 154, Section 06.01 Residence-Manufactured Housing District (R-MH) be amended to insert the following underlined text in subsection (D) thereof:

(D) (5) Rooming and boarding houses, (large).

SECTION 6: That the Yuma City Code, Title 15, Chapter 154, Section 07.01 Medium Density Residential District (R-2) be amended to insert the following underlined text in subsection (C) thereof:

(C) (9) Rooming and boarding houses, (small);

SECTION 7: That the Yuma City Code, Title 15, Chapter 154, Section 07.01 Medium Density Residential District (R-2) be amended to insert the following underlined text in subsection (E) thereof:

(E) (7) Rooming and boarding houses, (large).

SECTION 8: That the Yuma City Code, Title 15, Chapter 154, Section 07.02 Medium Density Single-Family Residential District (R-2-5) be amended to insert the following underlined text in subsection (C) thereof:

(C) (5) Rooming and boarding houses, (small).

SECTION 9: That the Yuma City Code, Title 15, Chapter 154, Section 07.03 High Density Residential District (R-3) be amended to insert the following underlined text in subsection (C) thereof:

(C) (6) Rooming and boarding houses, (small);

SECTION 10: That the Yuma City Code, Title 15, Chapter 154, Section 07.03 High Density Residential District (R-3) be amended to insert the following underlined text in subsection (E) thereof:

(E) (10) Rooming and boarding houses, (large).

SECTION 11: That the Yuma City Code, Title 15, Chapter 154, Section 08.01 Transitional District (TR) be amended to insert the following underlined text in subsection (B) thereof:

(B) (9) Rooming and boarding houses, (small);

SECTION 12: That the Yuma City Code, Title 15, Chapter 154, Section 08.01 Transitional District (TR) be amended to insert the following underlined text in subsection (D) thereof:

(D) (14) Rooming and boarding houses, (large).

SECTION 13: It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of the ordinance. Unless otherwise specifically provided for in this chapter, any person, firm or corporation violating any of the provisions in this ordinance shall be guilty of a class 1 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$1,000 or by imprisonment for not more than ten days or both fine and imprisonment. Each separate day or part thereof during which such violation of this ordinance occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

Adopted this _____ day of _____, 2017.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney