



City of Yuma City Council Meeting Agenda

Wednesday, December 3, 2025

5:30 PM

Yuma City Hall Council Chambers
One City Plaza, Yuma

Notice is hereby given, pursuant to Resolution R2015-047 that one or more members of the Yuma City Council may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.

Those wishing to speak on an agenda item or during Call to the Public must complete a Speaker Request Form prior to the start of the meeting. Speaker Request Forms can be found on the City's website, in the Clerk's Office, as well as in the Council Chambers.

"Call to the Public" comments are limited to non-agenda items that pertain to City business under the authority and legislative functions of the City Council. The total time for "Call to the Public" is limited to 30 minutes.

Speaker Request Forms should be submitted to City Clerk staff prior to the start of each meeting. All speakers, whether speaking on an agenda item or during "Call to the Public" are provided 3 minutes, with no more than 5 speakers permitted per topic/issue.

City Council Worksessions and Regular City Council Meetings can be viewed through the following platforms:

- Cable – Meetings are broadcast live on Spectrum Cable Channel 73.
- Live Stream – Residents can watch meetings on their computer or mobile device at www.yumaaz.gov/telvue. Previous Council meetings are also available on-demand.
- Virtual – Residents can watch meetings via Teams on their computer or mobile device at www.yumaaz.gov/publicmeetings. Click on "Calendar" then select the City meeting and click "Join".

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

FINAL CALL

Final call for submission of Speaker Request Forms for agenda related items.

ROLL CALL**PRESENTATIONS**

- Caballeros de Yuma Annual Update

I. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action may be taken separately.

A. Approval of minutes of the following City Council meeting(s):

1. [MC 2025-188](#) **Regular Council Meeting Draft Minutes September 17, 2025**
Attachments: [2025 09 17 RCM Minutes](#)
2. [MC 2025-189](#) **Regular Council Worksession Draft Minutes November 4, 2025**
Attachments: [2025 11 04 RWS Minutes](#)

B. Executive Sessions

Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A(1), (3), (4), and (7). (City Attorney)

C. Approval of staff recommendations:

1. [MC 2025-185](#) **Rental Contract: Solid Waste Truck Rental**
Authorize the rental of an Automated Collection Side Loader Solid Waste Truck utilizing the cooperative purchase agreement originated by Sourcewell, at an estimated annual expenditure of \$82,800.00 with an option to renew the rental for up to seven additional years to Haaker-Arizona, Phoenix, Arizona. (Public Works-CPA-26-175) (Joel Olea/Robin R. Wilson)

2. [MC 2025-186](#) **Infrastructure and Services Report: ANEX-44331-2025 Cha Cha, LLC**

Approve an Infrastructure and Services Report for Annexation Area No. ANEX-44331-2025, identified as the Cha Cha, LLC Annexation, located west of the southwest corner of 40th Street and Avenue 4½E. (ANEX-44331-2025). (Community Development/ Community Planning) (Alyssa Linville)

II. ADOPTION OF ORDINANCES CONSENT AGENDA

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item may be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

1. [O2025-047](#) **Rezoning of Property: 1731 S. Madison Avenue**

Rezone approximately .15 acres from the Light Industrial/Infill Overlay (L-I/IO) District to the Low Density Residential/Infill Overlay (R-1-6/IO) District. (Community Development/Community Planning) (Alyssa Linville)

Attachments:

[1. P&Z RPT Rezoning of Property: 1731 S. Madison Ave](#)

[2. ORD Rezoning of Property: 1731 S. Madison Ave](#)

2. [O2025-048](#) **Rezoning of Property: 3064 and 3116 S. Avenue B**

Rezone approximately 6.65 acres located at 3064 and 3116 S. Avenue B, Yuma, AZ, from the General Commercial (B-2) District to the High Density Residential/Aesthetic Overlay (R-3/AO) District (Community Development/Community Planning) (Alyssa Linville)

Attachments:

[1. P&Z RPT: Rezoning of Property 3064 and 3116 S. Avenue B](#)

[2. ORD Rezoning of Property: 3064 and 3116 S. Avenue B](#)

III. INTRODUCTION OF ORDINANCES

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

1. [O2025-049](#) **Real Property Sale: Lots 2, 5, 10, 11, 12 and 13 of the Pivot Point Yuma Subdivision**

Declare six parcels of real property located in the Pivot Point Yuma Subdivision surplus and authorize sale through a competitive process. (Community Development/ Neighborhood and Economic Development) (Cynthia Blot)

Attachments:

[1. MAP Real Property Sale: Pivot Point Yuma Subdivision](#)

[2. ORD Real Property Sale: Pivot Point Yuma Subdivision](#)

[3. EXH A-F Real Property Sale: Pivot Point Yuma Subdivision](#)

2. [O2025-050](#) **Annexation Area No. ANEX-44331-2025 Cha Cha, LLC**

Authorize annexation of properties located west of the southwest corner of 40th Street and Avenue 4½E. (ANEX-44331-2025). (Community Development/Community Planning) (Alyssa Linville)

Attachments:

[1. PET Annex: Cha Cha](#)

[2. ORD Annex: Cha Cha](#)

3. [O2025-051](#) **Text Amendment: Design Review**

Amend Title 15, Chapter 154 to authorize administrative personnel to review and approve design review in accordance with HB 2447, and to add rules and regulations regarding the voice or video appearance by a Design and Historic Review Commissioner (Community Development/Community Planning) (Alyssa Linville)

Attachments:

[1. P&Z RPT Design Review Text Amendment](#)

[2. ORD Text Amendment Design Review](#)

4. [O2025-052](#) **Text Amendment: Subdivision Code**

Amend Title 15, Chapter 153 and Chapter 154 to authorize administrative personnel to review and approve preliminary plats, final plats and plat amendments without a public hearing in accordance with HB 2447. (Community Development/Community Planning) (Alyssa Linville)

Attachments:

[1. P&Z RPT: Subdivision Code Amendment](#)

[2. ORD: Subdivision Code Amendment](#)

IV. PUBLIC HEARING AND RELATED ITEMS

The following public hearing may result in the adoption of Resolution R2025-100

1. [R2025-100](#)

Minor General Plan Amendment: Southwest Corner of 17th Street and Madison Avenue

Following a public hearing, approve the request to amend the City of Yuma General Plan to change the land use designation from Mixed Use to High Density Residential. (Community Development/Community Planning) (Alyssa Linville)

Attachments:

[1. P&Z RPT GP Amendment: SWC of 17th Street and Madison Avenue](#)

[2. RES GP Amendment: SWC of 17th Street and Madison Avenue](#)

V. ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Announcements:

City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of November 20, 2025 through December 3, 2025. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.

City Council report of upcoming meetings.

City Council request for agenda items to be placed on future agendas.

2. Scheduling:

Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

VI. SUMMARY OF CURRENT EVENTS

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

VII. CALL TO THE PUBLIC

Members of the public may address the City Council on matters within City Council's authority and jurisdiction that are not listed on the agenda during the "Call to the Public" segment of the meeting. All speakers must complete a Speaker Request Form and submit it to City Clerk staff no later than the "Final Call for Speaker Request Forms" is made at the beginning of each meeting.

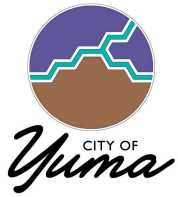
VIII. EXECUTIVE SESSION

An Executive Session may be called during the public meeting for the purpose of receiving legal advice for items on this agenda pursuant to A.R.S. Section 38-431.03 A (1, 3, 4 and/or 7) and the following items:

A. Discussion, consultation with and/or instruction to legal counsel concerning the potential sale and acquisition of real properties. (A.R.S. § 38-431.03 A3, A4 & A7)

ADJOURNMENT

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, Yuma, AZ 85364-1436; (928) 373-5125 or TTY (928) 373-5149.



City of Yuma

City Council Report

File #: MC 2025-188

Agenda Date: 12/3/2025

Agenda #: 1.

Regular Council Meeting Draft Minutes September 17, 2025

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
SEPTEMBER 17, 2025
5:30 p.m.

CALL TO ORDER

Deputy Mayor Smith called the City Council meeting to order at 5:33 p.m.

INVOCATION/PLEDGE

Chaplain Ryan Pearse, Halo Chapel, gave the invocation. **Kayla Warren**, Fire Marshal, led the City Council in the Pledge of Allegiance.

FINAL CALL

Deputy Mayor Smith made a final call for the submission of Speaker Request Forms for agenda related items from members of the audience.

ROLL CALL

Councilmembers Present: Martinez (attended telephonically) Morris, McClendon, Smith, Morales, Watts
Councilmembers Absent: Mayor Nicholls
Staffmembers Present: Acting City Administrator, John D. Simonton
Building Official, Randall Crist
Principal Planner, Amelia Domby
Various Department Heads or their representative
City Attorney, Richard W. Files
City Clerk, Lynda L. Bushong

Reading of Proclamation: Hunger Awareness Month

Deputy Mayor Smith read a proclamation designating the month of September as Hunger Action month to bring awareness and help end hunger in our local community.

Mary McClendon from Yuma Community Bank thanked the Deputy Mayor and City Council for designating September as Hunger Action Month, as well as for their ongoing support of the Yuma Community Food Bank's mission and for lighting up the water tower orange to bring awareness to the issue of hunger.

I. MOTION CONSENT AGENDA

Motion (Morales/Watts): To approve the Motion Consent Agenda as recommended. Voice vote: **approved** 6-0.

A. Approval of minutes of the following City Council meeting(s):

Regular Council Worksession Minutes

August 5, 2025

B. Executive Session

Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Atty)

C. Approval of Staff Recommendations

1. Approve a Series #12: Restaurant Liquor License application submitted by Cristian Yllescas, agent for Mariscos La Apoma located at 344 W. 24th Street. (LL25-16) (Admn/Clk)
2. Authorize award for the Valley Aquatic Center re-plaster and renovation, to the lowest responsive and responsible bidder in the amount of \$304,769.30 to DWD Construction, Yuma, Arizona. (RFB-26-016) (Facil Mgnt/Purch)
3. Authorize the purchase of Ground and Turf Maintenance Equipment from RDO Equipment, Yuma, Arizona and Simpson Norton, Goodyear, Arizona utilizing Sourcewell and Mohave Education Services cooperative purchase agreements, at the estimated total cost of \$440,924.60 (CPA-26-084) (Prks & Rec/Purch)
4. Authorize the purchase of Fleet Services Warehouse Stock Items, utilizing multiple cooperative purchase agreements with the option to renew for four additional one year periods, one period at a time, depending on budget appropriations and satisfactory performance from Auto Zone, Yuma, Arizona; Bingham Auto & Parts, Yuma, Arizona; Bingham Equipment Company, Mesa Arizona; Cummins Inc. dba Cummins Sales and Service, Avondale, Arizona; Empire Southwest, Phoenix, Arizona; Freightliner of Arizona dba Velocity Truck Centers, Phoenix, Arizona; Freightliner of LA dba Velocity Truck Centers, Pasadena, California; Haaker Equipment Company, La Verne, California; North End Auto Parts (NAPA), Yuma, Arizona; O'Reilly Auto Parts, Yuma, Arizona; RWC International LTD, Yuma, Arizona; Rush Truck Center-Yuma, Arizona; W W Williams, Phoenix, Arizona, at an estimated annual total cost of \$500,000.00 on an as-needed basis. (CPA-26-021) (Pub Wks/Purch)
5. Authorize the purchase of one Chinook 22' 2026 Boat utilizing the cooperative purchase agreement originated by the General Services Administration (GSA), at an estimated total cost of \$229,970.00 from Rogue Jet Boatworks, White City, Oregon (GNT-26-080) (YFD/Purch)
6. Authorize the purchase of First Aid and Medical Supplies, utilizing multiple cooperative purchase agreement with the option to renew up to four additional one year periods, one period at a time, depending on budget-appropriation and satisfactory performance from Bound Tree Medical, Dublin, Ohio; Life-Assist Inc., Rancho Cordova, California; Stryker, Chicago, Illinois, on an as-needed basis at an estimated annual cost of \$515,000. (CPA-26-018) (YFD/Purch)
7. Authorize the purchase of two Tethered Unmanned Aerial Systems (UAS), at a total cost of \$161,904.65 to: Fotokite US, LLC., Boulder, Colorado (GNT-26-080) (YPD/Purch)
8. Adopt the updated 2025-2030 Strategic Plan. (Admn)

9. Approve a two-year agreement with the Humane Society of Yuma (HSOY) to provide animal sheltering, enforcement support, and community education services. The agreement establishes funding of \$425,000 in year 1 and \$500,000 in year 2. (Admn)

II. RESOLUTION CONSENT AGENDA

Motion (Morris/McClendon): To adopt the Resolution Consent Agenda as recommended.

Bushong displayed the following title(s):

Resolution R2025-085

A resolution of the City Council of the City of Yuma, Arizona, adopting the City's capitalization threshold and criteria to identify capital assets for financial reporting purposes (capital assets include tangible and intangible property owned or leased by the City) (Fin)

Resolution R2025-087

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving an Intergovernmental Agreement for the joint operation and use of the Statewide Public Safety Radio System between the City of Yuma, Yuma County, Cochise County, and Arizona Department of Public Safety (integrating each party's existing system will provide a statewide public safety radio system that will be interoperable with local, state, federal, and tribal agencies throughout Arizona) (IT/YRCS)

Roll call vote: **adopted** 6-0.

III. ADOPTION OF ORDINANCES CONSENT AGENDA

Motion (Morris/McClendon):

Bushong displayed the following title(s):

Ordinance O2025-030

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and approving a lease of City-owned property with Keithly-Williams Seeds, Inc. (consisting of approximately 12.39 acres) (Admin)

Ordinance O2025-031

An ordinance of the City Council of the City of Yuma, Arizona, authorizing the sale of certain City-owned property under an option to purchase, together with City acquisition of a separate parcel up to 10,160 square feet if the option is exercised (option to purchase 2888 Kyla Avenue) (Admin)

Ordinance O2025-032

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, rezoning certain property located in the Light Industrial/Infill Overlay (L-I/IO) District to the Low Density Residential/Infill Overlay District (R-1-6/IO), and amending the zoning map to conform with the rezoning (property located at 1749 S. Madison Avenue) (Cmty Dev/Cmty Plng)

Ordinance O2025-034

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 15 of the Yuma City Code, Chapter 150, sections 150-180 and 150-181, adopting by reference the 2024 *International Residential Code for One- and Two- Family Dwellings*, including appendices BB, BF, BG, BH, BJ, BO, CD, and CF, and the amendments recommended by the Residential Advisory Board dated July 30,

2025, and providing a penalty for violations thereof (up to date modern codes offer safe environments for occupants of both residential and commercial structures) (Cmty Dev/Bldg Sfty)

Ordinance O2025-035

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 15 of the Yuma City Code, Chapter 150, sections 150-170 and 150-171, adopting by reference the 2024 *International Existing Building Code*, including appendix A, B, and E, and the amendments recommended by the Building Advisory Board dated June 11, 2025 and providing a penalty for violations thereof (up to date modern codes offer safe environments for occupants of both residential and commercial structures) (Cmty Dev/Bldg Sfty)

Ordinance O2025-036

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 15 of the Yuma City Code, Chapter 150, sections 150-090 and 150-091, adopting by reference the 2024 *International Property Maintenance Code*, including appendix A, and the amendments recommended by the Residential Advisory Board dated July 22, 2025, and the Building Advisory Board dated July 16, 2025, and providing a penalty for violations thereof (up to date modern codes offer safe environments for occupants of both residential and commercial structures) (Cmty Dev/Bldg Sfty)

Roll call vote: **adopted** 6-0.

IV. INTRODUCTION OF ORDINANCES

Ordinance O2025-033 – Amend Yuma City Code: 2024 International Building Code with Amendments (amend Yuma City Code Chapter: 15, Sections 150-015 and 150-016) (Comm Dev/Bldg Sfty)

Discussion

- The City of Yuma has made significant advancements towards accessibility within the City including the establishment of the Americans with Disabilities Act (ADA) Commission, chaired by Councilmember McClendon, and the implementation of an all-inclusive playgrounds in the community. The City has also appointed a board of professionals within the City consisting of structural engineers, architects, and builders from general trades to specialty trades, to extensively review the building codes and share their recommendations they feel are best for the City. It is difficult to override the recommendations of the appointed board of professionals. (**Morris**)

Motion (Watts/McClendon): To amend Ordinance No. O2025-033 by deleting the existing Subsection (U) and replacing it with the following:

“(U) Section 1104.4 Multistory buildings and facilities. Amend to delete exceptions 1 through 1.4 and add exception 5:

5. Mezzanines in Group F and S Occupancies that do not contain public use space shall not be required to be connected by an accessible route”

Roll call vote: **Failed** 3-3, **Martinez, Morris, and Morales** voting Nay.

Discussion continued

- Many builders can install an elevator in their buildings; however, smaller builders may find it unaffordable. A home in an upscale area of the city was designed with the option to include an elevator, but ultimately the decision was made against it due to the associated costs. As a result, there is now an open space in the center of the home, demonstrating how pricey an elevator can be. An additional idea is to have extra office space available for medical specialty services or other types of services in Yuma. This arrangement would help community members avoid the need to travel out of town for necessary services. Despite considering an amendment, support for the recommendation of the advisory board's original proposal may expand opportunities and improve access without limiting services. **(Morales)**
- Once a code is adopted through an ordinance, neither the Building Advisory Board, which acts as the Board of Appeals, nor the Building Official have the authority to reverse a code requirement. Therefore, no exception can be made once the code is adopted. **(Deputy Mayor Smith/Crist)**
- Yuma County has the choice to either adopt the code of the largest jurisdiction in the county or adopt the state code, which is currently the 2024 International Building Code, without amendments. The City works to tailor amendments through the Building Advisory Board to ensure they are applicable to Yuma County as well. Currently, this amendment has not been reviewed with the County, making it uncertain whether they will choose to adopt this code. Therefore, at this moment, individuals can build across the county line without restrictions. **(Deputy Mayor Smith/Crist)**
- The ADA does not require an elevator on a two-story building of any size, unless it is a medical facility, a multi-tenant mercantile building, or a government building. As a result, the City's current proposal is stricter than both ADA requirements and the 2024 International Building Code. The City of Yuma will be the first City in the State of Arizona to have this requirement. **(Deputy Mayor Smith/Crist)**
- Potential retail and living spaces would fall exempt of the requirement, unless there are at least four spaces connected. **(Deputy Mayor Smith/Crist)**
- The main concern is telling private businesses how to operate. More discussion time is needed before a vote is made. **(Martinez)**
- The City of Yuma was among the first to introduce accessible play equipment. Being first can have its advantages, and the motion will continue to be supported. **(Watts)**
- For buildings under 3,000 sq. ft., a Limited Use Limited Application elevator (LULA) is often sufficient and cost-effective. Elevator installation can cost between \$30,000 and \$75,000, whereas a LULA installation can be between \$30,000 and \$50,000 with low annual maintenance fees. Accessibility should be for the entire community with some exceptions like "shopkeeper" models where retail is on the ground floor. **(McClendon)**
- Conversations with other City leaders revealed interest in following the City of Yuma's lead with this initiative. Passing this measure will inspire other cities to adopt similar standards. **(McClendon)**

Speakers

Alexis Liggett, nonresident, supported the amendment, highlighting the importance of accessibility for small businesses and therapies.

Rebecca Gettings, nonresident, shared a personal story about the challenges faced by her quadriplegic son and the need for accessible buildings.

Melissa Soto, City resident, highlighted the success of the Stewart Vincent Wolfe Creative Playground (Castle Park) and the importance of equal access for all.

Ordinance O2025-037 – Text Amendment: Accessory Buildings (Amend Title 15, Chapter 154, to update development regulations for Accessory Buildings, Uses and Structures) (Cmty Dev/Cmty Plng)

Motion (Morris/McClendon): That Ordinance O2025-037 be amended to change the front yard setback in Section 1, Subsection (F)(3)(c) from 10 feet to 8 feet, and the structure requirement in Section 1, Subsection (F)(3)(e) be changed from 200 feet to 240 feet.

Voice vote: **approved** 5-1, **Watts** voting Nay.

Ordinance O2025-038 – Text Amendment: Industrial Zoning Districts (Amend Title 15, Chapter 154 to update development regulations and allowable uses within the Light Industrial (L-I) and Heavy Industrial (H-I) Zoning Districts) (Cmty Dev/Cmt Plng)

Motion (Morales/Morris): To move the introduction of Ordinance O2025-038 to the October 1, 2025, Council Meeting.

Voice vote: **approved** 6-0.

Bushong displayed the following title(s):

Ordinance O2025-033

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 15 of the Yuma City Code, Chapter 150, Sections 150-015 and 150-016, adopting by reference the 2024 *International Building Code*, including appendices C, I, J, K, and O, and the amendments recommended by the Building Advisory Board dated February 12, 2025, and providing a penalty for violations thereof (the nationally published codes are amended to fit Yuma's regional and local conditions, such as soils, ambient temperatures and seismic considerations) (Cmty Dev/Bldg Sfty)

Ordinance O2025-039

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 13 of the Yuma City Code, Chapter 131, adopting by reference *International Fire Code 2024* including appendices B, C, D, E, F, G, H, and I, and the amendments recommended by the Building Advisory Board dated July 9, 2025, and providing a penalty for violations thereof (to stay current with the code cycle and establish sound criteria for regulating existing buildings and structures) (YFD)

Ordinance O2025-040

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, rezoning certain property located in the Manufactured Housing Park (MHP) District to the High Density Residential (R-3) District, and amending the zoning map to conform with the rezoning (approval of this rezone will support residential development in the City that will be responsibly constructed, meeting all codes requirements) (Cmty Dev/Cmty Plng)

Ordinance O2025-042

An ordinance of the City Council of the City of Yuma, Arizona, providing for the sale and execution and delivery of utility system revenue and/or revenue refunding obligations, in one or more series, and authorizing the completion, execution and delivery with respect thereto of agreements necessary or appropriate as part of financing and/or refinancing part of the waterworks and sewer plant and system of the City; delegating to the City Administrator and the Director of Financial Services of the City certain authority with respect to the purposes hereof; and declaring, for purposes of section 1.150-2 of the Federal Treasury Regulations, official intent to be reimbursed in connection with certain capital expenditures (issuance of these obligations will accelerate completion of much needed infrastructure projects) (Admn/FIN)

Ordinance O2025-043

An ordinance of the City Council of the City of Yuma, Arizona, (1) approving the sale and execution and delivery of pledged revenue and/or revenue refunding obligations, in one or more series, evidencing a proportionate interest of the owners thereof in a purchase agreement; (2) approving the form and authorizing the execution and delivery of necessary agreements, instruments and documents related to the sale and execution and delivery of such obligations; (3) delegating authority to the City Administrator and the Director of Financial Services of the City to determine certain matters and terms with respect to the foregoing; (4) declaring, for purposes of section 1.150-2 of the Federal Treasury Regulations, official intent to be reimbursed connection with certain capital expenditures; and (5) authorizing with taking of all other actions necessary to the consummation of the transactions contemplated by this ordinance (by issuing bonds the City is able to complete significant improvements) (Admn/FIN)

V. PUBLIC HEARING AND RELATED ITEMS

Ordinance O2025-041 – Statutory Compliance Hearing/Amendment: Ordinance O2022-048 (Pursuant to A.R.S. § 9-462.01, determine compliance with the conditions of approval for rezoning Ordinance O2022-048, and introduce an ordinance to amend O2022-048 to extend the time to comply with the rezoning conditions) (Cmty Dev/Cmty Plng)

Morris declared a conflict of interest on Ordinance O2025-041 as his firm is involved in the design of the project and left the dais.

Deputy Mayor Smith opened the Public Hearing at 6:23 p.m.

Domby presented the following information:

- The property, which is approximately 5.9 acres, is located at the southeast corner of 7 ½ E and 24th Street.
- Property was rezoned as a single zoning case (ZONE-37623-2021), in which conditional zoning to the Medium Density Residential/Planned Unit Development District was approved by City Council, based upon the completion of eight conditions of approval within two years
- The Medium Density Residential/Planned Unit Development District zoning expired because the owner of the parcel had not completed the conditions of approval
- Arizona Revised Statutes § 9-462.01 (E) states that if the completion of a condition has expired, the City shall notify the owner, schedule a public hearing, and take administrative action to “extend, remove, or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification”

- The property owner has stated they can satisfy the remaining conditions required to validate the zoning through the Subdivision process, and is requesting to extend the time frame from two years to five years

Motion (Morales/Watts): To close the Public Hearing. Voice vote: **approved** 6-0. The Public Hearing closed at 6:26 p.m.

Bushong displayed the following title(s):

Ordinance O2025-041

An ordinance of the City Council of the City of Yuma, Arizona, amending Ordinance O2022-048 to extend the time for compliance with conditions for the rezoning of certain property from Limited Commercial (B-1) District to the Medium Density Residential/Planned Unit Development (R-2/PUD) District and amending the zoning map to conform thereto (property located at the southeast corner of 24th Street and Avenue 7 ½ E)

Morris returned to the dais.

VI. ANNOUNCEMENTS AND SCHEDULING

Announcements

Morris, Watts, Morales, Deputy Mayor Smith, and Martinez reported on the following meetings attended and upcoming events:

- Retirement Ceremony for Fire Chief Dusty Fields
- New Traffic Management Center Ribbon Cutting Ceremony
- The Greater Yuma Marketing Committee Meeting
- Greater Yuma Economic Development Corporation Monthly Meeting
- Greater Yuma Port Authority Meeting
- Court Appointed Special Advocate (CASA) Swearing in Ceremony
- Arizona State University Vigil for Charlie Kirk
- Yuma County Advisory Council Meeting
- Travis Manion Foundation 9/11 Heroes Run 5K
- City of Yuma Father-Daughter Ball
- Yuma County Anti-Drug Coalition Meeting
- 7th Annual 9/11 Memorial Stair Climb
- 9/11 Ceremony at Fire Station #1
- Gila River Indian Community 162nd Annual Mustering-In Day
- National Community Health Partners Veteran Suicide Prevention Training
- Rio Colorado Republican Women Group Meeting

Scheduling

McClendon requested a report from the Public Works and Parks and Recreation Departments detailing the statistics regarding the storm drains and storm cleanup. **Simonton** confirmed the report is currently in progress and will be presented at a City Council meeting in November.

SEPTEMBER 17, 2025

Motion (Morales/Morris): To cancel the City Council Worksession and City Council meeting, respectively scheduled for October 14th and 15th, 2025, due to the City Council's attendance at the Rural Transportation Conference.

Voice vote: **approved** 6-0.

VII. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- September 12 - Art Center Opening Reception for Fall Exhibits
- October 3 & 4 – Tacos & Tunes

Simonton announced that applications for the Tribute to the Muse event scheduled for November are currently being accepted. He also congratulated the City of Yuma Communications Team for earning national recognition at the City-County Communications and Marketing Association (3CMA) Awards Ceremony.

VIII. CALL TO THE PUBLIC

Jo Russell, City resident, suggested making the sexual offender registry more accessible to the public to improve safety. She also addressed City Council on the need for better police monitoring of residential areas to reduce vandalism.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Deputy Mayor Smith** adjourned the meeting at 6:44 p.m. No Executive Session was held.

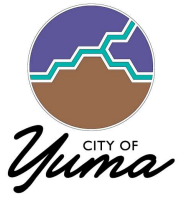
Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of:

City Clerk: _____



City of Yuma

City Council Report

File #: MC 2025-189

Agenda Date: 12/3/2025

Agenda #: 2.

Regular Council Worksession Draft Minutes November 4, 2025

MINUTES
REGULAR CITY COUNCIL WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS - YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
November 4, 2025
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the Regular City Council Worksession to order at 5:31 p.m.

Councilmembers Present: Martinez, Morris, McClendon, Smith, Morales, Watts, and Mayor Nicholls
Councilmembers Absent: None
Staffmembers Present: Acting City Administrator, John D. Simonton
Human Resources Manager, Adrian Aranda
Assistant Information Technology Director, Jason Smith
Director of Finance, Douglas Allen
Director of Engineering, David Wostenberg
Director of Parks and Recreation, Eric Urfer
Director of Community Development, Alyssa Linville
Various department heads or their representatives
City Attorney, Richard W. Files
Deputy City Clerk, Janet L. Pierson

I. HUMAN RESOURCES DEPARTMENT UPDATE

Aranda presented the Human Resources Department (HR) Updated as follows:

- Citywide Turnover
 - HR achieved its Fiscal Year (FY) 2025 turnover goal, ending at 8.9%, which is below the target of 10%.
 - This improvement reflects ongoing efforts to become an employer of choice, including better pay and retention strategies.
 - Of the full-time employees who left, nearly 25% retired, contributing over 480 years of combined service, with an average tenure of 23 years.
 - Exit interviews are offered to all departing employees to understand their reasons for leaving.
 - Among those who participated, key reasons included dissatisfaction with supervisors, work conditions, and organizational culture, while others cited family or relocation.
 - HR reviews this feedback and escalates concerns to department heads, sometimes leading to investigations when warranted.
- Recruitment Statistics
 - HR initiated 153 recruitments in FY25, receiving over 7,200 applications and processing 354 hires and promotions.
 - The average time to hire was 56 days, staying below the 60-day goal, though timelines varied by position type.

- Seasonal roles were quicker, while Police and Fire Department recruitments took longer due to additional testing and background checks.
- Workers' Compensation Statistics
 - 125 work-related injuries were reported – 10 fewer than the previous year.

Department	Total Injuries
Building Safety/Facilities	9
Finance	1
Fire	26
ITS	1
P&R	18
PW	6
Police	52
Utilities	12
Fiscal Year 2025	125

- Injuries often involved multiple body parts, especially in departments like Fire and Police due to the physical nature of their duties.
- FY25 saw just over \$740,000 in expenditures, 327 days of no-work status, and 2,548 light-duty days.
- HR mitigates risks through monthly injury reports to department heads and quarterly reviews with high-injury departments like YPD and YFD to address trends and reduce future incidents.
- Mentoring Program
 - The City launched a new nine-month mentoring program on July 1, which is set to conclude in March of 2026.
 - The program is designed to run annually on an ongoing basis.
 - The program includes 13 mentors and 16 mentees, with some mentors supporting more than one mentee.
 - Participants receive formal training and meet regularly.
 - Feedback from mentees has been positive, with participants expressing enthusiasm about their involvement.
- Lifestyle Spending Account
 - HR is proposing a Lifestyle Spending Account (LSA) to replace the current leave buy-back program.
 - LSA programs have been adopted by other cities, and locally Onvida Health has a similar program in place.
 - This post-tax benefit would allow full-time employees up to \$750 and part-time employees up to \$375 annually for eligible reimbursable expenses.
 - Covered categories include:
 - Health and Wellness – gym memberships, personal trainers, fitness classes, fitness equipment and accessories, entry fees –
 - Mental Wellbeing – therapy, meditation apps, stress management classes

- Professional Development – conferences, courses, certifications, books
- Lifestyle Support – childcare, pet care, home office equipment, national park passes, camping essentials
- Financial Wellbeing – financial planning, estate planning, tax preparation, identity theft protection
- Reimbursements are taxable, and the program follows a use-it-or-lose-it model, resetting each fiscal year.
- A draft policy has been prepared and will be disseminated to employees upon implementation.

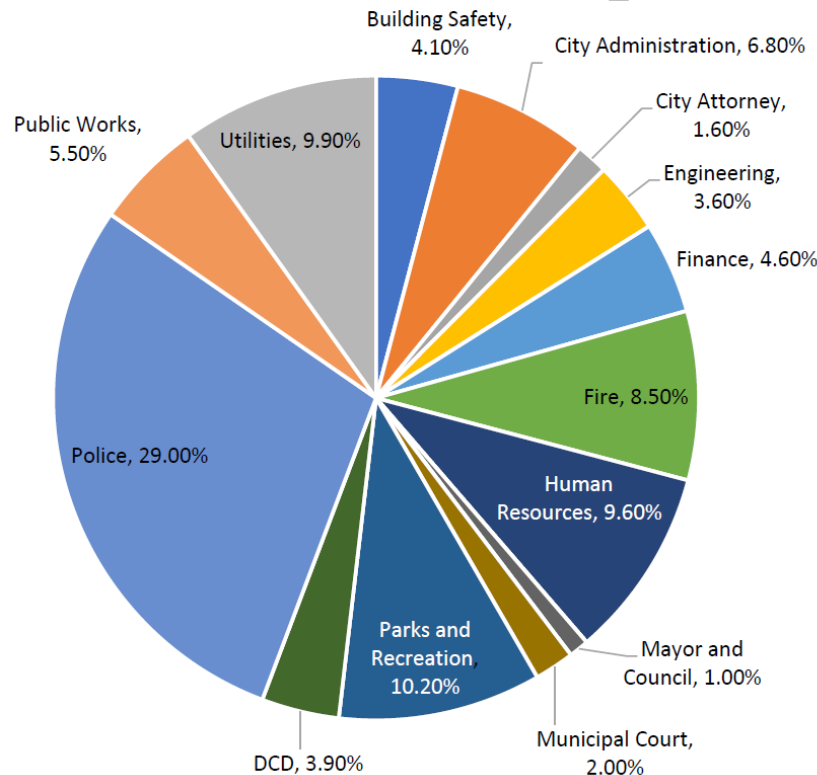
Discussion

- While the buy-back program had less than one-third employee participation due to eligibility restrictions (e.g., required leave balances and usage), the LSA is expected to reach a broader group of employees. The projected cost of the LSA is comparable to the buy-back program – around \$750,000 – but actual expenses may be lower since not all employees are likely to submit for reimbursement. The LSA offers more flexibility and accessibility, allowing employees to use funds for a wide range of wellness, professional, and personal expenses. **(Mayor Nicholls/Aranda/Simonton)**
- When employees leave the City, exit interviews indicate many move to other government sectors – federal, state, or local – with better pay often being a factor. While not all departing employees participate, those who do generally feel comfortable sharing honest feedback **(Martinez/Aranda)**
- The second phase of the most recent Labor Market Study pay adjustment will be implemented in January 2026, with a mid-term review planned for 2027. The City aims to conduct full-scale studies, which include reviewing job descriptions, every four to five years and smaller reviews every two years. Regular cost-of-living and merit adjustments help maintain competitiveness, and while some roles may still lag behind, overall compensation is more aligned with the market than in previous years. **(Mayor Nicholls/Martinez/Aranda/Simonton)**
- The leave buy-back program had eligibility restrictions that excluded many employees, such as newer hires or those who had used their leave for family needs. The LSA will allow all employees to participate, helping them feel valued and supported. While the financial benefit may not fully cover expenses like child care, it still provides meaningful support. The program is seen as a strategic step toward broader employee well-being, and feedback from similar programs, like Onvida Health's, has been very positive. **(Smith/Aranda/Simonton)**
- The LSA reimbursement process is expected to be simple and user-friendly. The City plans to work with WEX, the current COBRA administrator, to implement the system. If it mirrors the existing Flexible Spending Account or Health Savings Account processes, employees will typically just need to submit a valid receipt for eligible expenses – keeping paperwork to a minimum. **(Watts/Aranda)**
- The City's commitment to following up with employees who leave for negative reasons is appreciated. While it is impossible to satisfy everyone in a large organization, it takes courage for employees to be honest, and it is commendable that the City fosters an environment where that honesty is welcomed. The City's proactive approach to addressing concerns aligns with its mission to be a preferred employer and demonstrates a genuine commitment to continuous improvement. **(Morales/Aranda)**

II. INFORMATION TECHNOLOGY DEPARTMENT UPDATE

Smith presented the following Information Technology Department (IT) Update:

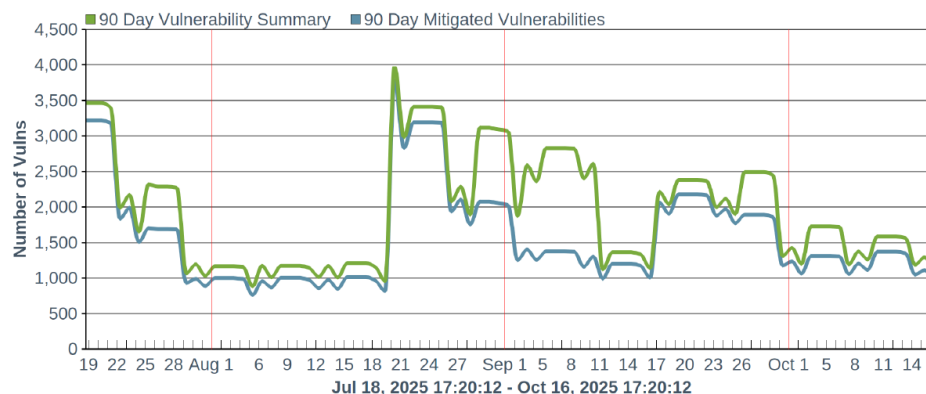
- Organizational Structure
 - IT consists of three divisions:
 - End User Support
 - IT Operations
 - Yuma Regional Communications System (YRCS)
- Tickets by Department and Satisfaction
 - Larger departments like Police, Fire, and Parks & Recreation account for the highest volumes – consistent with their size.
 - The satisfaction score was outstanding, with a 99%+ satisfaction rate based on nearly 600 responses, highlighting the excellent performance of the internal support team.



- Tickets Created and Devices
 - Between FY24 and FY25, the City's device count increased by about 1,000, while the support ticket volume decreased by nearly 1,000.
 - This improvement illustrates the successful implementation of efficient workflows and stable systems, allowing IT to support more users and devices with fewer issues.
 - It reflects positively on the team's proactive approach to system reliability and user experience.
- Service Uptime/Availability Overview
 - The City's network maintained over 99% uptime throughout the year, despite challenges like severe storms in September.

- While some components of the network experienced occasional issues, the overall service to end users remained uninterrupted thanks to redundant systems, dual data centers, and backup power solutions.
- Notably, even with nearly 60 hours of potential downtime, these infrastructure investments helped prevent noticeable service disruptions, effectively preserving productivity across departments.
- Deployment of New Services
 - Over the past year, IT deployed several new services, most notably OpenGov, an asset management solution.
 - Phase One was completed in late spring in collaboration with departments like Public Works and Parks and Recreation, and Phase Two is now underway with Facilities and Utilities.
 - Additionally, IT partnered with HR and Facilities Maintenance to streamline the employee onboarding process, ensuring new hires are equipped and ready to work from day one.
 - IT also successfully completed a Windows 11 deployment across the organization.
- Microsoft 365 Copilot
 - IT recently rolled out Microsoft 365 Copilot, an Artificial Intelligence (AI) agent integrated into the Microsoft ecosystem.
 - Since its release, usage has steadily grown, peaking at 223 users in a single day last month.
 - The City is actively exploring ways to support safe and secure AI adoption, recognizing its potential to improve staff efficiency.
 - The IT team is working to ensure that employees can benefit from AI tools like Copilot without compromising data security or operational integrity.
- Vulnerability Management
 - The City uses automated patching solutions to manage cybersecurity vulnerabilities.
 - Published vulnerabilities represent known issues identified by vendors, while discovered vulnerabilities are those that specifically affect the City's systems.
 - The City has maintained strong performance in this area, remediating most vulnerabilities almost immediately after they are published, as shown by the close alignment between the number of discovered and resolved issues.
 - Occasional dips, such as during September's power outages, were quickly corrected once systems came back online, demonstrating the effectiveness of the City's automated processes and patching infrastructure.

90 Day Vulnerability vs Mitigated Vulnerability



- Looking Ahead
 - IT is focused on enhancing the end-user experience and driving process improvements.
 - A new document management and retention system – developed in collaboration with the City Clerk’s Office – is set to go live imminently.
 - The City is also expanding its AI adoption, including the rollout of Microsoft 365 Copilot and ongoing discussions with OpenAI and other vendors to explore secure AI tools tailored for government use.
 - Efforts are also underway to improve the multi-factor authentication experience, aiming to make logins more seamless.
 - Additionally, an IT Liaison Program was launched, assigning representatives from each department to ensure IT solutions align with unique departmental needs.
 - These liaisons also play a key role in cyber resilience planning, helping to identify critical systems and shape effective incident response strategies to maintain service continuity during cyber events.

Discussion

- Cities vary in their adoption of AI – some are cautious, while others are fully embracing tools like ChatGPT and Microsoft Copilot. The City is exploring AI solutions tailored for government use and is engaging with vendors to ensure secure deployment. Key safeguards include staff education, approved usage policies, and technical controls like data loss prevention systems that flag sensitive information. These measures aim to balance the benefits of AI with strong security and responsible use. **(Morris/Smith)**

III. REGULAR CITY COUNCIL MEETING AGENDA OF NOVEMBER 5, 2025

Motion Consent Agenda Item C.7 – Cooperative Purchase Agreement: Fire Service Apparatus (purchase one Pierce Velocity PUC Pumper at a cost of \$1,431,037.83 from Hughes Fire Equipment, Inc. / Pierce Manufacturing, Inc.) (CPA-26-126) (YFD)

Discussion

- The funds for the purchase are not being paid upfront. Instead, a purchase order is issued, and the funds are set aside and invested until the product is delivered. This approach ensures the money is available when needed, without impacting the expenditure limitation until the item arrives. The budget will include this item each year until delivery, and the final purchase may return to City Council for approval when the equipment is ready for use. **(Morris/Allen)**

Motion Consent Agenda Item C.8 – Contract Increase: Construction Management Services for Desert Dunes Water Reclamation Facility Capacity Increase (execute Change Order No. 1 with Consultant Engineering Inc. in the amount of \$1,727,603.20, for a total cost not to exceed \$4,346,471.20) (RFQ-22-201) (Eng)

Jeff Kramer of Consultant Engineering Inc. was present to provide additional explanation and clarification.

Discussion

- The construction management contract for the Desert Dunes expansion project is increasing due to a significant extension in the project timeline. Originally planned for 35 months, the project now spans 63 months. This change stems from a longer-than-expected pre-construction phase, delays in contractor startup and submittals, and an extended construction period (from 18 to 27 months). As a result, the scope and duration of work expanded well beyond the initial estimate. **(Morris/Wostenberg/Kramer)**
 - Hourly rates were increased by 6%, down from an initially proposed 8%, based on Consumer Price Index data. This reduction was the result of negotiations with Engineering Department staff. While early project completion is a hopeful outcome, the current schedule shows key activities are behind, making that unlikely. **(Mayor Nicholls/Morales/Kramer)**
-

Motion Consent Agenda Item C.9 – Contract Increase: East Mesa Community Park, Phase 1 – Bid Alternates (contract increase with Gutierrez Canales Engineering, PC, for additional bid alternatives from bond and donation funding in the amount of \$3,018,556.03, for a total expenditure of \$20,971,593.72) (RFQ-23-258) (Eng/Parks and Rec)

Discussion

- City staff will prepare a detailed breakdown of the project phases, including what was originally planned, what has been added through the current change order, and what remains. This will help clarify what has been funded and what is still pending, especially regarding features like splash pads, soccer fields, and pickleball courts. **(Mayor Nicholls/Morales/Simonton)**
 - The contractor honored original bid alternate pricing from two years ago, allowing several features to be added without increasing the overall budget. This was a major win, supported by over \$800,000 in community donations and sponsorships, including contributions from Onvida Health and the Jones Trust Fund. **(Mayor Nicholls/Morales/Simonton)**
 - The original project budget was \$17 million, with \$3 million in bid alternates not initially funded. These alternates were fully designed and bid in advance, allowing them to be added as funding became available. Updated cost estimates will be needed for Phase 2, as the original figures are now outdated. **(Martinez/Simonton/Urfer)**
-

Resolution R2025-099 - Order Improvements: Municipal Improvement District No. 129 Desert Ridge Townhomes (to provide long-term maintenance for subdivision landscaping resulting in an appealing environment) (Comm Dev/Comm Plng)

Morris declared a conflict of interest on Resolution R2025-099 due to his firm being involved in the design of the project.

Ordinance O2025-038 – Text Amendment: Industrial Zoning Districts (update development regulations and allowable uses within the Light Industrial (L-I) and Heavy Industrial (H-I) Zoning Districts) (Comm Dev/Comm Plng)

Discussion

- The proposed text amendment would add additional uses within the Light Industrial District. It would also remove certain public hearing requirements for other uses, making it easier to develop certain industrial developments. **(Martinez/Linville)**
-

Ordinance O2025-044 – Lease: Elevate Southwest (two-year lease with an additional three-year option with Yuma Multiversity Campus Corporation, DBA Elevate Southwest, for City-owned property located at 2450 South Madison Avenue) (City Admin)

Discussion

- The building had previously been used as a radio shop and was later considered for sale, but due to potential future use by the Fire Department, the City decided to retain it. Elevate Southwest approached the City with an urgent need for temporary space, and the arrangement was made. The City will consider establishing a more transparent and public process for offering City-owned spaces to nonprofits in the future. **(Morales/Simonton)**
 - The decision was based on timing and availability. While the arrangement was not publicly advertised, it was briefed at a previous meeting and direction was given to move forward. **(Martinez/Simonton)**
-

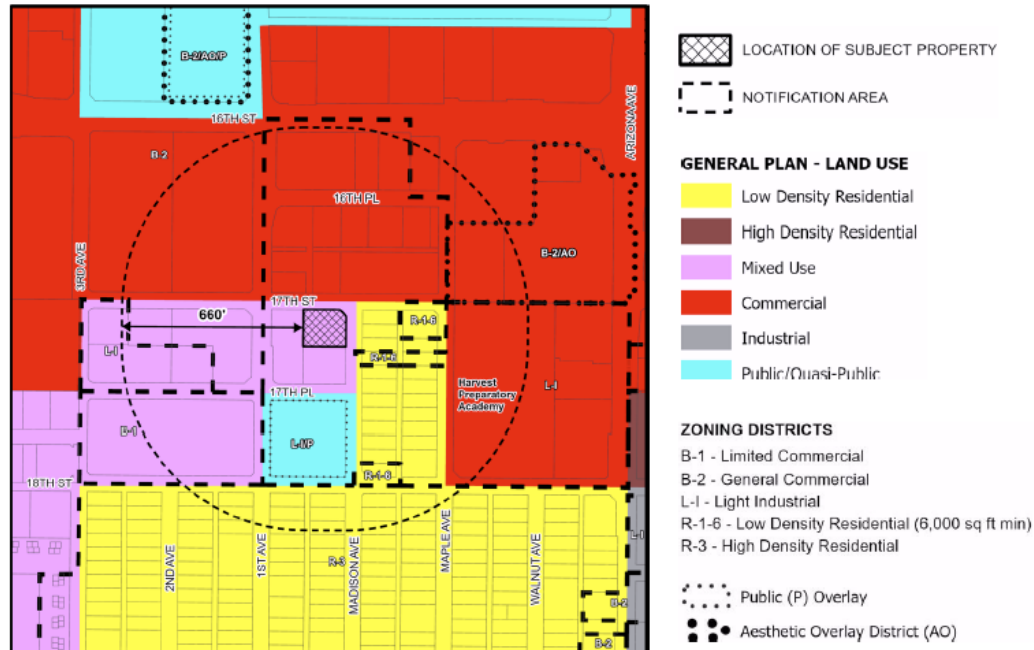
Resolution R2025-100 – Minor General Plan Amendment: Southwest Corner of 17th Street and Madison Avenue (change the land use designation of approximately 0.48 acres from Mixed Use to High Density Residential) (Comm Dev/Comm Plng)

Morris declared a conflict of interest on Resolution R2025-100 and left the dais.

Discussion

- Concerns were raised at the Pre-Development Meeting about the proposed 12-unit development, particularly regarding landscaping, open space, parking, and the placement of trash enclosures. A site plan is not yet available, as it is not required at the General Plan Amendment stage. However, the developer will eventually need to meet all City requirements for parking, setbacks, landscaping, and trash facilities during the development phase. **(Morales/Linville)**
- It is unlikely that 12 units will fit on the site while meeting all requirements. A more realistic number might be between eight and 11 units, depending on the final design. The developer is considering a two-story layout, which could help with density. **(Morales/Linville)**
- Regarding nearby businesses, some industrial uses within 600 feet of residential areas would now require a Conditional Use Permit (CUP), though existing businesses like AMCO Transmission were established before this requirement. The gym located adjacent to the property, for example, did require a CUP. **(Morales/Linville)**

- Historically, the site has been mostly undeveloped, previously used for vehicle storage by AMCO. While the current zoning is Light Industrial – allowing uses like warehousing, equipment repair, and exercise facilities – such uses are trending toward larger parcels, making this site less attractive for new industrial development. The General Plan anticipates a shift away from industrial use in this area. **(Morales/Linville)**
- The existing businesses near the proposed development site would not be negatively impacted by the new construction. They would not need to obtain any new approvals to continue operating. However, if they wanted to expand, they might already be subject to certain requirements due to their proximity to residential areas – requirements that exist regardless of whether the zoning changes. The rezoning itself does not introduce new restrictions on their current operations. **(Mayor Nicholls/Linville)**
- Concerns were raised about potential noise complaints from future residents due to the nearby gym, which operates as early as 5 a.m. and is not fully enclosed. While noise disclosures could be included in lease agreements to inform tenants of existing conditions, such disclosures would not prevent residents from filing complaints. However, enforcing noise ordinances is difficult. The gym and other nearby operations are already established, and tenants would be made aware of these conditions before moving in. **(Watts/Linville/Files)**
- The City would require a noise disclosure to be signed by the property owner, who would then typically include that disclosure in lease agreements with tenants. This disclosure would be separate from the standard city-wide notice about general community noise (like jets or industrial activity). It would specifically address local noise concerns, such as those from nearby businesses like the gym. **(Mayor Nicholls/Linville)**
- Regarding potential legal challenges related to Proposition 312 – such as lawsuits or claims for property tax reimbursement – it appears that renters may not be eligible to file such claims, since the law seems to apply specifically to property owners who pay taxes, not tenants. However, the City Attorney is continuing to research the matter for further clarification. **(Mayor Nicholls/Smith/Files)**
- There are challenges and trade-offs with infill development. While it can be messy, it aligns with the City’s goals of promoting mixed-use areas. The site is convenient, located close to amenities like gyms, parks, and transit. Property owners’ rights to develop land for much-needed housing also need to be considered, especially given the City’s significant housing shortage and the potential to help meet urgent housing demand. **(Mayor Nicholls)**
- High-density development on the proposed site could result in a disjointed or “puzzle-like” appearance within the community. A lower-density option, such as duplexes like those seen at Third Street and Avenue A, might better balance the need for housing with neighborhood aesthetics. The zoning may need to be reconsidered to allow for a more cohesive outcome. **(McClendon)**
- The map below shows land use designations rather than current zoning. The pink areas represent Mixed Use, even though they may currently be zoned as Light Industrial – indicating the City’s intent to eventually phase out industrial uses in favor of mixed-use development. The yellow areas are designated for Low Density Residential use, while the zoning south of 18th Street is already High Density Residential. While the area appears mixed, there is a significant presence of high-density zoning nearby, supporting the idea that increased residential density in this location aligns with broader planning goals. **(Mayor Nicholls/Smith/Linville)**



Morris returned to the dais.

Public Hearing – Annexation Area No. ANEX-44331-2025 Cha Cha, LLC (approximately 65.86 acres located west of the southwest corner of 40th Street and Avenue 4½E) (Comm Dev/Comm Plng)

Discussion

- The owners are seeking annexation in order to access City services and proceed with development. The property is being actively marketed, but it is not yet designated for a specific buyer or project. This annexation is part of a broader effort to prepare the site for future development under City jurisdiction. **(Martinez/Linville)**

IV. EXECUTIVE SESSION/ADJOURNMENT

Motion (Morales/Smith): To adjourn the meeting to Executive Session. Voice vote: **approved** 7-0. The meeting adjourned at 6:53 p.m.

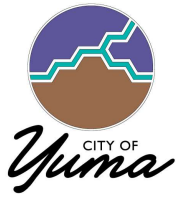
APPROVED:

Lynda L. Bushong, City Clerk

Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of:

City Clerk: _____



City of Yuma

City Council Report

File #: MC 2025-185

Agenda Date: 12/3/2025

Agenda #: 1.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Finance	☐ Safe & Prosperous	☒ Motion
	☐ Active & Appealing	☐ Resolution
DIVISION:	☒ Respected & Responsible	☐ Ordinance - Introduction
Procurement	☐ Connected & Engaged	☐ Ordinance - Adoption
	☐ Unique & Creative	☐ Public Hearing

TITLE:

Rental Contract: Solid Waste Truck Rental

SUMMARY RECOMMENDATION:

Authorize the rental of an Automated Collection Side Loader Solid Waste Truck utilizing the cooperative purchase agreement originated by Sourcewell, at an estimated annual expenditure of \$82,800.00 with an option to renew the rental for up to seven additional years to Haaker-Arizona, Phoenix, Arizona. (Public Works-CPA-26-175) (Joel Olea/Robin R. Wilson)

STRATEGIC OUTCOME:

This agreement aligns with the City Council's strategic outcome of Respected and Responsible by allowing the Solid Waste Division to establish a rental agreement with the contracted service provider. Haaker-Arizona will handle all major equipment repairs and breakdowns. This arrangement aims to provide reliable service delivery, minimize operational disruptions, and support fiscal management by reducing unplanned maintenance costs for the City.

REPORT:

The City will utilize a cooperative agreement, initially for a one-year period, for the rental of a 2025 unit with the option to continue the rental for up to seven additional years. The rental will serve as a support measure for the City's growing operations, bridging the gap between the purchase and delivery of trucks. This will allow the City access to an identical vehicle without a long-term commitment, which is beneficial while the City develops additional fleet.

Currently, the City has 14 solid waste side loaders. Three additional side loaders have been ordered and will be replaced this fiscal year through the Equipment Replacement Program.

Funds for this rental are included in the FY26 Rental of Equipment Replacement Fund (Non-ERP).

FISCAL REQUIREMENTS:

CITY FUNDS:	\$82,800.00	BUDGETED:	\$82,800.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$82,800.00	Solid Waste - Rental of Equipment - Non ERP	

FISCAL IMPACT STATEMENT:

Sufficient budget capacity is provided in the FY 2026 City Council approved budget to renew this rental.

ADDITIONAL INFORMATION:

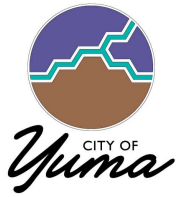
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

None

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- ☒ Department
- ☐ City Clerk's Office
- ☐ Document to be recorded
- ☐ Document to be codified

Acting City Administrator: John D. Simonton	Date: 11/24/2025
Reviewed by City Attorney: Richard W. Files	Date: 11/20/2025



City of Yuma

City Council Report

File #: MC 2025-186

Agenda Date: 12/3/2025

Agenda #: 2.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Community Development	☐ Safe & Prosperous	☒ Motion
	☐ Active & Appealing	☐ Resolution
DIVISION:	☒ Respected & Responsible	☐ Ordinance - Introduction
Community Planning	☐ Connected & Engaged	☐ Ordinance - Adoption
	☐ Unique & Creative	☐ Public Hearing

TITLE:

Infrastructure and Services Report: ANEX-44331-2025 Cha Cha, LLC

SUMMARY RECOMMENDATION:

Approve an Infrastructure and Services Report for Annexation Area No. ANEX-44331-2025, identified as the Cha Cha, LLC Annexation, located west of the southwest corner of 40th Street and Avenue 4½E. (ANEX-44331-2025). (Community Development/ Community Planning) (Alyssa Linville)

STRATEGIC OUTCOME:

This annexation assists in furthering the City Council's strategic outcome of Respected and Responsible, as it clarifies jurisdiction for access to City resources and services.

REPORT:

The annexation area, as shown in the map attached to Ordinance O2025-050 (Introduced later in this agenda), totals approximately 65.86 acres consisting of four parcels and the adjacent 40th Street, and Avenue 4½E right-of-way.

The properties are owned respectively by:

1. Cha Cha, LLC, parcel 724-02-003, which is undeveloped,
2. Tangerine & Tonic, LLC, parcel 724-01-007, citrus groves,
3. JD&B Yuma RP, LLC, parcel 724-09-002, citrus groves,
4. Humane Society of Yuma Inc, parcel 724-02-004, is undeveloped.

Arizona Revised Statutes § 9-471 (the state's annexation law) requires that, "On or before the date the governing body adopts the ordinance annexing territory, the governing body shall have approved a plan, policy or procedure to provide the annexed territory with appropriate levels of infrastructure and services to serve anticipated new development within 10 years after the date when the annexation becomes final pursuant to Subsection D of this Section."

Approval of this Infrastructure and Services Report will fulfill the statutory requirement to have an approved plan, policy or procedure to provide the annexed territory with appropriate levels of infrastructure and services to serve anticipated new development within ten years of annexation.

The 2022 General Plan (adopted April 6, 2022, R2022-011) establishes the foundational blueprint and policies

for providing infrastructure and services to all property within the City of Yuma. The following policy and plans will provide the lands within newly annexed areas with an appropriate level of infrastructure and services within 10 years of annexation.

Plan and Policy for Land Use

The City of Yuma 2022 General Plan identifies the land use designation for the properties as Agriculture/Industrial. Upon annexation, APN's 724-02-003 and 724-02-004 will be zoned to the Light Industrial (L-I) District and APN's 724-01-007 and 724-09-002 will be zoned to the Agriculture (AG) District.

The City of Yuma Growth and Development Policy (R99-30) notes that it is in the best interest of the citizens and taxpayers of the City that urban land uses in the vicinity of the City should be part of the City of Yuma.

Plan and Policy for Roads

City Council policy is to require the dedication of needed rights-of-way and appropriate contributions toward the construction of arterials and collectors, linear parks or pathways, when warranted by proposed development projects. The dedications and contributions will be consistent with the City of Yuma's Transportation Master Plan (October 2014) and 2018 Yuma Bikeways Plan (adopted March 6, 2019, R2019-004).

Arterial Roads: Deficiencies in rights-of-way can be corrected via dedications as adjacent land is rezoned or subdivided for development, as warranted. Fair-share contributions for the improvement of existing roadways can be collected from development projects as they are approved by the City of Yuma, as warranted. The annexation area is adjacent to 40th Street, which is identified as a Minor Arterial road and Avenue 4½E, which is identified as a Local road.

Plan and Policy for Water and Sewer Systems

All development projects must have approved water systems and sewer treatment available to serve the project, consistent with the City of Yuma's 2023 Integrated Water Resources Master Plan (September 2023).

Water Systems: The property is within the service area of the Main Street Water Treatment Plant but there is no current water service to the site. The extension of any water mains to serve a proposed development project will be paid for by the development project seeking the water service.

Sewer Systems: The property is located within the Figueroa Avenue Water Pollution Control Facility service area but there is no current sewer service to the site. The extension of any sewer mains to serve a proposed development project will be paid for by the development project seeking the sewer service.

Plan and Policy for Emergency Services

Fire and Emergency Medical Services will be provided in a manner consistent with the City of Yuma Fire Services and Facilities Plan (adopted July 19, 2023, R2023-027). The site is in the current service area for MCAS.

Public Safety services will be provided in a manner consistent with the City of Yuma 2022 General Plan. The site is within the service area of the City of Yuma Police Department Headquarters located at 1500 S. 1st Avenue.

Plan and Policy for Parks

Park sites will be acquired consistent with the City of Yuma's adopted Parks, Arts, Recreation & Trails Master Plan (adopted July 17, 2024, R2024-036), subject to the availability of funds. City Council policy is to require the dedication of needed rights-of-way and appropriate contributions toward the construction of linear parks or pathways when warranted by the development of the parcels of land.

Plan and Policy for Stormwater Collection and Disposal

All development projects must have approved stormwater collection and disposal systems available to serve the project, consistent with that master plan, as well as the City of Yuma Drainage Policy (Ordinance Nos. 1670 and 1836) and 2003 Stormwater Management Program, as amended. The creation of new facilities or extension of any pre-existing stormwater facilities to serve a proposed development project will be paid for by the development project seeking the stormwater collection and disposal service.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$ 0.00		

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

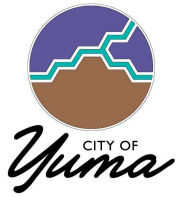
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- ☐ Department
- ☒ City Clerk's Office
- ☐ Document to be recorded
- ☐ Document to be codified

Acting City Administrator: John D. Simonton	Date: 11/24/2025
Reviewed by City Attorney: Richard W. Files	Date: 11/20/2025



City of Yuma

City Council Report

File #: O2025-047

Agenda Date: 11/19/2025

Agenda #: 1.

DEPARTMENT: Community Development	STRATEGIC OUTCOMES	ACTION
DIVISION: Community Planning	☐ Safe & Prosperous ☐ Active & Appealing ☒ Respected & Responsible ☐ Connected & Engaged ☐ Unique & Creative	☐ Motion ☐ Resolution ☐ Ordinance - Introduction ☒ Ordinance - Adoption ☐ Public Hearing

TITLE:

Rezoning of Property: 1731 S. Madison Avenue

SUMMARY RECOMMENDATION:

Rezone approximately .15 acres from the Light Industrial/Infill Overlay (L-I/IO) District to the Low Density Residential/Infill Overlay (R-1-6/IO) District. (Community Development/Community Planning) (Alyssa Linville)

STRATEGIC OUTCOME:

Consistent with the City Council's strategic outcome of Respected and Responsible, the proposed rezoning is compatible with the surrounding area and supports residential development within the City.

REPORT:

The subject property is located at 1731 S. Madison Avenue, in the Clarence Trigg Subdivision Unit 2 which was recorded on May 15, 1951. The property is approximately 6,341 square feet in size and is currently developed with a 1,191 square foot single family home built in 1942.

The area was annexed to the City in 1956 and following annexation, the area was zoned Industrial "A" with a subsequent rezoning in 1981 to the Light Industrial (L-I) District.

The applicant is requesting to rezone the property from Light Industrial/Infill Overlay (L-I/IO) to the Low Density Residential/Infill Overlay (R-1-6/IO) District to bring the zoning of the property into conformance with the actual use. The applicant is considering constructing an accessory dwelling unit and a detached garage in the near future which would not be allowed in the current Light Industrial zoning district.

Several properties in the area are developed with residential homes and the rezone of this property would match the surrounding character and nature of the current uses. This request would also be in conformance with the Land Use Element of the General Plan.

On October 13, 2025, the Planning and Zoning Commission voted to recommend APPROVAL (5-0) of the request to rezone approximately .15 acres from the Light Industrial/Infill Overlay (L-I/IO) District to the Low Density Residential/Infill Overlay (R-1-6/IO) District, subject to the following conditions:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.

2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.
4. 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, Certificate of Occupancy or City of Yuma 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 ARS § 9-462.01.

PUBLIC COMMENTS- EXCERPTS FROM PLANNING AND ZONING COMISSION MEETING MINUTES:

Jennifer Albers, Assistant Director of Planning summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

"Motion by John Mahon, Planning and Zoning Commissioner, second by Lorraine Arney, Planning and Zoning Commissioner to APPROVE ZONE-44389-2025 as presented.

"Motion carried unanimously, (5-0) with one absent and one vacancy.'

Planning and Zoning Staff Report - Attached

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$ 0.00		

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- ☐ Department
- ☐ City Clerk's Office
- ☐ Document to be recorded
- ☐ Document to be codified

Acting City Administrator: John D. Simonton	Date: 11/10/2025
Reviewed by City Attorney: Richard W. Files	Date: 11/06/2025



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: GUILLERMO MORENO-NUNEZ

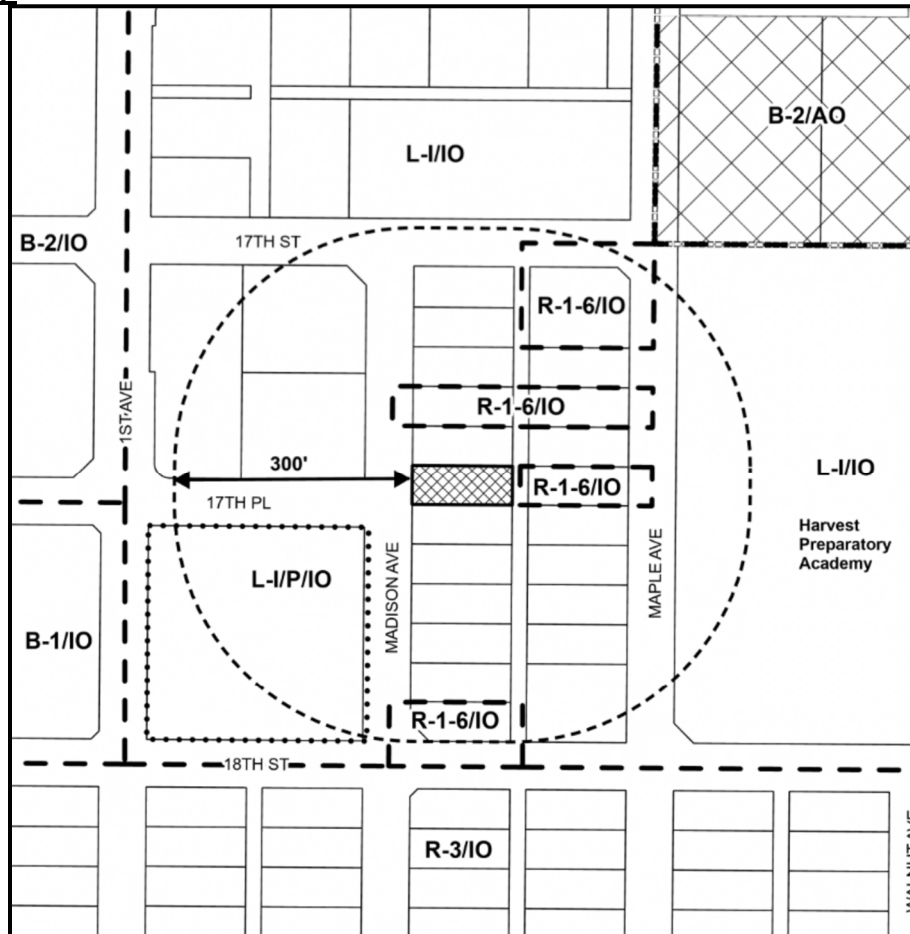
Hearing Date: October 13, 2025

Case Number: ZONE-44389-2025

Project Description/Location: This is a request by Bailey Arvizo on behalf of Next Level Home Buyers, LLC, to rezone approximately .15 acres from the Light Industrial/Infill Overlay (L-I/IO) District to the Low Density Residential/Infill Overlay (R-1-6/IO) District for property located at 1731 S. Madison Avenue, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Light Industrial/Infill Overlay (L-I/IO)	Single Family Home	Low Density Residential
North	Light Industrial/Infill Overlay (L-I/IO)	Single Family Home	Low Density Residential
South	Light Industrial/Infill Overlay (L-I/IO)	Single Family Home	Low Density Residential
East	Low Density Residential/ Infill Overlay (R-1-6/IO)	Single Family Home	Low Density Residential
West	Light Industrial/Infill Overlay (L-I/IO)	Crematory & Memorial Chapel	Mixed Use

Location Map



Prior site actions: Annexation: Ord. 672 (July 21, 1956), Subdivision: Clarence Trigg Subdivision Unit No. 2 (May 18, 1951), Rezone: C-14-60-8(d) Initial zoning to Industrial “A” Ord. 840 (January 2, 1962), Rezone: Z80-23 rezone from Industrial “A” to Light Industrial (L-I) District Ord. 1979 (February 7, 1981).

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Light Industrial/Infill Overlay (L-I/IO) District to the Low Density Residential/Infill Overlay (R-1-6/IO) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-44389-2025 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is recommending approval to City Council for the request to rezone to the Low Density Residential/Infill Overlay (R-1-6/IO) District for the property located at 1731 S. Madison Avenue, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Staff Analysis: The subject property is located at 1731 S. Madison Avenue, in the Clarence Trigg Subdivision Unit 2 which was recorded on May 15, 1951. The property is approximately 6,341 square feet in size and is currently developed with a 1,191 square foot single family home built in 1942.

The area was annexed to the City in 1956 and following annexation, the area was zoned Industrial “A” with a subsequent rezoning in 1981 to the Light Industrial (L-I) District.

The applicant is requesting to rezone the property from Light Industrial/Infill Overlay (L-I/IO) to the Low Density Residential/Infill Overlay (R-1-6/IO) District to bring the zoning of the property into conformance with the actual use. The applicant is considering constructing an Accessory Dwelling Unit and a detached garage in the near future which would not be allowed in the current Light Industrial zoning district.

Several properties in the area are developed with residential homes and the rezone of this property would match the surrounding character and nature of the current uses. This request would also be in conformance with the Land Use Element of the General Plan.

1. Does the proposed zoning district conform to the Land Use Element? Yes

Land Use Element:									
Land Use Designation:				Low Density Residential					
Issues:				None					
Historic District:	Brinley Avenue		Century Heights		Main Street		None	X	
Historic Buildings on Site:		Yes	No	X					

2. Are there any dedications or property easements identified by the Transportation Element?
No

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
Madison Avenue- Local	29 FT H/W ROW	30 FT H/W ROW				
Bicycle Facilities Master Plan	17 TH Street – proposed bike route					
YCAT Transit System	Green route 4A – Arizona Avenue @ 18 th Street					
Issues:	None					

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan? Yes

Parks, Recreation and Open Space Element:										
Parks and Recreation Facility Plan										
Neighborhood Park:	Existing: Joe Henry Optimistic Park				Future: Joe Henry Optimistic Park					
Community Park:	Existing: Kennedy Memorial Complex				Future: Kennedy Memorial Complex					
Linear Park:	Existing: East Main Canal				Future: East Main Canal					
Issues:	None									
Housing Element:										
Special Need Household:	N/A									
Issues:	None									
Redevelopment Element:										
Planned Redevelopment Area:	Mesa Heights Development									
Adopted Redevelopment Plan:	North End:		Carver Park:		None:	X				
Conforms:	Yes	X	No							
Conservation, Energy & Environmental Element:										
Impact on Air or Water Resources	Yes		No	X						
Renewable Energy Source	Yes		No	X						
Issues:	None									
Public Services Element:										
<u>Population Impacts</u> Population projection per 2023 5-year American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person			Dwellings & Type		Projected Population	Police Impact	Water Consumption		Wastewater Generation	
			<i>Single Family</i>							
			Maximum	Per Unit		Officers	GPD	AF	GPD	
			1	2.8	3	0.01	580	0.6	196	
			Minimum							
			1	2.8	3	0.01	580	0.6	196	
Fire Facilities Plan:	Existing: Fire Station No. 3				Future: Fire Station No. 3					
Water Facility Plan:	Source:	City	X	Private		Connection:	4" line on Madison Avenue			
Sewer Facility Plan:	Treatment:	City	X	Septic		Private	Connection: 8" line on alley			
Issues:	None									
Safety Element:										
Flood Plain Designation:	X				Liquefaction Hazard Area:		Yes		No	X
Issues:	None									
Growth Area Element:										
Growth Area:	Araby Rd & Interstate 8			Arizona Ave & 16 th St		X	Avenue B & 32 nd St.			
	North End		Pacific Ave & 8 th St			Estancia		None		
Issues:	None									

4. Does the proposed rezoning conform to the adopted facilities plan?

Yes

5. Does the proposed rezoning conform to Council's prior approval of rezonings, development agreements or subdivisions for this site?

Yes

Public Comments Received: None Received

External Agency Comments: See Attachment C.

Neighborhood Meeting Comments: See Attachment D.

Proposed conditions delivered to applicant on: September 11, 2025

Final staff report delivered to applicant on: September 29, 2025

☒ Applicant agreed with all of the conditions of approval on: September 26, 2025

Attachments

A	B	C	D	E	F	G
Conditions of Approval	Agency Notifications	Agency Comments	Neighborhood Meeting Comments	Neighbor Notification List	Neighbor Mailing	Aerial Map

Prepared By: *Guillermo Moreno-nunez*
Guillermo Moreno-nunez
Associate Planner
Guillermo.moreno-nunez@yumaaz.gov

Date: September 16, 2025

(928) 373-5000, x3038

Reviewed By: *Jennifer L. Albers*
Jennifer L. Albers
Assistant Director of Planning

Date: 9/16/25

Approved By: *Alyssa Linville*
Alyssa Linville
Director, Community Development

Date: 09/25/25

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Department of Planning and Neighborhood Services Comments: Alyssa Linville, Director (928) 373-5000, x 3037:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

Community Planning, Guillermo Moreno-nunez, Associate Planner, (928) 373-5000 x3038

4. 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, Certificate of Occupancy or City of Yuma 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 ARS § 9-462.01.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B AGENCY NOTIFICATIONS

- **Legal Ad Published: The Sun** 09/19/25
- **300' Vicinity Mailing:** 08/25/25
- **34 Commenting/Reviewing Agencies noticed:** 08/28/25
- **Site Posted on:** 08/26/25
- **Neighborhood Meeting:** 09/03/25
- **Hearing Date:** 10/13/25
- **Comments due:** 09/08/25

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	9/8/2025	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	9/1/2025	X		
Yuma County Planning & Zoning	YES	9/2/2025			X
Yuma County Assessor	NR				
Arizona Public Service	NR				
Charter Cable	NR				
Southwest Gas	NR				
CenturyLink Communications	NR				
Quechan Tribe	NR				
Bureau of Reclamation (USBR)	NR				
Bureau Land Management (BLM)	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Yuma Mesa Irrigation (YMIDD)	NR				
Unit B Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
Yuma Proving Ground	NR				
El Paso Natural Gas Co.	NR				
Western Area Power (WAPA)	YES	9/2/2025	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	8/28/2025	X		
Building Safety	NR				
City Engineer	YES	8/28/2025	X		
Traffic Engineer	NR				
MCAS / C P & L Office	YES	8/28/2025	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT C
AGENCY COMMENTS



COMMENT



NO COMMENT

Enter comments below:

The request appears that will be within the residential character of the area; additionally, it will bring the property into compliance with the R-1-6/IO zoning district.

DATE: 8/2/25 NAME: Javier Barraza TITLE: Senior Planner

AGENCY: Yuma County DDS

PHONE: (928) 817-5000

RETURN TO: Guillermo Moreno-nunez
Guillermo.Moreno-nunez@YumaAZ.gov

ATTACHMENT D
NEIGHBORHOOD MEETING COMMENTS

Date Held: 09/03/2025

Location: City Hall Room #190

Attendees:

Jose Salazar, Neighbor

Amelia Domby, Staff

SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- **Jose:** Expressed his support of the request.

ATTACHMENT E
NEIGHBOR NOTIFICATION LIST

Property Owner	Mailing Address	City/State/Zip Code		
BEJARANO JUAN ANTONIO JR	1719 S MADISON AVE	YUMA	AZ	85364
BONILLA PABLO	1743 S MADISON AVE	YUMA	AZ	85364
CONTRERAS RICARDO	1725 S MADISON AVE	YUMA	AZ	85364
DOBOSZ DANIEL P & TARA M	3049 W 12TH LN	YUMA	AZ	85364
FUENTES VERONICA & CARLOS JR	2953 S ROYAL ABERDEEN LOOP	GREEN VALLEY	AZ	85614
GAMBOA DAVID JR	1821 S 3RD AVE	YUMA	AZ	85364
GARCIA MIKE	4016 KALAMATA WAY	RANCHO CORDOVA	CA	95742
HARVEST POWER COMMUNITY DEVELOPMENT	350 E 18TH ST	YUMA	AZ	85364
HAYNES PROPERTIES AZ LLC	11483 E VIA SALIDA	YUMA	AZ	85367
HERRERA EDUARDO & GONZALEZ MAYRA LIZETH MEDRANO CPWROS	1749 S MADISON AVE	YUMA	AZ	85364
KING GERALD JR & CATHY JT	1712 S MAPLE AVE	YUMA	AZ	85364
MARTINEZ ORALIA	1761 S MADISON AVE	YUMA	AZ	85364
MAY VIOLA	5435 E 38TH PLACE	YUMA	AZ	85365
NEXT LEVEL HOME BUYERS LLC	2903 W 12TH PL	YUMA	AZ	85364
NEXTGEN PROPERTIES LLC	3378 W 17TH PL	YUMA	AZ	85364
PANHO LLC	350 W 16TH ST STE 332	YUMA	AZ	85364
QUINTERO MARIA TRUST 4-10-2024	PO BOX 1903	WINTERHAVEN	CA	92283
QUINTERO VALERIE JEAN	2160 S DEL VALLE WAY	YUMA	AZ	85364
QUINTERO VALERIE JEAN	2160 S DEL VALLE WAY	YUMA	AZ	85364
RAMIREZ TERESA	1789 S MADISON AVE	YUMA	AZ	85364
RANGEL SERGIO R &	1737 S MADISON AVE	YUMA	AZ	85364
SANCHEZ NOHEMI	1704 S MAPLE AVE	YUMA	AZ	85364
SMITH WM MICHAEL & DELLA E	1321 W 19TH ST	YUMA	AZ	85364
SPONGROSS KATHY M	1715 S MADISON AVE LOT A	YUMA	AZ	85364
STUHR ROSARIO RAMOS	15385 S AVENUE 4E	YUMA	AZ	85365
TRES ESTRELLAS HOLDINGS LLC	13484 S AVENUE 5 E	YUMA	AZ	85365
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ	85364

**ATTACHMENT F
NEIGHBOR MAILING**

This is a request by Bailey Arvizo on behalf of Next Level Home Buyers, LLC, to rezone approximately .15 acres from the Light Industrial/Infill Overlay (L-I/IO) District to the Low Density Residential/Infill Overlay (R-1-6/IO) District for property located at 1731 S. Madison Avenue, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-44389-2025**

NEIGHBORHOOD MEETING
09/03/2025 @ 5PM
Yuma City Hall, One City Plaza,
Yuma, AZ, Room #190

PUBLIC HEARING
10/13/2025 @ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ.



Because you are a neighbor within 300' of 1731 S. Madison Avenue, Yuma, AZ, you are invited to attend these public meetings to voice your comments. If you have questions or wish to submit written comments, please contact Guillermo Moreno-nunez by phone at (928) 373-5000 ext. 3038 or by email at Guillermo.Moremo-nunez@YumaAz.gov. All written comments must be submitted by 12:00 pm **(the day of the hearing)** to be included in the public record for consideration during the hearing.

ATTACHMENT G
AERIAL PHOTO



ORDINANCE NO. O2025-047

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 154 OF THE YUMA CITY CODE, REZONING CERTAIN PROPERTY LOCATED IN THE LIGHT INDUSTRIAL/INFILL OVERLAY (L-I/IO) DISTRICT TO THE LOW DENSITY RESIDENTIAL/INFILL OVERLAY (R-1-6/IO) 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 October 13, 2025 in Zoning Case No: ZONE-44389-2025 in the manner prescribed by law for the purpose of rezoning a single parcel of real property hereafter described to the Low Density Residential/Infill Overlay (R-1-6/IO) 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 September 19, 2025; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE-44389-2025 and the probable impact on the cost to construct housing for sale or rent that may occur as a result of this rezoning, 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: The following described real property, depicted in Exhibit A, attached:

A portion of the Southwest quarter of the Northeast quarter of the Northeast quarter (SW¹/₄NE¹/₄NE¹/₄) of Section 33, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, City of Yuma, Yuma County, State of Arizona and more particularly described as follows:

Lot 18, Block 6, of CLARENCE TRIGG SUBDIVISION UNIT NO. 2, according to the plat of record in the office of the County Recorder of Yuma County, Arizona, recorded in Book 3 of Plats, page 67.

Containing 6,314 square feet, more or less.

shall be placed in the Low Density Residential/Infill Overlay (R-1-6/IO) 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 Low

Density Residential/Infill Overlay (R-1-6/IO) 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 Low Density Residential/Infill Overlay (R-1-6/IO) District.

SECTION 2: The following conditions (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's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

SECTION 3: 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 time frame then the rezone shall be subject to A.R.S. § 9-462.01.

Adopted this _____ day of _____, 2025.

APPROVED:

Douglas J. Nicholls
Mayor

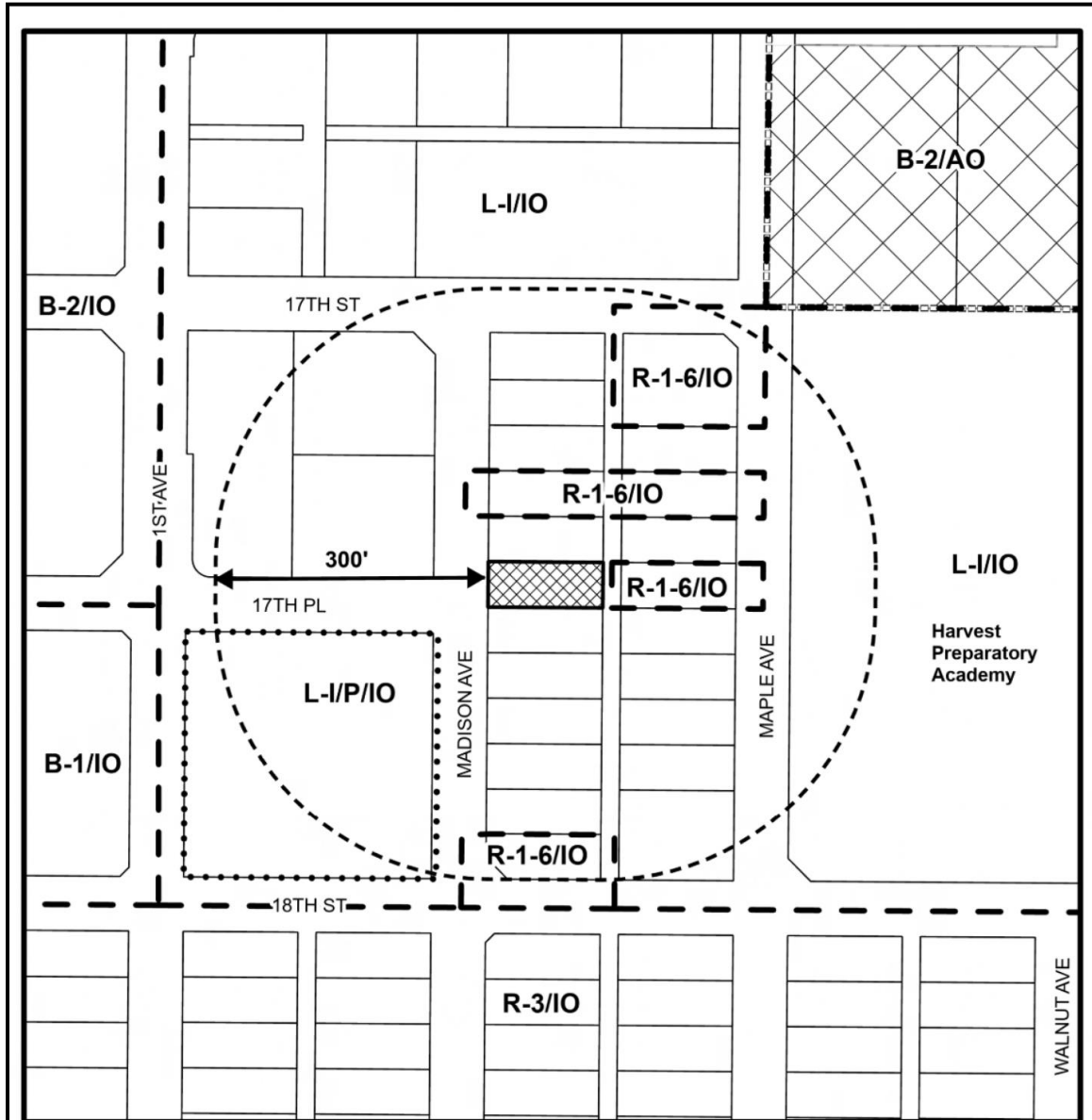
ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

Exhibit A



LOCATION MAP



LOCATION OF SUBJECT PROPERTY



Prepared by: DG

Checked by: GMN



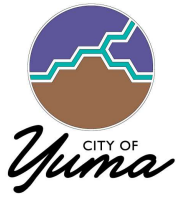
Date: 7/31/2025

Revised: 9/16/2025

Revised:

Case #:

ZONE-44389-2025



City of Yuma

City Council Report

File #: O2025-048

Agenda Date: 11/19/2025

Agenda #: 2.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Community Development	☒ Safe & Prosperous	☐ Motion
	☐ Active & Appealing	☐ Resolution
DIVISION:	☒ Respected & Responsible	☐ Ordinance - Introduction
Community Planning	☐ Connected & Engaged	☒ Ordinance - Adoption
	☐ Unique & Creative	☐ Public Hearing

TITLE:

Rezoning of Property: 3064 and 3116 S. Avenue B

SUMMARY RECOMMENDATION:

Rezone approximately 6.65 acres located at 3064 and 3116 S. Avenue B, Yuma, AZ, from the General Commercial (B-2) District to the High Density Residential/Aesthetic Overlay (R-3/AO) District (Community Development/Community Planning) (Alyssa Linville)

STRATEGIC OUTCOME:

Approval of this rezone will support residential development in the City that will be responsibly constructed, meeting all codes and requirements. This rezone furthers the City Council's strategic outcomes of Safe and Prosperous and Respected and Responsible.

REPORT:

The subject properties are located at 3064 and 3116 S. Avenue B and are currently the site of an office building and the Yuma Lumber Company. In 2025, the properties were the subject of a General Plan Amendment that changed the land use designation from Commercial to High Density Residential.

With this request, the applicant is seeking to rezone the property from the General Commercial (B-2) District to the High Density Residential (R-3) District for multi-family development. The applicant has not provided a conceptual site plan at the time of this rezone request. All new development will be required to meet City of Yuma development standards. Rezoning the property from the General Commercial (B-2) District to the High Density Residential/Aesthetic Overlay (R-3/AO) District conforms with the General Plan.

On October 13, 2025, the Planning and Zoning Commission voted to recommend APPROVAL (5-0) of the request to rezone approximately 6.65 acres from the General Commercial (B-2) District to the High Density Residential/Aesthetic Overlay (R-3/AO) District for the properties located at 3064 and 3116 S. Avenue B, subject to the following conditions:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

3. The Owner/Developer shall dedicate to City of Yuma by warranty deed, the right-of-way shown along the Avenue B frontage in the Yuma Lumber Lot Split, Fee # 1998-13533, and the Yuma Lumber Lot Split No. 2, Fee # 1999-02715. The County of Yuma Assessors Map, and County of Yuma's GIS system does not appear to show the true half width of the listed dedications.
4. The Owner/Developer shall dedicate a 1' foot non access easement along the west edge of the Avenue B right-of-way, except for approved driveway locations.
5. 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, Certificate of Occupancy or City of Yuma 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 ARS § 9-462.01.

EXCERPT FROM PLANNING AND ZONING COMISSION MEETING MINUTES:

Meredith Rojas, Associate Planner summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

"Chelsea Mallouff-Craig, Planning and Zoning Commissioner asked would this development require any additional turning lanes on Avenue B.

"Andrew McGarvie, Engineering Manager replied a deceleration or turning lane is a requirement for the proposed project.

"Mallouff-Craig asked whether the required lanes would apply to both entering and exiting the proposed project.

"McGarvie answered just entering.

"Chris Hamel, Planning and Zoning Commissioner asked would the lane run north to south.

"McGarvie replied the lane would be southbound.

"John Mahon, Planning and Zoning Commissioner asked if the northeast corner of 32nd Street and Avenue B would need a rezone request.

"Rojas replied that the area in question is under Yuma County jurisdiction.

"Mahon then asked if the letters in the staff report were from the neighboring homes.

"Rojas replied yes that the letters are from the neighborhood behind the subject property.

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

"Motion by Commissioner Lorraine Arney, second by Commissioner Chelsea Malouff-Craig to APPROVE ZONE-44333-2025 as presented.

"Motion carried unanimously, (5-0) with one absent and one vacancy.'

Planning and Zoning Staff Report - Attached

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$ 0.00	-	

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

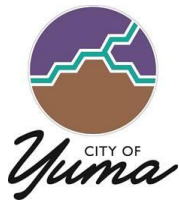
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- ☐ Department
- ☒ City Clerk's Office
- ☐ Document to be recorded
- ☐ Document to be codified

Acting City Administrator: John D. Simonton	Date: 11/10/2025
Reviewed by City Attorney: Richard W. Files	Date: 11/06/2025



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: MEREDITH ROJAS

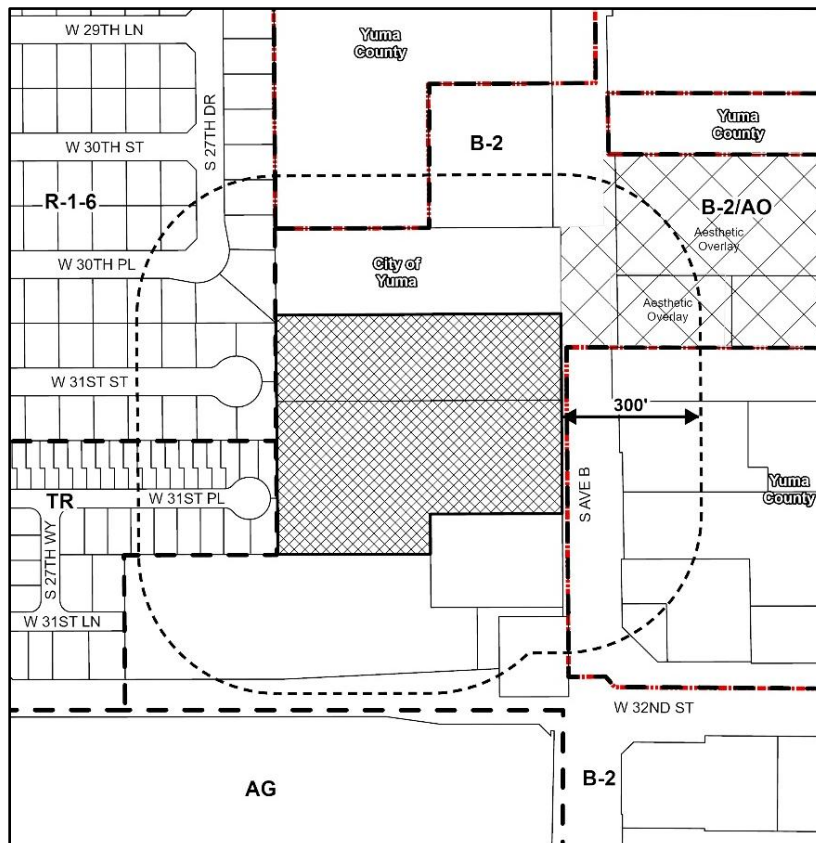
Hearing Date: October 13, 2025

Case Number: ZONE-44333-2025

Project Description/ Location: This is a request by Dahl, Robins & Associates, on behalf of Territorial Real Estate AZ LLC, to rezone approximately 6.65 acres from the General Commercial (B-2) District to the High Density Residential (R-3) District for the property located at 3064 and 3116 S. Avenue B, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	General Commercial (B-2)	Office and Yuma Lumber Company	High Density Residential
North	General Commercial (B-2)	Houston's Yuma Furniture	Commercial
South	General Commercial (B-2)	Frank's Tire Shop, Vacant	Commercial
East	General Commercial/Aesthetic Overlay (B-2/AO), County Rural Acre-40 acre minimum (RA-40), County Light Industrial (LI)	Sonic, Gym, Office, Tire Shop	Commercial
West	Low Density Residential (R-1-6), Transitional (TR)	Single-family homes, Town homes	Mixed Use

Location Map



Prior site actions: Annexation, Ordinance O95-070, effective November 18, 1995; Rezoning (AG to B-2), Ordinance O96-47, adopted May 1, 1996; Variance, BA96-025, approved October 17, 1996; Yuma Lumber Lot Split (Fee # 1998-13533), recorded May 21, 1998; Yuma Lumber Lot Split No. 2 (Fee # 1999-02715), recorded January 29, 1999

Staff Recommendation: Staff recommends APPROVAL of the rezoning from the General Commercial (B-2) District to the High Density Residential/Aesthetic Overlay (R-3/AO) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** rezone ZONE-44333-2025 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is recommending approval to City Council to rezone approximately 6.65 acres from the General Commercial (B-2) District to the High Density Residential/Aesthetic Overlay (R-3/AO) District for the property located at 3064 and 3116 S. Avenue B, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Staff Analysis: The subject properties are located at 3064 and 3116 S. Avenue B and are currently the site of an office building and the Yuma Lumber Company. The properties were annexed into the City in 1995, and the following year were rezoned from the Agriculture (AG) District to the General Commercial (B-2) District. In 2025, the properties were the subject of a General Plan Amendment that changed the land use designation from Commercial to High Density Residential.

With this request, the applicant is seeking to rezone the property from the General Commercial (B-2) District to the High Density Residential (R-3) District for multi-family development. The applicant has not provided a conceptual site plan or an estimated number of units at the time of this rezone request. The R-3 District permits single-family, two-family, and multi-family dwellings. All new development will be required to meet City of Yuma development standards.

Staff supports the applicant's request to rezone the properties to the R-3 District. Additionally, staff recommends including the properties within the Aesthetic Overlay (AO) District because they are located on a Gateway Route identified in the City of Yuma 2022 General Plan (Map 3-6). The purpose of the AO District is to enhance the community's image and attractiveness by creating inviting entryways to the city and providing community focal points that enhance the community's appearance. Proposed developments within the AO District are reviewed using the City's Aesthetic Overlay District Design Guidelines, which provide guidance on site layout, building materials, signage, utility screening, exterior lighting, landscaping, and other elements of high-quality design. The AO District is an overlay district that does not modify permitted uses or remove the minimum development standards of the underlying zoning district.

Rezoning the property from the General Commercial (B-2) District to the High Density Residential/Aesthetic Overlay (R-3/AO) District conforms with the General Plan.

This case was continued from the Planning and Zoning Commission meeting of September 8, 2025. City staff met with the applicant on September 18, 2025, and the applicant is in agreement with the revised conditions listed in Attachment A.

1. Does the proposed zoning district conform to the Land Use Element? Yes.

Land Use Element:																	
Land Use Designation:				High Density Residential													
Issues:				None													
Historic District:		Brinley Avenue				Century Heights				Main Street				None		X	
Historic Buildings on Site:				Yes				No		X							

2. Are there any dedications or property easements identified by the Transportation Element?

No.

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
Ave B – Minor Arterial 4 Lanes	50 FT HW	45 FT HW	X			X
32 nd St – Principal Arterial 6 Lanes	62 FT HW	Varies	X			X
28 th St – Collector 2 lanes	40 FT HW	Varies				
Bicycle Facilities Master Plan	Avenue B – Proposed bike lane, 32 nd Street – Proposed bike path					
YCAT Transit System	32 nd Street at Avenue B – Yellow Route 95 and Purple Route 6A					
Issues:	See Attachment A, Condition 3 for right-of-way request					

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan? Yes.

Parks, Recreation and Open Space Element:															
Parks and Recreation Facility Plan															
Neighborhood Park:		Existing: Las Casitas Park				Future: Las Casitas Park									
Community Park:		Existing: Smucker Memorial Park				Future: Smucker Memorial Park									
Linear Park:		Existing: East Main Canal Linear Park				Future: East Main Canal Linear Park									
Issues:		None													
Housing Element:															
Special Need Household:		N/A													
Issues:		None													
Redevelopment Element:															
Planned Redevelopment Area:		N/A													
Adopted Redevelopment Plan:		North End:				Carver Park:				None:		X			
Conforms:		Yes				No				N/A					
Conservation, Energy & Environmental Element:															
Impact on Air or Water Resources		Yes				No		X							
Renewable Energy Source		Yes				No		X							
Issues:		None													
Public Services Element:															

Population Impacts Population projection per 2023 5-year American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person		Dwellings & Type		Projected Population	Police Impact	Water Consumption		Wastewater Generation
		<i>Multi-Family</i>						
		Maximum	Per Unit		Officers	GPD	AF	GPD
		200	1.8	360	0.68	74,520	83.5	25,200
		Minimum						
		86	1.8	155	0.29	32,044	35.9	10,836

Fire Facilities Plan:	Existing: Fire Station No. 6		Future: Fire Station No. 6				
Water Facility Plan:	Source:	City	X	Private	Connection:	8" PVC line on Avenue B	
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: Gravity line in Las Casitas subdivision	
Issues:	No sewer line on Avenue B						

Safety Element:							
Flood Plain Designation:	500 Year Flood		Liquefaction Hazard Area:		Yes	X	No
Issues:	None						

Growth Area Element:							
Growth Area:	Araby Rd & Interstate 8		Arizona Ave & 16 th St		Avenue B & 32 nd St.		X
	North End	Pacific Ave & 8 th St	Estancia	None			
Issues:	None						

4. Does the proposed rezoning conform to the adopted facilities plan?

Yes.

5. Does the proposed rezoning conform to Council's prior approval of rezonings, development agreements or subdivisions for this site?

Yes. A General Plan Amendment was approved on June 4, 2025, changing the land use designation from Commercial to High Density Residential.

Public Comments Received: See Attachment E

External Agency Comments: See Attachment C

Neighborhood Meeting Comments: See Attachment D

Proposed conditions delivered to applicant on: 09/18/25

Final staff report delivered to applicant on: 09/25/25

- ☒ Applicant agreed with all of the conditions of approval on: 9/18/25
- ☐ Applicant did not agree with the following conditions of approval:
- ☐ Planner emailed applicant conditions and is awaiting response.

Attachments

A	B	C	D	E	F	G	H
Conditions of Approval	Agency Notifications	Agency Comments	Neighborhood Meeting Comments	Public Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

Prepared By: *Meredith Rojas*

Date: 09/22/2025

Meredith Rojas
Associate Planner

(928) 373-5000 x 3047

Meredith.Rojas@YumaAZ.gov

Reviewed By: *Jennifer L. Albers*

Date: 9/22/25

Jennifer L. Albers
Assistant Director of Planning

Approved By: *Alyssa Linville*

Date: 09/25/25

Alyssa Linville
Director, Community Development

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Department of Community Development Comments: Alyssa Linville, Director (928) 373-5000 x 3037

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

Department of Engineering, Andrew McGarvie, Engineering Manager, (928) 373-5000 x 3044

3. The Owner/Developer shall dedicate to City of Yuma by warranty deed, the right-of-way shown along the Avenue B frontage in the Yuma Lumber Lot Split, Fee # 1998-13533, and the Yuma Lumber Lot Split No. 2, Fee # 1999-02715. The County of Yuma Assessors Map, and County of Yuma's GIS system does not appear to show the true half width of the listed dedications.
4. The Owner/Developer shall dedicate a 1' foot non access easement along the west edge of the Avenue B right-of-way, except for approved driveway locations.

Community Planning, Meredith Rojas, Associate Planner, (928) 373-5000 x 3047

5. 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, Certificate of Occupancy or City of Yuma 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 ARS § 9-462.01.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B AGENCY NOTIFICATIONS

- **Legal Ad Published: The Sun** 08/15/25
- **300' Vicinity Mailing:** 07/21/25
- **34 Commenting/Reviewing Agencies noticed:** 07/23/25
- **Site Posted on:** 07/24/25
- **Neighborhood Meeting:** 07/30/25
- **Hearing Date:** 09/08/25
- **Comments due:** 08/04/25

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	07/23/25	X		
Yuma County Engineering	YES	07/28/25		X	X
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	07/23/25	X		
Yuma County Planning & Zoning	YES	07/29/25	X		
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Arizona Fish and Game	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	07/28/25	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	07/23/25	X		
Building Safety	NR				
City Engineer	YES	08/06/25		X	
Traffic Engineer	NR				
MCAS / C P & L Office	YES	07/28/25		X	X
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT C
AGENCY COMMENTS

DATE:	07/23/2025	NAME:	Frank Sanchez	TITLE:	County Engineer
AGENCY:	Yuma County Department of Engineering			PHONE:	928-817-5120
Enter comments below:					
We request that the City of Yuma annex the roadway in front of this development. The properties surrounding Avenue B between 24th Street and 32nd Street have pretty much been annexed by the City while leaving the roadway within County jurisdiction. This piecemealing of the roadway makes is difficult for the county to maintain its portions of the roadway. Also, the owner will have to submit plans for review and apply for an encroachment permit from Yuma County.					

DATE:	07/28/2025	NAME:	Antonio Martinez	TITLE:	Community Liaison Specialist
AGENCY:	MCAS Yuma			PHONE:	928-269-2103
<i>Enter comments below:</i>					
Subject parcel is located adjacent (outside) to Runway 8 - Accident Potential Zone 2 (APZ-2), which is currently not recognized by the City of Yuma, but it is an active operational runway. It is requested an Avigation Disclosure statement be recorded to recognize the noise, interference, or vibrations due to aviation operations that may occur at the nearby Marine Corps Air Station Yuma, Yuma International Airport Aviation Complex, and its associated flight paths. Please send a copy of the recorded easement to MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to review and comment.					

ATTACHMENT D
NEIGHBORHOOD MEETING COMMENTS

Date Held: 07/30/2025

Location: Room 190, One City Plaza, Yuma

Attendees: Staff: Meredith Rojas, Jennifer Albers; Applicant: Brett Hall

One (1) neighbor in attendance: Teresa Sanchez

SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- Staff explained the applicant's request to rezone the property from Commercial (B-2) to High Density Residential (R-3) to develop apartments.
- The neighbor said she would like the wall between her property and the subject property repaired. She said the wall provides security, which will become more important once apartments are built. The applicant said the wall will be repaired.
- The neighbor asked what the apartments will look like and when they are planning to build. The applicant said they are planning to build market-rate apartments, but they haven't started specific plans for the site. Staff said future building plans will need to comply with the City's development standards for setbacks, parking, and landscaping. The R-3 zoning district limits the height of apartments to one-story within 40 feet of residential properties.

**ATTACHMENT E
PUBLIC COMMENTS**

Name:	Francisco Navarro				Contact Information: 928-336-0550					
Method of Contact:	Phone	X	FAX		Email		Letter		Other	
Staff spoke with Mr. Navarro by phone on 7/28/2025. Mr. Navarro asked how his property's zoning would be affected. Staff explained the request and confirmed his property at 3174 S. Avenue B was not included in the rezone request or the recent General Plan amendment. His property will remain in the General Commercial (B-2) District with a Commercial land use designation.										

Name:	Teresa Sanchez				Contact Information: tere0908@yahoo.com					
Method of Contact:	Phone		FAX		Email	X	Letter		Other	
<i>Received 8/12/2025</i> Dear Community Development Director and City Officials, I am writing to formally express my objection to the proposed new residential development project currently under consideration within the City of Yuma. This is the project by Dahl, Robins, and Associates, from behalf of Territorial Real Estate AZ LLC, to rezone the General Commercial (B-2) District to the High Density Residential (R-3) District for the property located at 3064 and 3116 S. Avenue B, Yuma, AZ. While I understand the need for responsible growth and housing expansion, I have serious concerns regarding the potential impacts this development may have on our community. These concerns include. • Infrastructure Strain: The proposed development may place undue stress on existing infrastructure, including roads, water supply, sewage systems, and public services such as police, fire, and emergency response. • Traffic and Safety: Increased residential density will likely result in higher traffic volumes, leading to congestion and potential safety hazards in nearby neighborhoods, school zones, and an already busy Avenue B. • Community Character: The scale and design of the proposed development does not align with the existing character of the surrounding community and could alter the aesthetic and cultural identity of the area. It would look off putting to have a two-story apartment complex at the end of the road of a one-story cul-de-sac. I also have my personal reasons for not wanting this new residential development to happen. My neighborhood would be directly behind this new development. I am at the end of the cul-de-sac so my house would share the fence with this new development. I have a an issue with the current business in this lot for the past several years. In this email I have attached images of the wall the separates my house from where this new development would be. There is a hole in this wall that has been forming for years. Once I first noticed the wall caving in on my side, I alerted the owners of the lot, and they did nothing about it. I contacted the city, and they told me there was nothing they could do because it was private property. The wall only continued to cave in and instead of fixing the wall the owners of the lot got rid of the tree that seemed to be forcing the wall in the first place. It seems there is nothing more I could do for the wall, but my concern with this new development is that they won't fix the wall when building. It is a very large hole and there are already cats that I find coming in and out, there no doubt that a person could also use the hole. I have a family and young										

children who are here often and that hole has been a hazard. I don't want to imagine what could happen if someone from this new development were to come onto my property through that hole. I respectfully request that the City of Yuma conduct a thorough public review process, including additional opportunities for community input, environmental assessments, and a transparent analysis of long-term impacts. Growth must be managed responsibly, and with careful consideration of how it affects current residents and the sustainability of our city.

Thank you for your attention to this matter. I trust that you will take these concerns seriously and act in the best interest of the community.

Sincerely,
Teresa Sanchez RNC-OB, MSN
Email : tere0908@yahoo.com
Phone : 928-210-2583



Name:	Marco and Claudia Nieves			Contact Information: claudia7mendez@yahoo.com						
Method of Contact:	Phone		FAX		Email	X	Letter		Other	
<i>Received 9/3/2025</i> Dear Community Development and City of Yuma Representatives, Subject: Objection to Development Project with the City of Yuma. Project by Dahl, Robins, and Associates, from behalf of Territorial Real Estate AZ LLC, to rezone the General Commercial (B-2) District to the High Density Residential (R-3) District for the property located at 3064 and 3116 S. Avenue B, Yuma, AZ We are the Nieves Family, residing at 2717 W. 31st Street, Yuma, Arizona 85364. Our family has lived at this property since 2006. The main reason we bought this property was due to the peaceful area and to the privacy we would obtain by being at the end of a street on a cul-de-sac and away from many neighbors. Today I am writing to formally express my objection to the above-mentioned planning application. I have many concerns in regards to this project planning. While our family understands that Yuma is growing and many developments are taking place around town, and that more housing is needed I do have many concerns about this development.										

Our number one concern is losing our privacy and our peace. We would be sharing the brick wall with this new development. If the properties the company builds next door are two story building, not only our privacy will be compromised but our safety will also be a big concern. If the construction is for two story apartments, and the apartments will be for rent, there will always be new tenants coming and going and that brings an issue of safety to my family and our neighborhood. I want to feel safe at home, I want my children to feel safe at home. I do not want to be worried about having new neighbors all the time. This type of development will negatively impact property values in our neighborhood as well due to noise pollution and decreased privacy. Excessive noise can be a great concern, you are welcome to come and visit our neighborhood at different times of the day to see how quiet it is around the properties that are directly involved with this issue. The commercial buildings that are now in place are not a big concern with noise level and they are only open certain hours of the day. The concerns we have experienced with the commercial building right next to our house is the trees that are by our brick wall. They have caved in and our brick wall looks dented and the branches hang on our side. Even after we have spoken to the business we have had to pay someone to cut off the branches of the trees that hang to our side to avoid the wall from caving in even more.

We also think the visual amenity to the area will negatively impact the neighborhood's character and the aesthetic vision at the end of our street will not be the same, it will not match at all. Also a building's height and proximity to my house and neighborhood properties will significantly reduce the privacy and sunlight if it is a two story property. This will have a detrimental impact to our family and our neighbors. I feel that our property will feel like if it is boxed in.

We urge the planning authority to deny this application in its current form or to require significant modifications to mitigate the negative impacts outlined above. Hopefully a solution that is more compatible with our neighborhood is found. We hope your office finds the best alternative for our neighborhood.

Sincerely,
 Marco and Claudia Nieves
 2717 W. 31st Street
 Yuma, Arizona 85364
 928-246-8048
 claudia7mendez@yahoo.com

Name:		Teresa Sanchez			Contact Information: tere0908@yahoo.com						
Method of Contact:		Phone		FAX		Email	X	Letter		Other	
<i>Received 9/8/2025</i> Good afternoon Meredith I am sending you new pictures. I will be at the meeting this afternoon, as you can see, they have not fix the wall is getting worse. Thank you Teresa Sanchez											

Name:	Cynthia Renteria			Contact Information: cirenteria@onvidahealth.org				
Method of Contact:	Phone		FAX		Email	X	Letter	Other

Received 9/8/2025
Cynthia Renteria
 2747 W. 30th Place
 Yuma, AZ 85364
 CRenteria913@msn.com
 8/31/2025

Subject: Opposition to Proposed Rental Apartment Development
 Dear Community Development Director and City Officials,
 I am writing as a resident of Las Casitas neighborhood to respectfully express my opposition to the proposed construction of rental apartment units by Dahl, Robins, and Associates, from behalf of Territorial Real Estate AZ LLC, to rezone the General Commercial (B-2) District to the High Density Residential (R-3) District for the property located at 3064 and 3116 S. Avenue B, Yuma, AZ. While I understand the need for thoughtful development in our community, I believe this project raises significant concerns that would negatively impact both current residents and the long-term character of our neighborhood.

- 1. Increased Traffic and Safety Risks**
 The addition of apartment units will inevitably bring a substantial rise in traffic volume along Avenue B, which is already heavily congested. This could pose safety risks for pedestrians, cyclists, and schoolchildren who regularly use these routes.
- 2. Strain on Infrastructure and Services**
 Our existing infrastructure—including roads, water supply, and public services—was not designed to accommodate such an increase in density. Local schools and emergency services are already stretched thin, and this development would further burden them.
- 3. Impact on Community Character**
 Las Casitas neighborhood is primarily single-family residential/low-density, and the introduction of large rental complexes would alter its established character. Many residents chose to live here for its quiet, family-oriented environment, which this development could undermine.
- 4. Property Value Concerns**
 Studies have shown that large multi-unit rental developments may reduce surrounding property values. This is a serious concern for homeowners who have invested their savings into maintaining their homes and community.

I respectfully urge the board to consider these issues and deny approval for the proposed rental apartment project. While growth is important, it should be managed in a way that preserves the safety, infrastructure capacity, and unique character of our community.

Thank you for your time and consideration.

Sincerely,
 Cynthia Renteria

ATTACHMENT F
NEIGHBOR NOTIFICATION LIST

Property Owner	Mailing Address	City/State/Zip Code
ALANIS GLORIA E	603 9TH AVE	KIRKLAND, WA, 98033
AVENUE B BUILDING LLC	4573 W LA QUINTA LOOP	YUMA, AZ, 85364
AVENUE B LLC	1655 S COUNTRY CLUB DR	MESA, AZ, 85210
BARNETT BARBARA MARIE	2767 W 31ST PL	YUMA, AZ, 85364
BASERA HOLDINGS LLC	2591 S AVENUE 2 1/2E STE 1	YUMA, AZ, 85365
BES RENTALS LLC	2022 E MALIBU DR	TEMPE, AZ, 85282
BEST SOUTHWEST SVCS INC	2147 S COPPER VIEW WAY	YUMA, AZ, 85365
BINGHAM INVESTMENT COMPANY	1655 S COUNTRY CLUB DR	MESA, AZ, 85210
BRACK JASON A & JOANNA JT	2787 W 30TH PL	YUMA, AZ, 85364
CARRERAS MIGUEL	2482 S 34TH AVE	YUMA, AZ, 85364
CORRALES RAMON E & CINDY C JT	2764 W 31ST ST	YUMA, AZ, 85364
COVARRUBIAS MARTIN A	3746 W 18TH ST	YUMA, AZ, 85364
EHC INVESTMENTS LLC	3093 S AVENUE B	YUMA, AZ, 85364
FIRST ASSEMBLY OF GOD AN ARIZONA CORP	3000 S AVENUE B	YUMA, AZ, 85364
GARATE EDGAR E & LILIANA	3057 S 27TH DR	YUMA, AZ, 85364
JACKSON LAWRENCE P & ELIZABETH S JT	2715 W 31ST PL	YUMA, AZ, 85364
JASSO RICARDO PRIETO	2753 W 31ST PL	YUMA, AZ, 85364
KLEPPE STEPHEN D & SHIRLEY R TRUST 5-11-07 &	420 W ROOSEVELT ST	PHOENIX, AZ, 85003
LOPEZ DANIELA A & RICARDO ROCHIN JT	2749 W 31ST ST	YUMA, AZ, 85364
MARTINEZ SAMUEL	8364 S COCONINO LN	YUMA, AZ, 85364
MILLAN RAFAEL J	7036 BALCOM AVE	RESEDA, CA, 91335
NAVARRO FRANCISCO	3174 S AVENUE B	YUMA, AZ, 85364
NIEVES MARCO A & CLAUDIA A JT	2717 W 31ST ST	YUMA, AZ, 85364
OLAIZ ANTONIO M	3029 S 27TH DR	YUMA, AZ, 85364
RENTERIA CYNTHIA & MOISES C	2747 W 30TH PL	YUMA, AZ, 85364
ROBLES CONSUELO	2763 W 30TH PL	YUMA, AZ, 85364
RODRIGUEZ RODOLFO D	2788 W 31ST ST	YUMA, AZ, 85364
RUBIO PEDRO & YOLANDA JT	3071 S 27TH DR	YUMA, AZ, 85364
RUIZ VERONICA & MARIO A JR JT	2701 W 31ST PL	YUMA, AZ, 85364
SANCHEZ TERESA TRUST 11-29-12	2716 W 31ST ST	YUMA, AZ, 85364
SCHEFTIC MARTHA & WILLIAM D	2741 W 31ST PL	YUMA, AZ, 85364
SEIS PROPERTIES LLC	720 E 22ND ST STE A	YUMA, AZ, 85364
TERRITORIAL REAL ESTATE AZ LLC	3064 S AVENUE B	YUMA, AZ, 85364
THE VILLAGE ON 19TH LLC	3155 S AVE B	YUMA, AZ, 85364
TOMAS CORNELIO S JR & RAQUEL JOY V JT	2761 W 30TH ST	YUMA, AZ, 85364
TUTELL TRUST 7-29-2022	2211 W BROOK ST	YUMA, AZ, 85364
WARD MARIBEL	11768 SCRIPPS CAPE VISTA POINTE	SAN DIEGO, CA, 92131
YUMA CITY OF	ONE CITY PLAZA	YUMA, AZ, 85364

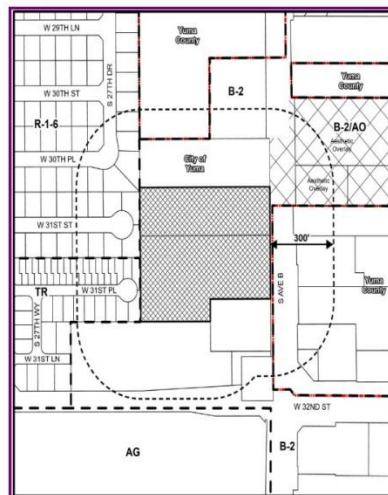
ATTACHMENT G NEIGHBOR MAILING

This is a request by Dahl, Robins & Associates, on behalf of Territorial Real Estate AZ LLC, to rezone approximately 6.65 acres from the General Commercial (B-2) District to the High Density Residential (R-3) District for the property located at 3064 and 3116 S. Avenue B, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-44333-2025**

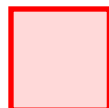
NEIGHBORHOOD MEETING
07/30/2025 @ 5PM
Yuma City Hall, One City Plaza,
Yuma, AZ, Room #190

PUBLIC HEARING
09/08/2025 @ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ.



Because you are a neighbor within 300' of northwest corner of 3064 and 3116 S. Avenue B, Yuma, AZ, you are invited to attend these public meetings to voice your comments. If you have questions or wish to submit written comments, please contact Meredith Rojas by phone at (928) 373-5000 ext. 3047 or by email at Meredith.Rojas@YumaAz.gov. All written comments must be submitted by 12:00 pm (**the day of the hearing**) to be included in the public record for consideration during the hearing.

ATTACHMENT H
AERIAL PHOTO



Subject Properties

ORDINANCE NO. O2025-048

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 154 OF THE YUMA CITY CODE, REZONING CERTAIN PROPERTY LOCATED IN THE GENERAL COMMERCIAL (B-2) DISTRICT TO THE HIGH DENSITY RESIDENTIAL/AESTHETIC OVERLAY (R-3/AO) 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 October 13, 2025 in Zoning Case No: ZONE-44333-2025 in the manner prescribed by law for the purpose of rezoning a parcel of real property hereafter described to the High Density Residential/Aesthetic Overlay (R-3/AO) 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 September 20, 2025; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE-44333-2025 and the probable impact on the cost to construct housing for sale or rent that may occur as a result of this rezoning, 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: The following described real property, depicted in Exhibit A, attached:

Parcel 3A, YUMA LUMBER LOT SPLIT NO. 2, according to Book 16 of Plats, Page 25 Records of Yuma County, Arizona.

Parcel 2, YUMA LUMBER LOT SPLIT, according to Book 15 of Plats, Pages 90 and 91 Records of Yuma County, Arizona.

Containing 6.65 acres, more or less.

shall be placed in the High Density Residential/Aesthetic Overlay (R-3/AO) 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 High Density Residential/Aesthetic Overlay (R-3/AO) District, and that the zoning map adopted under Chapter 154 of the Yuma City Code is ordered to be changed and amended so as to show that the real property described in this Ordinance will be located within the High Density Residential/Aesthetic Overlay (R-3/AO) District.

SECTION 2: The following conditions 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's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

3. The Owner/Developer shall dedicate to City of Yuma by warranty deed, the right-of-way shown along the Avenue B frontage in the Yuma Lumber Lot Split, Fee # 1998-13533, and the Yuma Lumber Lot Split No. 2, Fee # 1999-02715. The County of Yuma Assessors Map, and County of Yuma's GIS system does not appear to show the true half width of the listed dedications.
4. The Owner/Developer shall dedicate a 1' foot non access easement along the west edge of the Avenue B right-of-way, except for approved driveway locations.

SECTION 3: Each of the conditions listed above shall be completed within two (2) years of the effective date of this 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 _____, 2025.

APPROVED:

Douglas J. Nicholls
Mayor

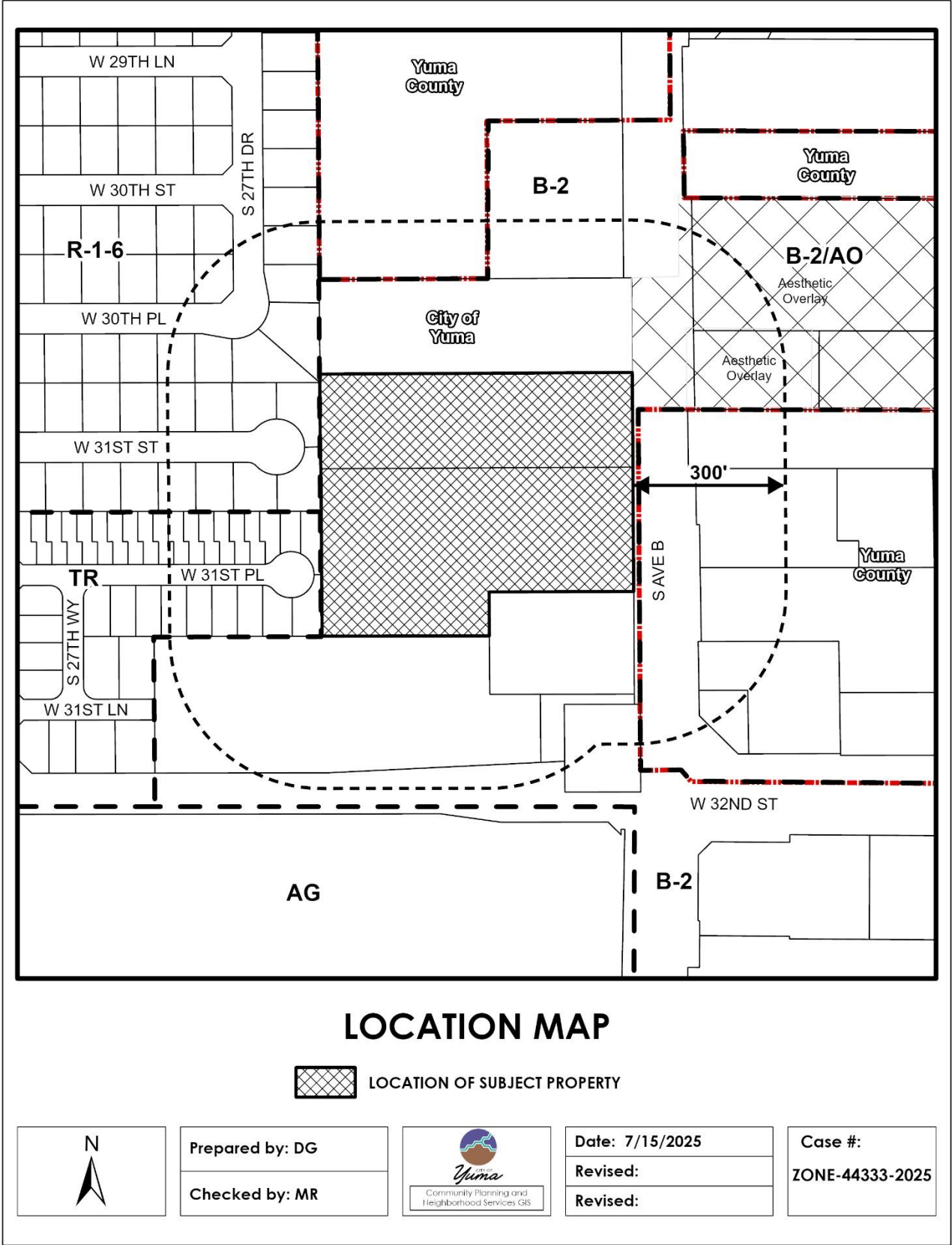
ATTESTED:

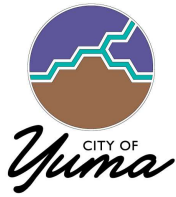
Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

Exhibit A





City of Yuma

City Council Report

File #: O2025-049

Agenda Date: 12/3/2025

Agenda #: 1.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Community Development	☐ Safe & Prosperous	☐ Motion
	☐ Active & Appealing	☐ Resolution
DIVISION:	☒ Respected & Responsible	☒ Ordinance - Introduction
Neighborhood & Economic Development	☐ Connected & Engaged	☐ Ordinance - Adoption
	☐ Unique & Creative	☐ Public Hearing

TITLE:

Real Property Sale: Lots 2, 5, 10, 11, 12 and 13 of the Pivot Point Yuma Subdivision

SUMMARY RECOMMENDATION:

Declare six parcels of real property located in the Pivot Point Yuma Subdivision surplus and authorize sale through a competitive process. (Community Development/ Neighborhood and Economic Development) (Cynthia Blot)

STRATEGIC OUTCOME:

This action supports City Council's strategic outcome of Respected and Responsible as the sale of certain City-owned real property creates opportunities for future development.

REPORT:

The City owns vacant parcels located in the Pivot Point subdivision: Lots 2, 5, 10, 11, 12 and 13. The parcels will be offered for sale to the public utilizing a project-based request for proposal (RFP) or other competitive process, each parcel or parcels subject to a real property sale and development agreement to be approved by City Council resolution. The agreement will include the terms relating to the timing of development and other development requirements, as well as the purchase price and closing instructions. The described parcels are shown on the attached location map.

General Plan Conformity Reports will be prepared for the parcel to confirm the proposed uses of the parcels are in conformance with the City's General Plan. The RFP or other competitive process will allow City Council to base its award decision on the project most suitable to the downtown development.

The attached proposed ordinance declares Lots 2, 5, 10, 11, 12 and 13 of the Pivot Point Yuma subdivision surplus and authorizes City staff to issue Request For Proposal(s) or other competitive process for the sale of the described properties.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$ 0.00		

FISCAL IMPACT STATEMENT:

The City would receive a one-time revenue of the purchase price of each parcel and revenue increase associated with property tax collections. The City will also realize cost savings by no longer maintaining or insuring the parcels.

ADDITIONAL INFORMATION:

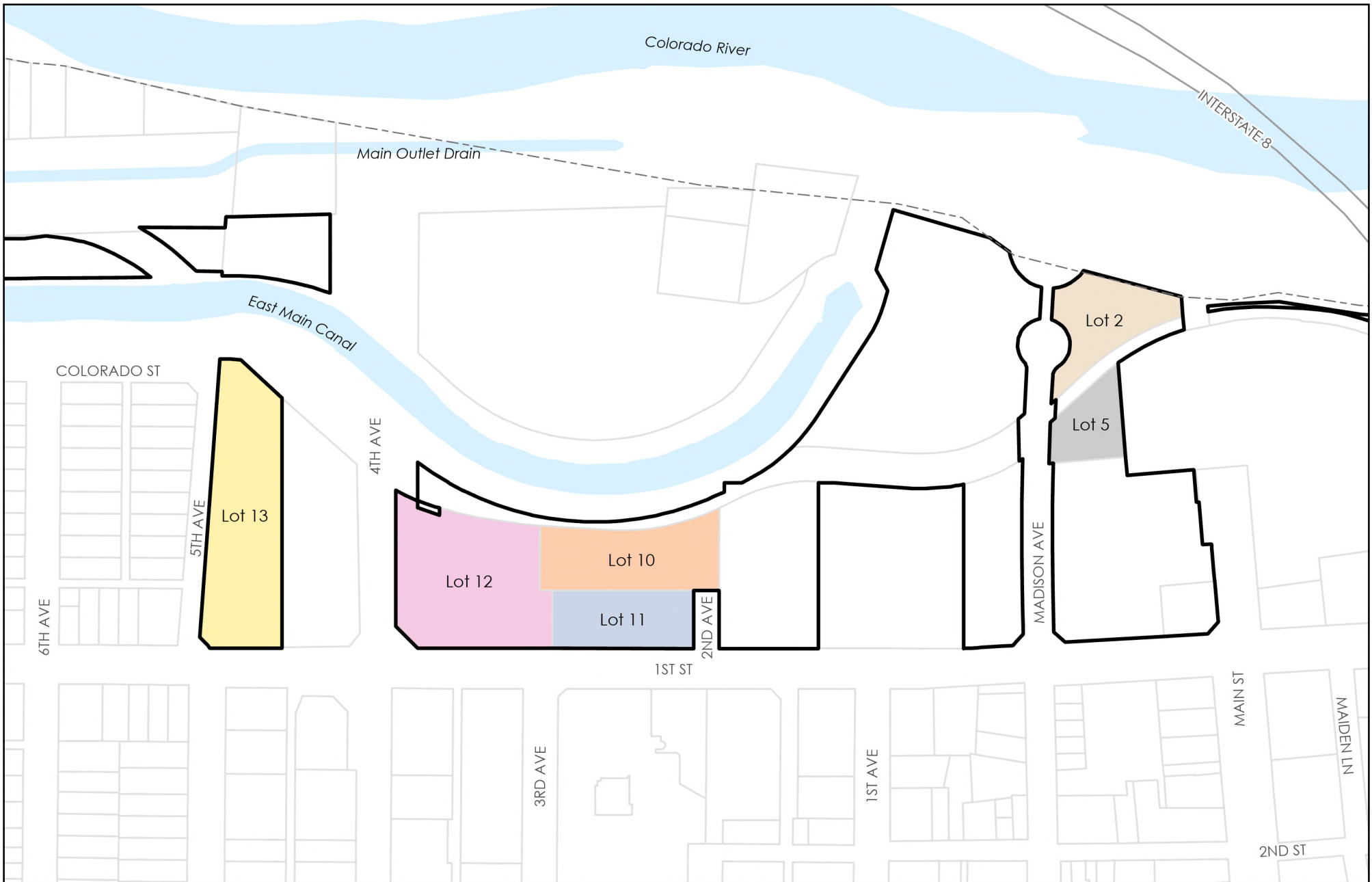
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- ☐ Department
- ☒ City Clerk's Office
- ☐ Document to be recorded
- ☐ Document to be codified

Acting City Administrator: John D. Simonton	Date: 11/25/2025
Reviewed by City Attorney: Richard W. Files	Date: 11/24/2025

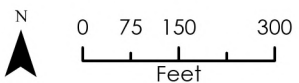


-  Pivot Point Yuma Subdivision
-  Parcel Boundary
-  City of Yuma

Subject Properties

- | | |
|--|--|
|  Lot 2 |  Lot 11 |
|  Lot 5 |  Lot 12 |
|  Lot 10 |  Lot 13 |

Pivot Point Yuma Subdivision Lots 2, 5, 10, 11, 12, and 13



ORDINANCE NO. O2025-049

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA,
ARIZONA, DECLARING CERTAIN CITY-OWNED REAL PROPERTY,
HEREAFTER DESCRIBED, SURPLUS FOR CITY USE, AND
AUTHORIZING THE SALE OF THE SURPLUS PROPERTY THROUGH
A COMPETITIVE PROCESS**

WHEREAS, the City of Yuma (City) is authorized, pursuant to the City Charter, Article III, Section 2, to acquire and dispose of real property; and,

WHEREAS, the City acquired certain real property for commercial development and other public purposes and has no further public use for the remainder of the property; and,

WHEREAS, the parcels of real property described in Exhibits A-F can be returned through a competitive process to private ownership and placed on the property tax roll as a productive use within the City.

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

SECTION 1: The parcels of real property described in Exhibits A-F, attached and by this reference made a part of this Ordinance, are declared surplus for use by the City and the sale of the surplus property serves the public interest of the City and would be of public benefit.

SECTION 2: City staff is authorized and directed to perform all acts necessary to effectuate the sale, lease or exchange of the City Property through the use of a Request For Proposal or other competitive process, with award of the sale documented in a real property sale and disposition agreement approved by City Council that, among other things, includes conditions relating to the timing of development of the surplus parcel(s), the annexation of the surplus parcel(s), and other development related considerations, all in accordance with the conditions of this ordinance.

SECTION 3: The City Administrator is authorized to execute all necessary documents to facilitate the sale and transfer of the City surplus property identified in Exhibits A-F.

Adopted this ____ day of _____, 2025.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

APPROVED AS TO FORM:

Lynda L. Bushong
City Clerk

Richard W. Files
City Attorney

Exhibit A to Ordinance No. O2025-XXX

Legal Description
APN: 633-35-067

A portion of Section 35, Township 16 South, Range 22 East of the San Bernardino Base and Meridian, City of Yuma, Yuma County, State of Arizona, and more particularly described as follows:

Lot 10 of the Pivot Point Yuma subdivision, dated 12/17/2013, Fee # 2013-33774, recorded in Book 26 of Plats, pages 92 through 96, Yuma County Records.

Containing 61,069 square feet or 1.4019 acres, more or less.

Description Verified By:	<i>Andrew McGawie</i>
City Engineering Department	Date: 11/20/2025

Exhibit B to Ordinance No. O2025-XXX

Legal Description
APN: 633-35-068

A portion of Section 35, Township 16 South, Range 22 East of the San Bernardino Base and Meridian, City of Yuma, Yuma County, State of Arizona, and more particularly described as follows:

Lot 11 of the Pivot Point Yuma subdivision, dated 12/17/2013, Fee # 2013-33774, recorded in Book 26 of Plats, pages 92 through 96, Yuma County Records.

Containing 42,797 square feet or 0.9825 of an acre, more or less.

Description Verified By:	<i>Andrew McGawie</i>
City Engineering Department	Date: 11/20/2025

Exhibit C to Ordinance No. O2025-XXX

Legal Description
APN: 633-35-069

A portion of Section 35, Township 16 South, Range 22 East of the San Bernardino Base and Meridian, City of Yuma, Yuma County, State of Arizona, and more particularly described as follows:

Lot 12 of the Pivot Point Yuma subdivision, dated 12/17/2013, Fee # 2013-33774, recorded in Book 26 of Plats, pages 92 through 96, Yuma County Records.

Containing 103,762 square feet or 2.3821 acres, more or less.

Description Verified By:	<i>Andrew McGawie</i>
City Engineering Department	Date: 11/20/2025

Exhibit D to Ordinance No. 0205-XXX

Legal Description
APN:633-34-063

A portion of Section 35, Township 16 South, Range 22 East of the San Bernardino Base and Meridian, City of Yuma, Yuma County, State of Arizona, and more particularly described as follows:

Lot 13, Pivot Point Yuma subdivision, dated 12/17/2013, Fee # 2013-33774, Recorded in Book 26 of Plats, Pages 92 through 96, Yuma County Records.

Containing 104,956 square feet or 2.4095 acres, more or less.

Description Verified By:	<i>Andrew McGarvie</i>
City Engineering Department	Date: 11/20/2025

Exhibit E to Ordinance No. 0205-XXX

Legal Description
APN: 633-36-235

A portion of Section 35, Township 16 South, Range 22 East of the San Bernardino Base and Meridian, City of Yuma, Yuma County, State of Arizona, and more particularly described as follows:

Lot 2 Pivot Point Yuma subdivision, dated 12/17/2013, Fee # 2013-33774, Recorded in Book 26 of Plats, Pages 92 through 96, Yuma County Records.

Containing 43,055 square feet or 0.9884 of an acre, more or less.

Description Verified By:	<i>Andrew McGarvie</i>
City Engineering Department	Date: 11/20/2025

Exhibit F to Ordinance No. 0205-XXX

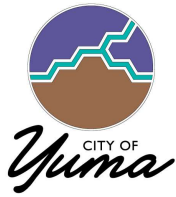
Legal Description
APN: 633-36-257

A portion of Section 35, Township 16 South, Range 22 East of the San Bernardino Base and Meridian, City of Yuma, Yuma County, State of Arizona, and more particularly described as follows:

Lot 5 of the Pivot Point Yuma subdivision, dated 12/17/2013, Fee # 2013-33774, Recorded in Book 26 of Plats, Pages 92 through 96, Yuma County Records.

Containing 26,514 square feet or 0.6087 of an acre, more or less.

Description Verified By:	<i>Andrew McGarvie</i>
City Engineering Department	Date: 11/20/2025



City of Yuma

City Council Report

File #: O2025-050

Agenda Date: 12/3/2025

Agenda #: 2.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Community Development	☐ Safe & Prosperous	☐ Motion
	☐ Active & Appealing	☐ Resolution
DIVISION:	☒ Respected & Responsible	☒ Ordinance - Introduction
Community Planning	☐ Connected & Engaged	☐ Ordinance - Adoption
	☐ Unique & Creative	☐ Public Hearing

TITLE:

Annexation Area No. ANEX-44331-2025 Cha Cha, LLC

SUMMARY RECOMMENDATION:

Authorize annexation of properties located west of the southwest corner of 40th Street and Avenue 4½E. (ANEX-44331-2025). (Community Development/Community Planning) (Alyssa Linville)

STRATEGIC OUTCOME:

The approval of this annexation will provide access to City resources and services. The annexation assists in furthering City Council's strategic outcome of Respected and Responsible.

REPORT:

The annexation area consists of four parcels of real property and the adjacent 40th Street, and Avenue 4½E right-of-way. The annexation area totals approximately 65.86 acres. The properties are owned respectively by:

1. Cha Cha, LLC, parcel 724-02-003, which is undeveloped,
2. Tangerine & Tonic, LLC, parcel 724-01-007, citrus groves,
3. JD&B Yuma RP, LLC, parcel 724-09-002, citrus groves,
4. Humane Society of Yuma Inc, parcel 724-02-004, is undeveloped.

The City of Yuma received a request from Cha Cha, LLC, the larger parcel, to annex their property with the intent to rezone for future industrial development. In response, the City has initiated this annexation process and included three adjacent parcels as well. Two of the parcels, APN 724-01-007 and 724-09-002, are the subject of a Pre-annexation Development agreement adopted by the City Council on July 16, 2025 (R2025-077) and August 6, 2025 (R2025-080). The property owners requested to annex into the City of Yuma but at the time, annexation was not possible, and a Pre-annexation Development Agreement was processed. The Pre-annexation Development Agreement identifies specific responsibilities of both the property owners and the City of Yuma. A responsibility of the property owners is to agree to annexation at such time as the City of Yuma may initiate that action. The fourth parcel, APN 724-02-004, is being included as part of this annexation effort to provide a seamless annexation boundary. Future development of this undeveloped parcel will require connection to City utilities. Annexing this property now will minimize any delays when development does move forward. The annexation area is designated on the annexation map attached to the proposed ordinance.

In accordance with Arizona Revised Statutes § 9-471, a blank petition with a legal description and map of the area to be annexed was filed with the County Recorder on October 9, 2025. There was a 30-day waiting

period after recording the map and petition with the County Recorder before signatures on the annexation petition could be obtained. During the waiting period, a public hearing for annexation ANEX-44331-2025-2025 was held by the City Council on November 5, 2025, to comply with the state annexation law. All appropriate and necessary notice and posting requirements have been met.

After the 30-day waiting period and the public hearing, the following procedures were followed:

1. The signatures of the property owners were obtained such that at least one-half of the value of the real and personal property is represented and such that more than one-half of the parcel owners are represented. No modifications, including increases or decreases to the territory to be annexed, were made after the first property owners in the area signed the annexation petition.
2. Within one year after the last day of the 30-day waiting period, these completed petitions were received and recorded with the office of the Yuma County Recorder.

Following the recording of the completed petitions, an ordinance must be adopted by the City Council changing the City boundaries to include the annexation area.

The ordinance also identifies the zoning district to be placed on the properties within the annexation area as Light Industrial (L-I) (parcels 724-02-003 and 724-02-004) and Agriculture (AG) (parcels 724-01-007 and 724-09-002) District. These zoning designations match the current County Zoning on the properties (L-I and Rural Area (RA-10) and are in conformance with the City of Yuma General Plan, which identifies the land use of the property as Agriculture/Industrial. This City Council action introduces the annexation ordinance prior to adoption.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$ 0.00		

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- ☐ Department
- ☒ City Clerk's Office
- ☐ Document to be recorded
- ☐ Document to be codified

Acting City Administrator: John D. Simonton	Date: 11/25/2025
Reviewed by City Attorney: Richard W. Files	Date: 11/24/2025

ANNEXATION PETITION ANEX-44331-2025
Cha Cha LLC Annexation

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF YUMA, ARIZONA:

We, the undersigned, owners of real and personal property, being the real property hereinafter described and all personal property that we may own in the area to be annexed, request the City of Yuma to annex our property, said property being located in a territory contiguous to the City of Yuma, Arizona, and being located within the following described area:

The East half of Lot 1, Section 18, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona;

The East half of the North half of Lot 2, Section 18, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona;

Parcels A and B of The Franks Ranch Land Division (LDP 22-09), dated 7/20/2022, FEE # 2022-24338, recorded in Book 34 of Plats , Page 19, Yuma County Records;

EXCEPT the North 33.00 feet of said Parcel B;

The South 33.00 feet of the East 656.26 feet of the Southwest quarter of the Southwest quarter (SW¹/₄SW¹/₄) of Section 7, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona; and

The South 33.00 feet of the Southwest quarter of the Southeast quarter of the Southwest quarter (SW¹/₄SE¹/₄SW¹/₄) of Section 7, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona.

Containing a total of 65.86 Acres, more or less.

In addition to the above description, any and all county rights-of-way and roadways with no taxable value that are within or contiguous to the exterior boundaries of the proposed annexation are part of the territory proposed to be annexed and will be included in any ordinance of annexation adopted as a result of this petition.

The City Council may determine the exact boundary of said territory to be annexed; provided, however, that said annexation area lies wholly within the above described area, and provided further, that the provisions of Section 9-471, Arizona Revised Statutes, are fully observed and complied with.

DATE	SIGNATURE	MAILING ADDRESS	PARCEL ID/ LEGAL DESCRIPTION

(Legal description can be Lot/Block/Subdivision; Book/Map/Parcel; or Metes and Bounds)

Print Name of Signatory above: _____

Property Owner

ORDINANCE NO. O2025-050

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, ANNEXING TO THE CITY OF YUMA, A PORTION OF SECTION 18, TOWNSHIP 9 SOUTH, RANGE 22 WEST OF THE GILA AND SALT RIVER BASE & MERIDIAN, YUMA COUNTY, ARIZONA, AND AMENDING CHAPTER 154 OF THE YUMA CITY CODE, AS AMENDED, DESIGNATING THE ZONING OF CERTAIN PROPERTY TO THE LIGHT INDUSTRIAL (L-I) AND DESIGNATING CERTAIN PROPERTY TO THE AGRICULTURE (AG) ZONING DISTRICT, AND AMENDING THE ZONING MAP TO CONFORM THERETO, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AS AMENDED

WHEREAS, a petition in writing ("Petition"), accompanied by a map or plot of said property, having been filed and presented to the Mayor and City Council of the City of Yuma, Arizona, signed by the owners of more than one-half in value of the real and personal property and more than one-half of the persons owning real and personal property as would be subject to taxation by the City of Yuma in the event of annexation of the territory and land hereinafter described as shown by the last assessment of said property, which said territory is contiguous to the City of Yuma and not now embraced within its corporate limits, asking that the property more particularly hereinafter described be annexed to the City of Yuma, and to extend and increase the corporate limits of the City of Yuma so as to embrace the same; and,

WHEREAS, the Mayor and City Council of the City of Yuma, Arizona, are desirous of complying with the Petition and extending and increasing the corporate limits of the City of Yuma to include said territory; and,

WHEREAS, the Petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the City of Yuma and had attached thereto at all times an accurate map of the territory desired to be annexed; and,

WHEREAS, no alterations increasing or reducing the territory sought to be annexed have been made after the Petition had been signed by any owner of real and personal property in such territory; and,

WHEREAS, the provisions of A.R.S. § 9-471, as amended, have been fully observed; and,

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of City Clerk of the City of Yuma, Arizona, together with a true and correct copy of the original Petition referred to herein, which is on file in the office of the Yuma County Recorder; and,

WHEREAS, upon annexation the initial designation for zoning of the property described in Section 2 shall be Light Industrial (L-I) District, as provided for in A.R.S. § 9-471, and amendments thereto; and,

WHEREAS, upon annexation the initial designation for zoning of the property described in Section 3 shall be Agriculture (AG) District, as provided for in A.R.S. § 9-471, and amendments

thereto; and,

WHEREAS, the City Council has considered the probable impact on the cost to construct housing for sale or rent that may occur as a result of this rezoning, 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 territory be, and the same hereby is, annexed to the City of Yuma, and that the present corporate limits be, and the same hereby are, extended and increased to include the following described territory contiguous to the present City of Yuma corporate limits, to wit:

*The East half of Lot 1, Section 18, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona; and
The East half of the North half of Lot 2, Section 18, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona; and
Parcels A and B of The Franks Ranch Land Division (LDP 22-09), dated 7/20/2022, FEE # 2022-24338, recorded in Book 34 of Plats , Page 19, Yuma County Records; EXCEPT the North 33.00 feet of said Parcel B; and
The South 33.00 feet of the East 656.26 feet of the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 7, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona; and
The South 33.00 feet of the Southwest quarter of the Southeast quarter of the Southwest quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 7, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona.*

Containing a total of 65.86 Acres, more or less.

SECTION 2: That the following described territory be, and the same hereby is, placed in the Light Industrial (L-I) District, as defined by Chapter 154 of the Yuma City Code, as amended, pursuant to the provisions provided for in A.R.S. § 9-471, as amended; that said property upon this Ordinance becoming final, be subject to all rules, regulations and requirements of Chapter 154 of the Yuma City Code, as amended, pertaining to the Light Industrial (L-I) District, and that the zoning map adopted under Chapter 154 of the Yuma City Code, as amended, be hereby ordered to be changed and amended so as to show that said property described below will be located within the District herein provided.

*Parcels A and B of The Franks Ranch Land Division (LDP 22-09), dated 7/20/2022, FEE # 2022-24338, recorded in Book 34 of Plats , Page 19, Yuma County Records; EXCEPT the North 33.00 feet of said Parcel B; and
The South 33.00 feet of the Southwest quarter of the Southeast quarter of the Southwest quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 7, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona.*

Containing a total of 35.19 Acres, more or less.

SECTION 3: That the following described territory be, and the same hereby is, placed in the Agriculture (AG) District, as defined by Chapter 154 of the Yuma City Code, as amended, pursuant to the provisions provided for in A.R.S. § 9-471, as amended; that said property upon this Ordinance becoming final, be subject to all rules, regulations and requirements of Chapter 154 of the Yuma City Code, as amended, pertaining to the Agriculture (AG) District, and that the zoning map adopted under Chapter 154 of the Yuma City Code, as amended, be hereby ordered to be changed and amended so as to show that said property described below will be located within the District herein provided.

*The East half of Lot 1, Section 18, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona; and
The East half of the North half of Lot 2, Section 18, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona; and
The South 33.00 feet of the East 656.26 feet of the Southwest quarter of the Southwest quarter (SW¼SW¼) of Section 7, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona;*

Containing a total of 30.67 Acres, more or less.

SECTION 4: That a copy of this ordinance, together with the attached map of the territory hereby annexed to the City of Yuma, certified by the Mayor of the City of Yuma, be forthwith filed and recorded in the office of the County Recorder of Yuma County, Arizona.

Adopted this _____ day of _____, 2025.

APPROVED:

Douglas J. Nicholls
Mayor

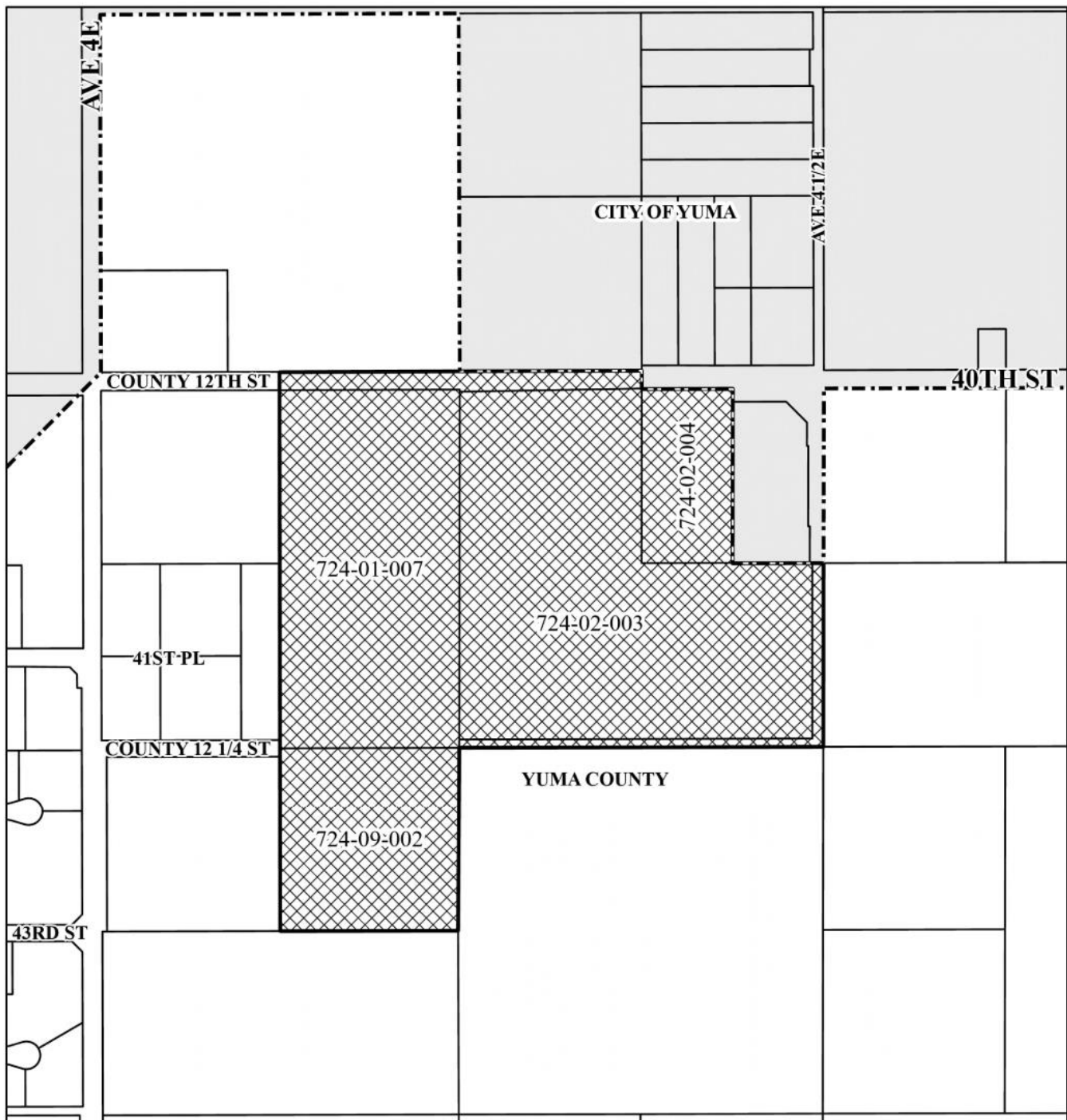
ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

Applicable exhibits on file at the Office of the City Clerk, One City Plaza, Yuma, AZ.



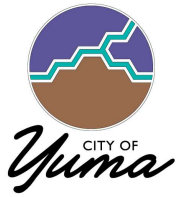
Annexation Map Produced Pursuant to A.R.S. §9-471

NOT TO SCALE
DEPARTMENT OF COMMUNITY
DEVELOPMENT GIS

City of Yuma, Arizona
Annexation Area No. 44331-2025

 City of Yuma
 Annexation Area

The City of Yuma shall maintain the rights-of-way and roadways that are within the annexation boundaries. Yuma County shall maintain the rights-of-way and roadways that are contiguous to and outside the annexation boundaries.



City of Yuma

City Council Report

File #: O2025-051

Agenda Date: 12/3/2025

Agenda #: 3.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Community Development	☐ Safe & Prosperous	☐ Motion
	☐ Active & Appealing	☐ Resolution
DIVISION:	☒ Respected & Responsible	☒ Ordinance - Introduction
Community Planning	☐ Connected & Engaged	☐ Ordinance - Adoption
	☐ Unique & Creative	☐ Public Hearing

TITLE:

Text Amendment: Design Review

SUMMARY RECOMMENDATION:

Amend Title 15, Chapter 154 to authorize administrative personnel to review and approve design review in accordance with HB 2447, and to add rules and regulations regarding the voice or video appearance by a Design and Historic Review Commissioner (Community Development/Community Planning) (Alyssa Linville)

STRATEGIC OUTCOME:

The proposed text amendment will ensure that City regulations reflect recent modifications to the state law, supporting the City Council's strategic outcome of Respected and Responsible.

REPORT:

The purpose of this text amendment is twofold: first, to align the City of Yuma zoning code with recent State of Arizona statute changes for the administrative review and approval of design review applications, and second, allow members of the Design and Historic Review Commission to participate telephonically at meetings, similar to members of the Planning and Zoning Commission.

House Bill 2447, approved by the legislature and signed by the Governor on March 31, 2025, requires by ordinance that cities and towns authorize administrative personnel to review and approve design review plans based on objective standards without a public hearing. Currently for the City of Yuma, design review and approval is under the authority of the Design and Historic Review Commission for projects located within the Aesthetic Overlay District, Historic Overlay District and the Old Town Zoning District.

As required by House Bill 2447, the proposed text amendment removes the review authority for design review within the Aesthetic Overlay District from the Design and Historic Review Commission and places that authority with the Zoning Administrator. The role of the Zoning Administrator is completed by the Director of Community Development or their designee.

The Design and Historic Review Commission will still have a role in design review as the Commission will be the appeal body for decisions by the Zoning Administrator regarding design review within the Aesthetic Overlay District.

This text amendment only applies to projects located within the Aesthetic Overlay District. Under Arizona

Revised Statutes Title 9 Section 462.01.10, cities have the ability to establish districts of historical significance and require special permission be obtained prior to any development for any structures and sites. The Historic Overlay District and the Old Town Zoning District have been established specifically to preserve historic places and structures.

The second part of this text amendment adds the ability of members of the Design and Historic Review Commission to participate in meetings telephonically, similar to members of the Planning and Zoning Commission. This option is allowed by individual Commissioners only twice per calendar year and is only allowed for meetings that are held at the Yuma City Hall.

On October 27, 2025, the Planning and Zoning Commission voted to recommend APPROVAL (5-0) of the request by the City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, to authorize administrative personnel to review and approve design review, and to add rules and regulations regarding the voice or video appearance by a Design and Historic Review Commissioner.

PUBLIC COMMENTS - EXCERPT FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:

QUESTIONS FOR STAFF

None

PUBLIC COMMENT

None

“Motion by Lorraine Arney, Planning and Zoning Commissioner, second by John Mahon, Planning and Zoning Commissioner, to APPROVE ZONE-44497-2025 as presented.

“Motion carried unanimously (5-0), with one absent and one vacancy.”

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$ 0.00	-	

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

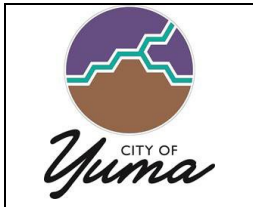
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- ☐ Department
- ☐ City Clerk's Office
- ☐ Document to be recorded
- ☒ Document to be codified

Acting City Administrator: John D. Simonton	Date: 11/25/2025
Reviewed by City Attorney: Richard W. Files	Date: 11/24/2025



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – TEXT AMENDMENT
CASE PLANNER: JENNIFER L. ALBERS

Hearing Date October 27, 2025

Case Number: ZONE-44497-2025

Project Description: This is a request by the City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154 to authorize administrative personnel to review and approve design review, and to add rules and regulations regarding the voice or video appearance by a Design and Historic Review Commissioner.

Staff recommendation: Staff recommends **APPROVAL** of the text amendment to authorize administrative personnel to review and approve design review, and to add rules and regulations regarding the voice or video appearance by a Design and Historic Review Commissioner.

Suggested Motion: Move to **APPROVE** the text amendment ZONE-44497-2015 as presented in the staff report.

Effect of the Approval: By approving the text amendment, the Planning and Zoning Commission is recommending approval to City Council for the request to authorize administrative personnel to review and approve design review, and to add rules and regulations regarding the voice or video appearance by a Design and Historic Review Commissioner.

Staff Analysis: The purpose of this text amendment is twofold: first, to align the City of Yuma zoning code with recent State of Arizona statute changes for the administrative review and approval of design review applications, and second, allow members of the Design and Historic Review Commission to participate telephonically at meetings, similar to members of the Planning and Zoning Commission.

House Bill 2447, approved by the legislature and signed by the Governor on March 31, 2025, requires by ordinance that cities and towns authorize administrative personnel to review and approve design review plans based on objective standards without a public hearing. Currently for the City of Yuma, design review and approval is under the authority of the Design and Historic Review Commission for projects located within the Aesthetic Overlay District, Historic Overlay District and the Old Town Zoning District.

As required by House Bill 2447, the proposed text amendment removes the review authority for design review within the Aesthetic Overlay District from the Design and Historic Review Commission and places that authority with the Zoning Administrator. The role of the Zoning Administrator is completed by the Director of Community Development or their designee.

The Design and Historic Review Commission will still have a role in design review as the Commission will be the appeal body for decisions by the Zoning Administrator regarding design review within the Aesthetic Overlay District.

This text amendment only applies to projects located within the Aesthetic Overlay District. Under Arizona Revised Statutes Title 9 Section 462.01.10, cities have the ability to establish districts of historical significance and require special permission be obtained prior to any development for any structures and sites. The Historic Overlay District and the Old Town Zoning District have been established specifically to preserve historic places and structures.

The second part of this text amendment adds the ability of members of the Design and Historic Review Commission to participate in meetings telephonically, similar to members of the Planning and Zoning Commission. This option is allowed by individual Commissioners only twice per calendar year and is only allowed for meetings that are held at the Yuma City Hall.

1. Does the proposed amendment implement the goals, objectives and policies of the General Plan?

Yes The City of Yuma 2022 General Plan reflects the Visions and Strategic Plan of the City Council for the City. This text amendment supports a Strategic Outcome to be Respected and Responsible as a trusted steward of City Resources and to be relied upon to provide premier services and regional leadership.

2. Does the proposed amendment fit the overall purpose and intent of the zoning ordinance?

Yes This amendment supports the Zoning ordinance and brings the text into alignment with State statute.

3. Will the proposed amendment change the range of uses identified in the zoning code? If so, how?

No

4. Will the proposed text amendment change the development standards of the zoning or subdivision ordinances? If so, how?

No

5. What are the potential impacts of the proposed amendment?

There are no potential negative impacts identified with the proposed text amendment.

6. Does the proposed amendment fit the overall purpose and intent of the subdivision ordinance?

N/A

7. Does the proposed amendment conform to prior City Council actions regarding this issue?

No This amendment supports City Council's commitment to provide premier services to the Yuma community.

External Agency Comments: None Received.

Neighborhood Meeting Comments: No Meeting Required.

Attachments:

A	B
Draft Text	Agency Notification

Reviewed By: *Jennifer L. Albers*
Jennifer L. Albers
Assistant Director of Planning

Date: 9/23/25

Approved By: *Alyssa Linville*
Alyssa Linville
Director, Planning and Neighborhood Services

Date: 10/16/25

ATTACHMENT A
DRAFT TEXT

SECTION 1: Yuma City Code, Title 15, Chapter 154, Article 2, Section 3 Zoning Administrator be amended to insert the bolded text:

§ 154-02.03 Zoning Administrator.

(A) *Establishment.* Pursuant to A.R.S. § 9-462.05 the Planning Director, also known as Director of Planning, or an authorized deputy acting under his or her direction, shall be the Zoning Administrator.

(B) *Duties.* The Zoning Administrator, or his or her authorized deputy shall be charged with responsibility for enforcement of the zoning ordinance:

(1) Supply information about, and provide interpretations of, this chapter to the public, city departments and other agencies;

(2) Provide advice and assistance to all applicants for zoning actions;

(3) Accomplish all administrative actions required by this chapter; including receiving applications, giving notice of hearings, preparation of reports and processing appeals, **completing design review and approval;**

(4) Enforce the provisions of this chapter pertaining to the erection, construction, moving, reconstruction, conversion, alteration or addition to any building or structure and the use of any land, building or premise;

(5) Inspect buildings, structures and lands as may be necessary or desirable for enforcement of this chapter;

(6) Determine other permitted uses consistent with the purpose of each Zoning District; and

(7) Notwithstanding the procedures set forth in § 154-03.04(D)(1)(a) through (D)(1)(c) for consideration of a variance application, the Zoning Administrator may approve a deviation in development standards and/or dimensional criteria upon the making of the findings required in § 154-03.04(D)(1)(a) through (D)(1)(d), when the following conditions are satisfied:

(a) The application requests a deviation from code not exceeding a 10% reduction or increase of a development standard and/or dimension required by the zoning code; and

(b) The Zoning Administrator determines that the request complies with the four findings of fact required by § 154-03.04(D)(1)(a) through (D)(1)(d).

SECTION 2: Yuma City Code, Title 15, Chapter 154, Article 2, Section 4 Design and Historic Review Commission (DHRC), Subsection (D), be amended to insert the bolded text and delete the strike through text:

(D) *Duties.* The Commission's duties are outlined as follows:

(1) To promote the educational, cultural, economic and general welfare of the community and to ensure the harmonious growth and development of the municipality by encouraging the preservation of historic places and structures, and advancing aesthetic and functionally well-designed projects;

(2) To designate sites and districts of historical significances;

(3) To provide regulatory oversight regarding exterior modifications to all historic structures or sites that are listed or eligible for listing on the National Register of Historic Places and have received the city's Historic (H) District Zoning Overlay, as well as projects within the Aesthetic Overlay District;

(4) ~~To review all project design plans within an Aesthetic Overlay District. Such plans shall be reviewed for compliance with the Aesthetic Overlay Design Guidelines;~~ **Hear and decide appeals of the City Zoning Administrator's decisions on project design plans within the Aesthetic Overlay District;**

(5) To provide regulatory oversight regarding the exterior appearance of any structure (new construction, renovation or alteration) within a recognized Historic District ~~or within the Aesthetic Overlay~~ and areas with specific design requirements;

(6) The Commission shall decide whether a permit should be issued for any demolition, removal, exterior renovation, addition or any other exterior alteration of any historic structure, historic site or any property located within an historic district. The Commission's review of applications for new construction shall be limited to building size, scale, exterior elevation, design, color and appearance, to ensure compatibility with the historic character of the property, neighborhood or environment. When the local Commission governing the historic district denies an application or request, the applicant may not legally proceed with any exterior work, including demolishing or moving a structure, unless the Commission's decision is appealed and is set aside or modified by a superior authority;

~~—(7) Review and approval of all private and commercially oriented development of lands located within the RO Zoning District;~~

~~—(8) Review and approval of all exterior lighting in the Bed and Breakfast Overlay District;~~

(7) ~~(9)~~ Hear and decide appeals of the City Zoning Administrator's decisions on signage and building requirements within the Historic Park Zoning District; and

(8) ~~(10)~~ The Commission shall keep the Mayor and Council apprised in all matters concerning historic sites and districts. In this regard it:

(a) May recommend to the Mayor and Council acquisition by the city of structures or easements for maintenance or repair of structures for their preservation where private preservation is not feasible; and

(b) May initiate and conduct detailed studies and surveys of buildings, in conjunction with the Rio Colorado Chapter of the Arizona Historical Society and interested others, the intention of assessing potential of such buildings, structures or areas for designation as historic sites or districts.

SECTION 3: Yuma City Code, Title 15, Chapter 154, Article 3, Section 8 Design Review Procedure, Subsections (A) and (B) be amended to insert the bolded text and delete the strike through text:

(A) *Submittal and approval.* The project design plan, for any project within an Aesthetic Overlay District, shall be submitted and approved by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator** prior to the issuance of any construction or development permits.

(B) *Fee.* The project design plan shall be accompanied by the appropriate fee and shall provide adequate information for the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator** to determine whether the proposed project will meet the ordinance requirements of the district.

SECTION 4: That the Yuma City Code, Title 15, Chapter 154, Article 13, Section 1 Recreation and Open Space District (RO), Subsection (E) be amended to delete the strike through text:

~~—(12) All private and commercially oriented development of lands located within the RO Zoning District shall be subject to the review and approval of the Design and Historic Review Commission (DHRC).~~

SECTION 5: Yuma City Code, Title 15, Chapter 154, Article 14, Section 1 Aesthetic Overlay District (AO), Subsection (C) be amended to insert the bolded text and delete the strike through text:

(C) *Design review procedure.* The project design plan shall be submitted and approved by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator** prior to the issuance of any construction or development permits (see § 154-03.08).

SECTION 6: Yuma City Code, Title 15, Chapter 154, Article 14, Section 1 Aesthetic Overlay District (AO), Subsection (F) be amended to insert the bolded text and delete the strike through text:

(F) *Building permits based upon approved project design.* Within one year of approval of a project design by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**, a building permit may be granted for a site based upon the project design approved by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**. If more than one year has elapsed since approval of the project

design for that location, such design plan shall be resubmitted to the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator** to accept or modify the design previously approved, prior to issuance of a building permit.

SECTION 7: Yuma City Code, Title 15, Chapter 154, Article 14, Section 1 Aesthetic Overlay District (AO), Subsection (G) be amended to insert the bolded text and delete the strike through text:

(G) *Amendments to approved project design.* Any substantial amendment or modification to an approved project design shall be reviewed by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**.

SECTION 8: Yuma City Code, Title 15, Chapter 154, Article 14, Section 1 Aesthetic Overlay District (AO), Subsection (H) be amended to insert the bolded text and delete the strike through text:

(H) *Minor project design plan changes within the Aesthetic Overlay.*

(1) The Zoning Administrator, or his or her designee, shall have the authority to review modifications to an approved project design only for minor changes that do not substantially change the visual appearance of the project as **previously** approved by the ~~Design and Historic Review Commission~~. ~~The Design and Historic Review Commission will be advised of any administrative decisions pursuant to this section.~~

SECTION 9: Yuma City Code, Title 15, Chapter 154, Article 14, Section 3 Bed and Breakfast Overlay District (BB), Subsection (B)(9) be amended to insert the bolded text and delete the strike through text:

(9) *Exterior lighting.* Any exterior lighting shall be residential in nature and character. Lighting shall be located so as to minimize off-site illumination and direct the light away from any public or private street right-of-way or from any residential district or use. All exterior lighting shall be approved by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**. Lighting shall be in accordance with Article 18 of this chapter of the City Code. No color lighting shall be permitted.

SECTION 10: Yuma City Code, Title 15, Chapter 154, Article 14, Section 9 Infill Overlay District (IO), Subsection (F) be amended to delete the strike through text:

(F) *Design review procedures.* Infill Overlay District development standards shall be incorporated into all project plans submitted to the city for which a building permit is required. The Zoning Administrator, or his or her designee, shall review all Infill Overlay District development standards incorporated in such project plans to ensure compliance with the intent and spirit of the district. Any property located within a Historic District ~~or Aesthetic Overlay District~~ will require review and approval by the Design and Historic Review Commission (DHRC) prior to the issuance of any construction or building permits.

SECTION 11: Yuma City Code, Title 15, Chapter 154, Article 19 Personal Wireless Communications, Section 3, Subsection (E) be amended to insert the bolded text and delete the strike through text:

(E) No personal wireless communication facilities are permitted on any building within an Aesthetic Overlay (AO) Designation unless such personal wireless communication facilities are approved through the ~~Design Review Commission~~ **Zoning Administrator**.

SECTION 12: Yuma City Code, Title 15, Chapter 154, Article 19 Personal Wireless Communications, Section 9, Subsection (G)(2) be amended to insert the bolded text and delete the strike through text:

(2) No personal wireless communication facilities are permitted on public highways facing any building within an Aesthetic Overlay (AO) Designation unless such personal wireless communication facilities are approved through the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**.

SECTION 13: Yuma City Code, Title 15, Chapter 154, Article 2, Section 4 Design and Historic Review Commission (DHRC), be amended to insert the bolded text:

(F) *Voice or video appearance.* A Design and Historic Review Commissioner shall have the opportunity to participate by voice or video during a regularly scheduled meeting subject to the following rules and regulations:

(1) Voice or video participation shall mean the participation of the Design and Historic Review Commissioner(s) at Design and Historic Review Commission meetings by voice or video technology where the Design and Historic Review Commissioner is not physically present at the Design and Historic Review Commission meeting.

(2) Voice or video participation shall only apply to Design and Historic Review Commission meetings held at Yuma City Hall, Yuma, Arizona.

(3) A Design and Historic Review Commissioner wishing to participate through voice or video technology shall contact the Director of Community Development regarding the need to participate from an off-site location. Notice shall be provided no later than two business days prior to the meeting to allow sufficient time to post the information on the agenda and to prepare the meeting room for such voice or video participation.

(4) No more than two Design and Historic Review Commissioners may participate by voice or video technology at any meeting. Unless approved by the Design and Historic Review Commission, no Commissioner may participate by video or voice technology more than twice in any calendar year.

(5) When a Design and Historic Review Commissioner is participating by using voice or video technology at a meeting:

(a) The meeting facilities shall be arranged to provide the capability of the public audience to be able to hear such participating Commissioner. Facilities shall also be provided whereby the participating Commissioner can hear any comments made by other members of the Design and Historic Review Commission, by City staff and by the audience in attendance at the meeting.

(b) Communications shall be initiated with the Commissioner prior to the beginning of the Design and Historic Review Commission meeting. The participating Commissioner will identify him or herself during roll call and state that he/she is attending the meeting through voice or video participation.

(6) The meeting agenda shall reflect that a Design and Historic Review Commissioner will be participating through voice or video technology and voting procedures will remain as required by the City of Yuma Code (§ 154-02.04).

ATTACHMENT B
AGENCY NOTIFICATION

- Legal Ad Published: The Sun 10/03/25
- 34 Commenting/Reviewing Agencies noticed: 09/08/25
- Neighborhood Meeting: N/A
- Hearing Date: 10/27/25
- Comments due: 09/22/25

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	9/8/25	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	Yes	9/9/25	X		
Yuma County Planning & Zoning	Yes	9/8/25	X		
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	Yes	9/8/25	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineering	NR				
Fire	Yes	9/8/25	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	9/18/25	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

Neighborhood Meeting	Comments Available
None Required	N/A

PUBLIC COMMENTS RECEIVED: NONE

ORDINANCE NO. O2025-051

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 154 OF THE YUMA CITY CODE TO COMPLY WITH STATE STATUTE WITH RESPECT TO ADMINISTRATIVE DESIGN REVIEW AND APPROVAL AND ALLOW DESIGN AND HISTORIC REVIEW COMMISSIONERS TO PARTICIPATE BY VOICE OR VIDEO; AND DECLARING AN EMERGENCY

WHEREAS, House Bill 2447, approved by the legislature and signed by the Governor on March 31, 2025, requires by ordinance that cities and towns authorize administrative personnel to review and approve design review plans; and,

WHEREAS, House Bill 2447 has an effective date of December 31, 2025, and in order to comply with that effective date, this ordinance shall be enacted as an emergency and shall be in effect upon adoption on December 17, 2025; and,

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

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on October 27, 2025 in Case No: ZONE-44497-2025 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 October 3, 2025; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the zoning code text amendment in Case No: ZONE-44497-2025 and the probable impact on the cost to construct housing for sale or rent that may occur as a result of this amendment, and finds that the recommendation complies with and supports 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: Yuma City Code, Title 15, Chapter 154, Article 2, Section 3 Zoning Administrator, is amended to insert the bolded text:

§ 154-02.03 Zoning Administrator.

(A) *Establishment.* Pursuant to A.R.S. § 9-462.05 the Planning Director, also known as Director of Planning, or an authorized deputy acting under his or her direction, shall be the Zoning Administrator.

(B) *Duties.* The Zoning Administrator, or his or her authorized deputy shall be charged with responsibility for enforcement of the zoning ordinance:

(1) Supply information about, and provide interpretations of, this chapter to the public, city departments and other agencies;

(2) Provide advice and assistance to all applicants for zoning actions;

(3) Accomplish all administrative actions required by this chapter; including receiving applications, giving notice of hearings, preparation of reports and processing appeals, **completing design review and approval;**

(4) Enforce the provisions of this chapter pertaining to the erection, construction, moving, reconstruction, conversion, alteration or addition to any building or structure and the use of any land, building or premise;

(5) Inspect buildings, structures and lands as may be necessary or desirable for enforcement of this chapter;

(6) Determine other permitted uses consistent with the purpose of each Zoning District; and

(7) Notwithstanding the procedures set forth in § 154-03.04(D)(1)(a) through (D)(1)(c) for consideration of a variance application, the Zoning Administrator may approve a deviation in development standards and/or dimensional criteria upon the making of the findings required in § 154-03.04(D)(1)(a) through (D)(1)(d), when the following conditions are satisfied:

(a) The application requests a deviation from code not exceeding a 10% reduction or increase of a development standard and/or dimension required by the zoning code; and

(b) The Zoning Administrator determines that the request complies with the four findings of fact required by § 154-03.04(D)(1)(a) through (D)(1)(d).

SECTION 2: Yuma City Code, Title 15, Chapter 154, Article 2, Section 4 Design and Historic Review Commission (DHRC), Subsection (D), is amended to insert the bolded text and delete the strike through text:

(D) *Duties.* The Commission's duties are outlined as follows:

(1) To promote the educational, cultural, economic and general welfare of the community and to ensure the harmonious growth and development of the municipality by encouraging the preservation of historic places and structures, and advancing aesthetic and functionally well-designed projects;

(2) To designate sites and districts of historical significances;

(3) To provide regulatory oversight regarding exterior modifications to all historic structures or sites that are listed or eligible for listing on the National Register of Historic Places and have received the city's Historic (H) District Zoning Overlay, as well as projects within the Aesthetic Overlay District;

(4) ~~To review all project design plans within an Aesthetic Overlay District. Such plans shall be reviewed for compliance with the Aesthetic Overlay Design Guidelines;~~ **Hear and decide appeals of the City Zoning Administrator's decisions on project design plans within the Aesthetic Overlay District;**

(5) To provide regulatory oversight regarding the exterior appearance of any structure (new construction, renovation or alteration) within a recognized Historic District ~~or within the Aesthetic Overlay~~ and areas with specific design requirements;

(6) The Commission shall decide whether a permit should be issued for any demolition, removal, exterior renovation, addition or any other exterior alteration of any historic structure, historic site or any property located within an historic district. The Commission's review of applications for new construction shall be limited to building size, scale, exterior elevation, design, color and appearance, to ensure compatibility with the historic character of the property, neighborhood or environment. When the local Commission governing the historic district denies an application or request, the applicant may not legally proceed with any exterior work, including demolishing or moving a structure, unless the Commission's decision is appealed and is set aside or modified by a superior authority;

~~—(7) Review and approval of all private and commercially oriented development of lands located within the RO Zoning District;~~

- ~~— (8) Review and approval of all exterior lighting in the Bed and Breakfast Overlay District;~~
(7) (9) Hear and decide appeals of the City Zoning Administrator's decisions on signage and building requirements within the Historic Park Zoning District; and
(8) (10) The Commission shall keep the Mayor and Council apprised in all matters concerning historic sites and districts. In this regard it:
- (a) May recommend to the Mayor and Council acquisition by the city of structures or easements for maintenance or repair of structures for their preservation where private preservation is not feasible; and
 - (b) May initiate and conduct detailed studies and surveys of buildings, in conjunction with the Rio Colorado Chapter of the Arizona Historical Society and interested others, the intention of assessing potential of such buildings, structures or areas for designation as historic sites or districts.

SECTION 3: Yuma City Code, Title 15, Chapter 154, Article 3, Section 8 Design Review Procedure, Subsections (A) and (B), are amended to insert the bolded text and delete the strike through text:

- (A) *Submittal and approval.* The project design plan, for any project within an Aesthetic Overlay District, shall be submitted and approved by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator** prior to the issuance of any construction or development permits.
- (B) *Fee.* The project design plan shall be accompanied by the appropriate fee and shall provide adequate information for the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator** to determine whether the proposed project will meet the ordinance requirements of the district.

SECTION 4: Yuma City Code, Title 15, Chapter 154, Article 13, Section 1 Recreation and Open Space District (RO), Subsection (E), is amended to delete the strike through text:

- ~~— (12) All private and commercially oriented development of lands located within the RO Zoning District shall be subject to the review and approval of the Design and Historic Review Commission (DHRC).~~

SECTION 5: Yuma City Code, Title 15, Chapter 154, Article 14, Section 1 Aesthetic Overlay District (AO), Subsection (C), is amended to insert the bolded text and delete the strike through text:

- (C) *Design review procedure.* The project design plan shall be submitted and approved by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator** prior to the issuance of any construction or development permits (see § 154-03.08).

SECTION 6: Yuma City Code, Title 15, Chapter 154, Article 14, Section 1 Aesthetic Overlay District (AO), Subsection (F), is amended to insert the bolded text and delete the strike through text:

- (F) *Building permits based upon approved project design.* Within one year of approval of a project design by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**, a building permit may be granted for a site based upon the project design approved by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**. If more than one year has elapsed since approval of the project design for that location, such design plan shall be resubmitted to the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator** to accept or modify the design previously approved, prior to issuance of a building permit.

SECTION 7: Yuma City Code, Title 15, Chapter 154, Article 14, Section 1 Aesthetic Overlay District (AO), Subsection (G), is amended to insert the bolded text and delete the strike through text:

(G) *Amendments to approved project design.* Any substantial amendment or modification to an approved project design shall be reviewed by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**.

SECTION 8: Yuma City Code, Title 15, Chapter 154, Article 14, Section 1 Aesthetic Overlay District (AO), Subsection (H), is amended to insert the bolded text and delete the strike through text:

(H) *Minor project design plan changes within the Aesthetic Overlay.*

(1) The Zoning Administrator, or his or her designee, shall have the authority to review modifications to an approved project design only for minor changes that do not substantially change the visual appearance of the project as **previously** approved by the ~~Design and Historic Review Commission~~. ~~The Design and Historic Review Commission will be advised of any administrative decisions pursuant to this section.~~

SECTION 9: Yuma City Code, Title 15, Chapter 154, Article 14, Section 3 Bed and Breakfast Overlay District (BB), Subsection (B)(9), is amended to insert the bolded text and delete the strike through text:

(9) *Exterior lighting.* Any exterior lighting shall be residential in nature and character. Lighting shall be located so as to minimize off-site illumination and direct the light away from any public or private street right-of-way or from any residential district or use. All exterior lighting shall be approved by the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**. Lighting shall be in accordance with Article 18 of this chapter of the City Code. No color lighting shall be permitted.

SECTION 10: Yuma City Code, Title 15, Chapter 154, Article 14, Section 9 Infill Overlay District (IO), Subsection (F), is amended to delete the strike through text:

(F) *Design review procedures.* Infill Overlay District development standards shall be incorporated into all project plans submitted to the city for which a building permit is required. The Zoning Administrator, or his or her designee, shall review all Infill Overlay District development standards incorporated in such project plans to ensure compliance with the intent and spirit of the district. Any property located within a Historic District ~~or Aesthetic Overlay District~~ will require review and approval by the Design and Historic Review Commission (DHRC) prior to the issuance of any construction or building permits.

SECTION 11: Yuma City Code, Title 15, Chapter 154, Article 19 Personal Wireless Communications, Section 3, Subsection (E), is amended to insert the bolded text and delete the strike through text:

(E) No personal wireless communication facilities are permitted on any building within an Aesthetic Overlay (AO) Designation unless such personal wireless communication facilities are approved through the ~~Design Review Commission~~ **Zoning Administrator**.

SECTION 12: Yuma City Code, Title 15, Chapter 154, Article 19 Personal Wireless Communications, Section 9, Subsection (G)(2), is amended to insert the bolded text and delete the strike through text:

(2) No personal wireless communication facilities are permitted on public highways facing any building within an Aesthetic Overlay (AO) Designation unless such personal wireless communication facilities are approved through the ~~Design and Historic Review Commission (DHRC)~~ **Zoning Administrator**.

SECTION 13: Yuma City Code, Title 15, Chapter 154, Article 2, Section 4 Design and Historic Review Commission (DHRC), is amended to insert the bolded text:

(F) *Voice or video appearance.* A Design and Historic Review Commissioner shall have the opportunity to participate by voice or video during a regularly scheduled meeting subject to the following rules and regulations:

(1) Voice or video participation shall mean the participation of the Design and Historic Review Commissioner(s) at Design and Historic Review Commission meetings by voice or video technology where the Design and Historic Review Commissioner is not physically present at the Design and Historic Review Commission meeting.

(2) Voice or video participation shall only apply to Design and Historic Review Commission meetings held at Yuma City Hall, Yuma, Arizona.

(3) A Design and Historic Review Commissioner wishing to participate through voice or video technology shall contact the Director of Community Development regarding the need to participate from an off-site location. Notice shall be provided no later than two business days prior to the meeting to allow sufficient time to post the information on the agenda and to prepare the meeting room for such voice or video participation.

(4) No more than two Design and Historic Review Commissioners may participate by voice or video technology at any meeting. Unless approved by the Design and Historic Review Commission, no Commissioner may participate by video or voice technology more than twice in any calendar year.

(5) When a Design and Historic Review Commissioner is participating by using voice or video technology at a meeting:

(a) The meeting facilities shall be arranged to provide the capability of the public audience to be able to hear such participating Commissioner. Facilities shall also be provided whereby the participating Commissioner can hear any comments made by other members of the Design and Historic Review Commission, by City staff and by the audience in attendance at the meeting.

(b) Communications shall be initiated with the Commissioner prior to the beginning of the Design and Historic Review Commission meeting. The participating Commissioner will identify him or herself during roll call and state that he/she is attending the meeting through voice or video participation.

(6) The meeting agenda shall reflect that a Design and Historic Review Commissioner will be participating through voice or video technology and voting procedures will remain as required by the City of Yuma Code (§ 154-02.04).

SECTION 14: It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of this ordinance. 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 any violation of said sections occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

SECTION 15: The immediate operation of the provisions of this Ordinance is necessary to meet the requirements of House Bill 2447 as adopted by the Legislature and signed by the Governor, requiring compliance by December 31, 2025, and, therefore, an emergency is declared to exist. This Ordinance is enacted as an emergency and shall be in full force and effect immediately upon its passage by the City Council, as required by law, and it is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona and the Charter of the City.

Adopted this _____ day of _____, 2025.

APPROVED:

Douglas J. Nicholls
Mayor

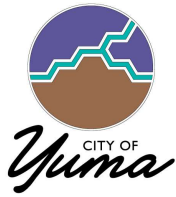
ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

Applicable exhibits on file at the Office of the City Clerk, One City Plaza, Yuma, AZ.



City of Yuma

City Council Report

File #: O2025-052

Agenda Date: 12/3/2025

Agenda #: 4.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Community Development	☐ Safe & Prosperous	☐ Motion
	☐ Active & Appealing	☐ Resolution
DIVISION:	☒ Respected & Responsible	☒ Ordinance - Introduction
Community Planning	☐ Connected & Engaged	☐ Ordinance - Adoption
	☐ Unique & Creative	☐ Public Hearing

TITLE:

Text Amendment: Subdivision Code

SUMMARY RECOMMENDATION:

Amend Title 15, Chapter 153 and Chapter 154 to authorize administrative personnel to review and approve preliminary plats, final plats and plat amendments without a public hearing in accordance with HB 2447. (Community Development/Community Planning) (Alyssa Linville)

STRATEGIC OUTCOME:

The proposed text amendment will ensure City regulations reflect recent modifications to the state law, supporting the City Council's strategic outcome of Respected and Responsible.

REPORT:

House Bill 2447, approved by the legislature and signed by the Governor on March 31, 2025, requires by ordinance that cities and towns authorize administrative personnel to review and approve preliminary plats, final plats and plat amendments without a public hearing.

House Bill 2447 makes a significant shift in how municipal planning and development review processes are handled. Under the new law, cities and towns are required to delegate certain approvals to administrative staff rather than boards and commissions. Currently, preliminary plats are under the authority of the Planning and Zoning Commission, and final plats are under the authority of the City Council. State statute requires that Cities and Towns adopt an Ordinance on Administrative Review on or before December 31, 2025.

In accordance with House Bill 2447, the proposed text amendment removes the review authority by the Planning and Zoning Commission and City Council and places that authority within the Department of Community Development.

PUBLIC COMMENTS - EXCERPT FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:

QUESTIONS FOR STAFF:

"John Mahon, Planning and Zoning Vice-Chairman asked if an applicant does not agree with a requirement would the public have an opportunity to attend a public hearing. **Domby** replied that there will be an appeal process if an applicant does not agree with certain requirements. **Domby** stated staff will be seeking direction from City Council regarding whether some form of neighborhood notification will be required.

“Chris Hamel, Planning and Zoning Chairman commented that while he understands the intent of the state’s actions, he partially disagrees with the approach. Hamel then asked for clarification, noting that the proposed changes would eliminate the Planning and Zoning Commission and City Council review of preliminary and final plat decisions at this level, and that the state has mandated compliance by the end of December. Amelia Domby, Principal Planner answered, that is correct.

APPLICANT/APPLICANT’S REPRESENTATIVE

None

PUBLIC COMMENT

None

MOTION

“Motion by Jorge Gonzalez, Planning and Zoning Commissioner, second by Ashlie Pendleton, Planning and Zoning Commissioner to APPROVE ZONE-44496-2025 as presented.

“Motion carried unanimously, (5-0) with one absent and one vacancy.’

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$ 0.00	-	

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

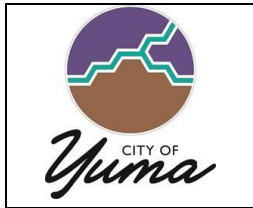
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- ☐ Department
☐ City Clerk’s Office
☐ Document to be recorded
☒ Document to be codified

Acting City Administrator: John D. Simonton	Date: 11/25/2025
Reviewed by City Attorney: Richard W. Files	Date: 11/24/2025



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – TEXT AMENDMENT
CASE PLANNER: AMELIA DOMBY

Hearing Date October 27, 2025

Case Number: ZONE-44496-2025

Project Description: This is a request by the City of Yuma for a Subdivision and Zoning Code Text Amendment to authorize administrative personnel to review and approve preliminary plats, final plats and plat amendments without a public hearing by amending Title 15, Chapter 153 and Chapter 154.

Staff recommendation: Staff recommends **APPROVAL** of the text amendment to authorize administrative personnel to review and approve preliminary plats, final plats and plat amendments without a public hearing by amending Title 15, Chapter 153 and Chapter 154.

Suggested Motion: Move to **APPROVE** the text amendment ZONE-44496-2025 as presented in the staff report.

Effect of the Approval: By approving the text amendment, the Planning and Zoning Commission is recommending approval to City Council for the request to authorize administrative personnel to review and approve preliminary plats, final plats, and plat amendments without a public hearing by amending Title 15, Chapter 153 and 154.

Staff Analysis: House Bill 2447, approved by the legislature and signed by the Governor on March 31, 2025, requires by ordinance that cities and towns authorize administrative personnel to review and approve preliminary plats, final plats and plat amendments without a public hearing.

House Bill 2447 makes a significant shift in how municipal planning and development review processes are handled. Under the new law, cities and towns are required to delegate certain approvals to administrative staff rather than boards and commissions. Currently, preliminary plats are under the authority of the Planning and Zoning Commission, and final plats are under the authority of the City Council. State statute requires that Cities and Towns adopt an Ordinance on Administrative Review on or before December 31, 2025.

In accordance with House Bill 2447, the proposed text amendment removes the review authority by the Planning and Zoning Commission and City Council and places that authority within the Department of Community Development.

1. Does the proposed amendment implement the goals, objectives and policies of the General Plan?
N/A

2. Does the proposed amendment fit the overall purpose and intent of the zoning ordinance?
Yes. The proposed amendment fits the overall purpose and intent of the zoning ordinance.

3. Will the proposed amendment change the range of uses identified in the zoning code? If so, how?

No.

4. Will the proposed text amendment change the development standards of the zoning or subdivision ordinances? If so, how?

Yes. In accordance with House Bill 2447, the proposed text amendment removes the review authority by the Planning and Zoning Commission and City Council and places that authority within the Department of Community Development.

5. What are the potential impacts of the proposed amendment?

House Bill 2447 removes the public hearing process, which reduces opportunities for public input.

6. Does the proposed amendment fit the overall purpose and intent of the subdivision ordinance?

Yes.

7. Does the proposed amendment conform to prior City Council actions regarding this issue?

N/A

External Agency Comments: None Received.

Neighborhood Meeting No Meeting Required.
Comments:

Proposed conditions delivered to applicant on: N/A

Final staff report delivered to applicant on: N/A

Attachments:

A	B
Draft Text	Agency Notification

Prepared By: *Amelia Domby*

Date: 10/7/25

Amelia Domby

Principal Planner

Amelia.Domby@yumaaz.gov (928) 373-5000, x1234

Reviewed By: *Jennifer L. Albers*

Date: 10/8/25

Jennifer L. Albers

Assistant Director of Planning

Approved By: *Alyssa Linville*

Date: 10/16/25

Alyssa Linville

Director, Planning and Neighborhood Services

ATTACHMENT A
DRAFT TEXT

SECTION 1: Yuma City Code, Title 15, Chapter 153, Subdivisions be amended to insert the bolded text and delete the strike through text:

General Provisions

§ 153-01 Purpose and Intent for Plat Approval Procedure.

Under the authority of the City Charter, Article III, Section 12, Land Use, and state statutes granting to municipalities the right to review and approve subdivision of lands (Title 9, Chapter ~~6~~ **4**, Article 6.2, Municipal Subdivision Regulations), the city shall regulate as is necessary for the public benefit the use of all land within the corporate limits. The subdivision of land affects public rights-of-way and their use. Therefore, procedural requirements for the review and processing of plats shall be established for the subdivision of land.

§ 153-02 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AGREED SCHEDULE. A time schedule agreed upon by the subdivider and the Planning Commission for installation of required public improvements, and the sequence in which each will be installed.

ALLEY. A minor public right-of-way used primarily for vehicular access to the rear or side of properties otherwise abutting on a street.

ASSURANCE OF COMPLETION. A contract secured by a bond in an amount and with surety satisfactory to the City Engineer, guaranteeing completion of public improvements which are shown on the subdivision preliminary plan.

BOARD OF SUPERVISORS. Chief legislative body of the County of Yuma.

BUILDING SETBACK LINE. The line indicating the minimum horizontal distance between the street right-of-way line and buildings or any projection thereof, other than steps, eaves, or overhangs.

CITY. The City of Yuma, being in Yuma County, State of Arizona.

CITY COUNCIL. The chief legislative body of the City of Yuma.

CITY ENGINEER. The City Engineer of the City of Yuma or their designee for oversight of a given functional role or project.

COUNTY. County of Yuma, State of Arizona.

CUL-DE-SAC. A short, minor street having but one end open for motor traffic; the other being terminated by a vehicular turn-a-round.

DEPARTMENT OF BUILDING SAFETY. The Department of Building Safety of the City of Yuma, Arizona.

~~*DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES.* The Department of Planning and Neighborhood Services of the City of Yuma, Arizona.~~

DEPARTMENT OF COMMUNITY DEVELOPMENT. The Department of Community Development of the City of Yuma, Arizona.

EASEMENT. A grant by a property owner of the use, for a specific purpose or purposes, of a designated strip of land to the general public, a corporation, or other individuals.

GENERAL PLAN. The comprehensive, long-range general plan for the development of the City of Yuma consisting of statements of community goals and development policies, including maps, any necessary

diagrams and text setting forth objectives, principles, standards and plan proposals.

LOT. A portion of a subdivision intended as a unit for transfer of ownership or for development or both, and having frontage on a dedicated street. In determining the area and dimensions of a lot, no part of the right-of-way of a street or crosswalk may be included.

LOT FRONTAGE. The front dimension of a lot measured along the street right-of-way.

LOT WIDTH. The width of the lots at the building line measured parallel to the street right-of-way line.

MAJOR STREET PLAN OR OFFICIAL MAP. A part of the master plan showing the location and dimensions of principal thoroughfares (land shown in parks along such thoroughfares is not deemed part of the street right-of-way).

MASTER PLAN. A comprehensive subdivision development or neighborhood plan consisting of statements of neighborhood goals and development policies, including maps, any necessary diagrams and text setting forth objectives, principles, standards and plan proposals to guide subdivision design and platting. A *MASTER PLAN* shall consist of not less than 80 acres of land.

OFFICIAL MAP. The map established by the City Council as provided by law, showing the streets theretofore existing and established by law as public streets and any amendments thereto adopted by the City Council, as appropriate, or additions thereto resulting from approval of subdivision plats and the subsequent recording of such approved plats.

PLANNING AND ZONING COMMISSION. Planning and Zoning Commission of the City of Yuma.

PLAT OF SUBDIVISION. A map showing the division of any tract of land into two or more parcels, and prepared for the purpose of recording.

PROTECTIVE COVENANT. A restriction on the use of private property within a subdivision for the purpose of providing mutual protection against undesirable aspects of development. Protective covenants regulating the use of land represent an express agreement between the subdivider and the lot purchasers.

PUBLIC IMPROVEMENTS. Any of the following: roadway pavement section, curbs, gutters, sidewalks, crosswalks, water mains, sanitary sewer, storm drains, landscaping, retention basins, and other appurtenant construction as related to the subdivision plan.

RIGHT-OF-WAY. The entire strip of land lying between the property lines of a street or thoroughfare, alley, walkway, or easement.

ROADWAY. The portion of a street available for vehicular traffic between curbs, or the improved portion within the right-of-way.

~~*RULES OF PROCEDURE.* Regulations adopted by the Planning and Zoning Commission and the City Council for the submission and approval of subdivision plats.~~

SIDEWALKS. The portion of a street or walkway, paved or otherwise surfaced, intended for pedestrian use only.

STREET. A right-of-way designed for vehicular and pedestrian traffic, regardless of its designation by name, such as street, thoroughfare, avenue, land, place or the like.

STREET, ACCESS OR FRONTAL. A street running parallel to and adjacent to or in the immediate vicinity of a major street or highway and which has as its purpose the relief of such major street from the local service of abutting properties.

STREET ARTERIAL. A street of great continuity, existing or planned which serves or is intended to serve foreign and local traffic, and which is designated on the major street plan to identify those streets comprising

the basic structure of the street system of the city and surrounding area. Arterials are only those streets designated on the master street plan, including additions or corrections thereto.

STREET, LOCAL. A street of limited continuity which serves or is intended to serve the local needs of a neighborhood.

STREET STANDARDS. City of Yuma standard specifications as adopted or amended.

SUBDIVIDER. Any person, firm or corporation acting as a unit, or any agent thereof, dividing or proposing to divide land so as to constitute a subdivision as defined herein.

SUBDIVISION. A division of land into two or more lots, tracts or parcels for the purpose of financing, sale or lease, whether immediate or future, except for any division of land which qualifies as a lot split as specified in § 153-18. *SUBDIVISION* shall include any condominium, cooperative, community apartment, townhouse, or similar project in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit thereon, and further indicating the building(s) or the manner in which the building(s) or airspace above the property shown on the plat is to be recorded.

SUBDIVISION PRELIMINARY PLAT. A drawing showing a proposed subdivision of land together with the public improvements which are to be installed therein. Such a drawing is not recordable.

TRACT. A defined area of land regardless of size.

WALKWAY. A public right-of-way used primarily for pedestrian travel through or across any portion of a block.

ZONING. Regulation by districts of the height, area, and use of buildings; use of land and density of population.

§ 153-03 General Principles of Acceptability

(A) *Master plan.*

- (1) Streets shall conform substantially to the general plan adopted by the city and any revisions or amendments thereof. Whenever a tract to be subdivided includes any part of a street indicated as an arterial street on the major street plan of the general plan, such part of such street shall be dedicated by the subdivider.
- (2) Where frontal or access roads are deemed necessary, additional right-of-way shall be 40 feet on either side of the arterial street.

(B) *Public open spaces and sites.* Where, as indicated by the master plan, a proposed subdivision contains, wholly or in part, a proposed public open space or a proposed site for a public building, such sites shall be reserved unless the concerned authority states it has no intention of development in the area. ~~The Planning and Zoning Commission will immediately notify the concerned authority.~~

(C) *Neighborhood plan.* If a tentative plan has been approved by the ~~Planning and Zoning Commission~~ **Department of Community Development** for the neighborhood of the proposed subdivision, the street system of the latter shall conform substantially thereto.

(D) *Unsubdivided portion of tract.* The ~~Planning and Zoning Commission~~ **Department of Community Development** may require a sketch of the tentative future street system beyond the limits of the tract adjacent to the land area presently being subdivided.

(E) *Provision for future subdivision.* If a tract is subdivided into parcels larger than ordinary building lots, such parcels shall be arranged to allow the opening of the future streets and logical further subdivision.

- (F) *Reserved strips prohibited.* There shall be no “reserved” strips controlling access to land dedicated or intended to be dedicated to public use.

§ 153-04 Streets

(A) *Circulation.*

- (1) The street pattern shall provide ease of circulation within the subdivision as well as convenient access to adjoining streets or unsubdivided land, as may be required by the City Engineer.
- (2) Local residential streets should be so planned as to discourage their use by non-local traffic. Where a street will eventually be extended beyond the subdivision but is temporarily dead-ended, an interim turn-around may be required.

(B) *Arterial streets.* If a new subdivision involves frontage on an arterial street, as defined herein, the street layout should be planned to avoid, as far as possible, any private residential driveways from having direct access to such by providing access or frontal streets.

(C) *Existing streets.* Existing street (constructed or recorded) in adjoining territory shall be continued at equal or greater width and in similar alignment by streets proposed in the subdivision, unless variations are approved by the City Engineer.

(D) *Cul-de-sacs.* Cul-de-sacs shall not be longer than 600 feet, unless necessitated by topography or other circumstances beyond the subdividers control.

(E) *Half-streets.* No half-streets will be accepted. Where there exists a dedicated or platted half-street adjacent to the tract to be subdivided, the other half, being a minimum width to meet this chapter, shall be platted.

(F) *Stub streets.* Where a subdivision adjoins unsubdivided land, stub streets shall be provided at locations as determined by the City Engineer to ensure future access and traffic circulation.

(G) *Intersections.* All street intersections shall be at right angles. Where, because of topographic or other reasons, an intersection cannot be at right angles, such intersection shall be designed to insure safety.

(H) *Easements.* Easements for slopes and utilities shall be dedicated wherever necessary as required by the City Engineer. Easements shall be at least eight feet wide across the rear or front of all lots, except that a utility easement adjacent to unsubdivided lands shall be at least ten feet wide. In addition, easements may be required at other suitable locations by the City Engineer.

(I) *Dimensional standards.*

- (1) *Minimum width.* The street right-of-way and roadway width shall not be less than the minimum width shown in the latest adoption of the City of Yuma Construction Standards Detail Drawings and the Transportation Element of the General Plan. Additional right-of-way or easements may be required for utilities, slope rights, drainage facilities or irrigation facilities.
- (2) *Alignment; minimum standards.*
 - (a) One electronic copy of the complete, plans and profiles for street and alley improvements shall be submitted for approval of the City Engineer prior to approval of the final plat by ~~City Council~~ **the Department of Community Development.**
 - (b) Vertical curves:
 1. Arterial streets: As determined by the City Engineer.

2. Collector, local streets: Minimum length 100 feet, except in cases approved by the City Engineer.

(c) Horizontal curves:

1. Arterials, access and frontal streets: 500 feet.
 2. Collector streets: 200 feet.
 3. Local streets: 100 feet.
 4. Alleys: Laid out to provide turning radius at alley intersection.
- (3) *Reserved curve.* Unless approved by the City Engineer, all streets shall have a tangent of 100 feet between reserve curves.
- (4) *Corners.* At the intersection of two streets, property line corners shall be chamfered by a corner triangle in accordance with the currently adopted design and construction standards. The minimum corner triangle size shall be increased when the smallest angle of intersection is less than 90 degrees, or in any case where the City Engineer considers an increase necessary.

§ 153-05 Blocks

(A) Length of residential blocks shall not be more than 1,000 feet long unless approved by the ~~Planning and Zoning Commission~~ **Department of Community Development**.

(B) Irregular shaped blocks (including superblocks) indented by cul-de-sacs containing interior parks or playgrounds and adequate parking space, will be acceptable when properly designed and covered by agreements as to maintenance of such park areas.

(C) Orientation on arterials: If frontage on an arterial street is involved, the long dimension of the block shall preferably front thereon by means of an access or frontal road, in order to create as few intersections as possible with the arterials.

(D) Business or industrial: Blocks intended for business or industry shall be of such length and depth as may be considered most suitable for their prospective use by the ~~Planning and Zoning Commission~~ **Department of Community Development**, including adequate provision for parking, on-site loading and unloading and buffer, as required by the zoning ordinance.

§ 153-06 Lots.

(A) *Minimum width.* The minimum width of residential lots for all subdivisions shall be 50 feet at the building line and shall have a minimum area as approved by the County Health Unit, unless a larger area is required by the zoning ordinance.

(B) *Length and width ratio.* It is desirable that the length of a lot shall be not more than four times its width.

(C) *Fronting on arterials.* Lots fronting on arterials should be of such depth to accommodate setbacks as set forth in the zoning ordinance.

(D) *Double frontage.* Double frontage lots shall be avoided, except to overcome disadvantages of topography and orientation.

(E) *Side lot lines.* Side lines of lots shall be approximately at right angles or radial to the street line unless, in the opinion of the ~~Planning and Zoning Commission~~ **Department of Community Development**, a variation from this rule will give a better street and lot plan.

(F) *Corner lots.* Corner lots shall have sufficient width to permit the maintenance of the side street building line after providing a minimum building width of 30 feet, and a side yard, as required by the zoning ordinance, on the interior side of the lot.

(G) *Building sites.* Every lot must contain a suitable building site, which will provide minimum yard requirements in compliance with the zoning ordinance.

(H) *Street frontage.* Every lot shall front on a public street having a minimum right-of-way of 50 feet for a distance of not less than 35 feet measured along said right-of-way line.

Procedure for Plat Approval

§ 153-14 Pre-Application Procedure.

(A) Informal consideration. While the subdivision is still in the preliminary planning stage, the applicant shall consult with the Department of ~~Planning and Neighborhood Services~~ **Community Development** through a pre-development meeting, for informal review regarding the general plan, the zoning code, drainage and floodplain regulations, utility regulations, International Building Code, the subdivision code and standard for the design and installation of public improvements.

(B) Upon receiving favorable feedback from the pre-development meeting, the applicant may proceed to prepare the preliminary plat for submittal.

(C) Under no circumstances shall informal favorable consideration by the Department of ~~Planning and Neighborhood Services~~ **Community Development** be construed as formal approval of any subdivision.

§ 153-15 Submittal Process Outline

(A) Step One: Preliminary Plat: The preliminary plat application shall be reviewed and approved by the ~~Planning and Zoning Commission~~ **Department of Community Development**. The preliminary plat shall include applicable information as indicated in Yuma City Code § 153-31(A).

(B) Step Two: Improvement Plans

(1) A complete set of final improvement plans shall be submitted with the preliminary plat application, ~~or within 3 weeks of submitting the preliminary plat application.~~ Improvement plans shall include applicable information as indicated in Yuma City Code §§ 153-47(B), 153-47(C), and 153-47(D).

(2) Three sets of final improvement plans, and supplementary materials as specified, shall be submitted to the Department of ~~Planning and Neighborhood Services~~ **Community Development**. If plans are submitted electronically, there shall be no need to provide three hard copy sets.

~~(3) If final improvement plans are not submitted in a timely manner, review and approval of the preliminary plat to the Planning and Zoning Commission may be continued to an appropriate hearing date.~~

~~(4)~~ (3) For phased development projects, final improvement plans for a particular phase must be approved prior to the submittal of a final plat application.

(C) Step Three: Final Plat

The final plat application shall be reviewed and approved by the ~~City Council~~ **Department of Community Development**.

§ 153-16 Preliminary Plat Process

(A) The applicant shall prepare a preliminary plat that includes all applicable information required in Yuma City Code §§ 153-31(A) and 153-47.

(B) Three sets of the preliminary plat, or one electronic copy of the preliminary plat, and supplementary material as specified, shall be submitted to the Department of ~~Planning and Neighborhood Services~~ **Community Development**. One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.

~~(C) At the time of submittal of all required preliminary plat and necessary supplemental materials to the Department of Planning and Neighborhood Services, a public hearing date with the Planning and Zoning Commission shall be scheduled in accordance with the Case Review Hearing Deadlines calendar for the year. Generally, public hearings with the Planning and Zoning Commission occur within 60 days of application submittal. At the public hearing, the Planning and Zoning Commission shall express its approval or disapproval of the proposed preliminary plat. The Planning and Zoning Commission shall state the conditions of such approval, if any, or if disapproved, shall express the reasons for the disapproval.~~

~~(B)~~ (C) ~~Conditional~~ Approval of a preliminary plat shall not constitute approval of the final plat. Rather, ~~conditional~~ approval shall be deemed an expression of approval to the subdivision layout, road alignments and number of lots submitted on the preliminary plat as a guide to the preparation of the final plat. The final plat shall be processed in accordance with the requirements of Yuma City Code §§ 153-17, 153-45, 153-46, 153-47, 153-50, and 153-51 of this code.

~~(E)~~(D) The recording of a phase of the preliminary plat automatically extends the approval of the preliminary plat for an additional three years from the date of recording. The maximum time period a preliminary plat may be approved without a final plat submittal is six years.

§ 153-18 Procedure for Approval of Lot Split.

(A) Any division of land into three or fewer parts in which no right-of-way dedication, utility extension or other off-site public improvement is involved may be processed as a lot split subject to approval by the City Planning Director and City Engineer.

(B) Any proposed lot split shall be submitted to the Community Planning Division to determine compliance with applicable platting, subdividing and zoning regulations. The City Planning Director or City Engineer may require the submittal of any additional information as is pertinent to make this determination.

(C) The final plat shall be prepared by an Arizona registered surveyor **or registered civil engineer** on a sheet suitable for recording, or on polyester or linen or a copy reproduced on polyester by a photographic silver imaging process or other method that assures archival quality. Required signatures shall be original signature, not copies, and shall include provisions for signatures by the City Planning Director and City Engineer. The plat must be 24" x 36" or other size as required by the Yuma County Recorder. All drawing, printing, and signatures shall be directly applied to the sheet to be recorded. The use of nonpermanent inks, press-on adhesive letters, films, or tapes is prohibited. The plat shall further include items specified in §§ 153-47. One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.

§ 153-19 Procedure for Approval of a Ten Lot Subdivision.

(A) A division of land into ten or fewer parts may be processed as a subdivision which does not require the need for a preliminary plat approval. A ten lot or less subdivision shall follow the final plat review process as specified in § 153-46 and will be subject to approval by **the Department of Community Development City Council**.

(B) In accordance with state statute, A.R.S. § 9-463.01, the City Engineer may waive or reduce infrastructure standards or requirements except for improved dust-controlled access and minimum drainage improvements.

§ 153-20 Optional Commercial and Industrial Master Plat Process.

(A) *Purpose.* The commercial or industrial subdivision master plat process establishes an optional procedure within the city's subdivision plat process for subsequent divisions of a commercial or industrial master plat into smaller lots or tracts. A commercial or industrial master plat shall comply with all applicable city, state and federal development standards in effect at the time of development and the plat shall comply with the purpose and intent of the city's subdivision regulations.

(B) This procedure can only be followed if:

(1) The commercial or industrial subdivision master plat has completed preliminary and final plat approval per Chapter 153 of the City of Yuma Code of Ordinances;

(2) No further right-of-way dedication, utility extension or other off-site public improvement is involved;

(3) Infrastructure, grading, and all site remediation and improvements are completed prior to the division of the master plat into subsequent lots or tracts.

(C) Subsequent divisions of the master plat shall be processed in accordance with the procedures specified within § 153-18 Procedure for Approval of Lot Split. Minimum lot size is determined by the requirements of the zoning district.

§ 153-21 Filing Fee.

Each subdivision as defined herein shall be accompanied by a completed application form as provided by the City of Yuma Community Planning Division, and a nonreturnable filing fee in accordance with the fee schedule adopted by City of Yuma Ordinance No. 1943, and successors.

Preliminary Plat~~n~~

§153-30 Purpose and Intent

The preliminary plat is intended to precede the final subdivision plat. Its purpose is to show all facts needed to enable ~~the Planning and Zoning Commission and the~~ administrative staff of the city to determine whether the proposed layout of the subject land and the proposed public improvements are in the public interest. All required engineering and surveying work must be performed by or under the supervision of a registered engineer or surveyor registered in accordance with the provisions of the Arizona State Board of Registration for Professional Engineers and Land Surveyors. The following graphic and plat descriptive items are required to be shown on a preliminary plat.

§ 153-31 Preliminary Plat and Plans Submittal Requirements.

(A) *Preliminary plat information:*

(1) Plat scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on the plat;

(2) Plat may be submitted on several sheets and accompanied by an index sheet showing entire subdivision;

- (3) Subdivision name, names and addresses of owner and developer;
- (4) Location by section, township, range, county, state;
- (5) Plat signed and sealed by a registered land surveyor;
- (6) North arrow;
- (7) Subdivision boundary shown as a heavy, dark, solid line with accurate distances and bearings to primary control points;
- (8) Location, width and status (i.e., fee title, easement, county declaration, etc.) of all streets, alleys and other rights-of-way within and adjacent to the plat;
- (9) Names of streets within (existing and proposed) and 150 feet outside of the plat boundaries;
- (10) Bearings and distances to the nearest established section, or patent corners or other official monuments;
- (11) Federal Emergency Management Agency flood zone designations shall be clearly indicated or noted on the plat;
- (12) Lengths of all arc radii;
- (13) All existing easements or rights-of-way provided for public services or utilities, canals, or drainage ditches including purposes and any limitations of such easements. Also show and identify all other geophysical features within and 150 feet outside the plat boundaries;
- (14) Proposed easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
- (15) Lot lines (existing and proposed) with dimensions to the nearest foot and bearings;
- (16) Building setback lines, shown graphically along all streets with dimensions;
- (17) Square footage or acreage of each resulting lot;
- (18) All access points (vehicular and pedestrian) located within 150 feet of the proposed subdivision including their location, name, width, title status (i.e., easement, fee title) and recording information, if applicable;
- (19) Names and property lines of adjacent subdivision lots, and unsubdivided lands, shown with lightly dashed lines. Unsubdivided lands shall have reference to Yuma County Assessor's Parcel Numbers. Note locations and uses of all parcels or lots with non-residential uses;
- (20) Accurate description of all monument or marker locations used on the plat;
- (21) Accurate outlines of any areas being dedicated for public use with purposes indicated thereon and any area reserved by deed covenant for common use by all property owners in the subdivision, including private streets, if any;
- (22) Retention designations and volumes as required, if applicable. Deed restrictions to be recorded on subdivision plat with identified stormwater storage requirements;
- (23) Clearly identify or note zoning district boundaries and designations on the property and within 150 feet outside the plat boundary;
- (24) Draft restrictive covenants applying to lots in the subdivision;
- (25) Show USPS approved cluster box unit mailbox locations.
 - (a) Coordinate with the USPS for locations of cluster box unit mailboxes,

- (b) Provide easement(s) and/or fee title dedication to the City of Yuma on the plat for the location(s) of the cluster box unit mailboxes,
 - (c) The cluster box unit mailboxes and supporting structures shall be located so that they do not create a traffic hazard, sight hinderence or other safety hazard per the American Association of State Highway and Transportation Officials' (AASHTO's) "Intersection Sight Distance" methodology, as presented in the most current revision adopted by the State of Arizona of "A Policy on Geometric Design of Highways and Streets".
- (26) Two full street access points shall be shown for the proposed development. Where such access cannot be provided due to existing development or land-locked property, provisions may be added to conditions for subdivision approval, which improve accessibility or reduce fire hazards through ~~sprinklered structures and/or~~ other solutions.

Final Plat

§ 153-45 Preparation and Recording of Plat Required.

A subdivision final plat is the official recordable plat. All required engineering and surveying work must be performed by or under the supervision of a professional engineer and land subdividing and property pin setting by or under the supervision of a land surveyor, registered in accordance with the provisions of the State of Arizona State Board of Technical Registration. The final plat must bear the seal, signature and date of said professional engineer or surveyor.

§ 153-46 Final Plat Process.

(A) The final plat shall be prepared as specified in §§ 153-47 and 153-50 and shall conform substantially to the preliminary plat as approved. If desired by the applicant, the plat may be approved and recorded in phases. Each phase is required to conform to all city requirements and conditions of approval of the preliminary plat.

(B) The final plat shall be submitted to the Department of ~~Planning and Neighborhood Services~~ **Community Development** within three years of the approval date of the preliminary plat; otherwise, such preliminary plat shall automatically expire and be null and void. ~~An extension of time applied for prior to the expiration date of a preliminary plat and granted by the Planning and Zoning Commission shall extend such deadline.~~

(C) Three complete sets the final plat or one electronic copy, and other supplementary material required for review, shall be submitted to the Department of ~~Planning and Neighborhood Services~~ **Community Development**. Other final plat supplementary materials shall include:

- (1) Completed application form and staff notes from pre-development meeting;
- (2) Filing fee;
- (3) Environmental transaction screen or equivalent documentation (two copies or an electronic copy);
- (4) Engineer's construction cost assessment for determining assurances;
- (5) One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.

~~(D) If the Department of Planning and Neighborhood Services determines that all conditions of~~

~~approval and city codes are satisfied, then the Department of Planning and Neighborhood Services will forward the final plat to the City Council for consideration based on the final plat application deadline schedule.~~

§ 153-47 Final Plat Submittal Requirements.

(A) *Final plat information:*

- (1) Final scale to be shown on plat: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet;
- (2) Plat may be submitted on several sheets and accompanied by an index sheet showing entire subdivision;
- (3) Subdivision name, and unit number, if any;
- (4) Names and addresses of owner and developer; location by section, township, range, county and state;
- (5) Professional land surveyor's certification;
- (6) North arrow;
- (7) Signature lines and dates on plat for: City Department of Community Development, City of Yuma Engineer, Acceptance by Mayor, City Clerk or designee, Health Department where applicable; owner(s) signed and notarized approval of plat and dedications of streets, alleys, easements, and any other public areas;
- (8) Subdivision boundary with accurate distances and bearings to primary control points;
- (9) Location and width of all streets, crosswalks, alleys and other rights-of-way within the plat;
- (10) Names of streets within and adjacent to the plat boundaries as defined in approved preliminary plat;
- (11) Bearings and distances to the nearest established section or patent corners or other official monuments;
- (12) Lengths of all arcs, radii, internal angles, tangent lengths and radial bearings, if necessary;
- (13) All existing easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
- (14) Proposed easements for right-of-way provided for public services or utilities, including purposes and limitations of such easements;
- (15) Sequentially-numbered lots with accurate dimensions in feet, to the nearest hundredth and bearings and angles for applicable lot lines;
- (16) Accurate description of all monument or marker locations used on the plat;
- (17) Accurate outlines of any areas being dedicated for public use with purposes indicated thereon and any area reserved by deed covenant for common use by all property owners in subdivision, including private streets, if any;
- (18) Square footage or acreage of each resulting lot;
- (19) Building setback lines, shown graphically along all streets with dimensions;
- (20) Stormwater retention designations and volumes as required for lots within the subdivision, if applicable (deed restrictions to be recorded on lots with identified

stormwater volume storage requirements);

(21) Any restrictive covenants applying to lots in the subdivision (signed by the owner(s)) and printed on subdivision plat or recorded in the Office of the Recorder;

(22) Show easement(s) for USPS approved cluster box units; monuments or markers shall be located and in place prior to final approval;

(a) The cluster box unit mailboxes must meet the specifications of the United States Postal Service (USPS) with the inscription "US Mail" and "Approved by the Postmaster General" plainly legible and be approved by the local postmaster prior to installation.

(23) Monuments or markers shall be located and in place prior to final plat acceptance of the subdivision of the city.

(24) One full street access and a second access (permanent or temporary) including subdivision improvement plans for each phase of the development shall be shown having accessible routes for emergency access personnel and equipment, subject to the approval of the Fire Marshal. Where such access cannot be provided due to existing development or land-locked property, the ~~Planning and Zoning Commission may recommend conditions for subdivision approval,~~ **proposal shall be subject to review by the Fire Marshal, which may include measures to improve accessibility or reduce fire hazards through sprinklered structures.**

(B) *Final plat boundary and topographic survey map information:*

(1) Scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on plat;

(2) Title block including the following information: Subdivision name and unit number, if any;

(3) Name and address of registered land surveyor;

(4) Subdivision boundary with accurate distances and bearings to primary control points;

(5) Location and width of all streets, crosswalks, alleys and other rights-of-way within and adjoining the plat;

(6) Names of streets within and adjacent to the plat boundaries as defined in the approved preliminary plat;

(7) Bearings and distances to the nearest established section or patent corners or other official monuments (street lines or political subdivision boundaries);

(8) Lengths of all arcs, radii, internal angles, tangent lengths and radial bearings, if necessary;

(9) All easements, restrictive covenants and right-of-way provided for public services or utilities, including purposes and any limitations of such easements;

(10) Accurate description of all monument or marker and benchmark locations used on the plat.

(C) *Final plat grading, paving and drainage plan map information:*

(1) Scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on plat;

(2) Title block including the following information: Subdivision name and unit number, if any, and professional engineer preparing map information including address and phone;

(3) Subdivision boundary;

(4) Location and width of all streets, crosswalks, alleys and other rights-of-way within and adjoining the plat;

- (5) Names of streets within and adjacent to the plat boundaries as defined in the approved preliminary plat;
 - (6) All easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
 - (7) Accurate description of all monument or marker and benchmark locations used on the plat;
 - (8) Monuments or markers to be constructed in accordance with the City of Yuma standard specifications and/or other specifications;
 - (9) Applicable lot lines with accurate dimensions; onsite stormwater retention designations;
 - (10) Boundary and topographic survey information;
 - (11) Street plans with grades and details;
 - (12) Drainage plans and profiles with grades and details;
 - (13) Street lighting locations and details where necessary.
- (D) Final plat water, sewer, utility and landscaping plan information:*
- (1) Scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on plat;
 - (2) Title block including the following information: Subdivision name and unit number, if any, and professional engineer preparing map information including address and phone;
 - (3) Subdivision boundary;
 - (4) Names of streets within and adjacent to the plat boundaries as defined in the approved preliminary plat;
 - (5) All existing easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
 - (6) Applicable lot lines with accurate dimensions;
 - (7) Accurate outlines of any areas being dedicated for public use with purposes indicated thereon and any area reserved by deed covenant for common use by all property owners in subdivision, including private streets, if any;
 - (8) Monuments or markers to be constructed in accordance with City of Yuma standard specifications and/or other specifications;
 - (9) Boundary and topographic survey information including benchmarks;
 - (10) Water plans and details;
 - (11) Sewer plans and details;
 - (12) On-site stormwater retention designations
 - (13) Public utilities, including telephone, cable television, electricity or other public utilities and details where necessary
 - (14) Landscaping plans including systems for retention and/or detention areas/recreation areas or parks - total linear footage of irrigation lines for landscaping shall be provided by location;
 - (15) Lighting locations and details where necessary.

§ 153-50 Final Plat Materials and Documents Required.

Upon approval of the final plat by the ~~City Council~~ **Department of Community Development**, the following materials shall be provided to the Department of ~~Planning and Neighborhood Services~~ **Community Planning** prior to recordation of the plat:

(A) One reproducible (i.e., mylar) copy of the final plat, with proper signatures to be retained by the County Recorder's Office. Digital copies of the recorded final plat will be distributed to the City of Yuma Department of Planning and Neighborhood Services and the applicant. One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.

(B) Prior to construction, a digital copy of the complete subdivision improvements plans, including street plan and profiles, water, sewer, stormwater drainage and alley improvements shall be submitted to City Engineering.

§ 153-51 Assurance of Completion.

Prior to recordation of a final plat, the applicant shall either construct or install required improvements and repair existing streets and other public facilities damaged in the development of the property or execute and file with the Department of ~~Planning and Neighborhood Services~~ **Community Development** an agreement between the applicant and the city. Said agreement shall specify the period within which required improvements and repairs shall be completed and, if the work is not completed within the period specified, it shall provide the city with the ability to complete the work and recover the full cost and expense of all improvements, together with all court costs and attorney fees necessary to collect said amounts from the applicant.

(A) The applicant shall file with the agreement, to assure full and faithful performance thereof, one of the following:

- (1) A surety bond executed by a surety company authorized to transact business in the State of Arizona.
- (2) A personal bond co-signed by at least one additional person together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of ability to proceed in accordance with the agreement.
- (3) Cash deposit, including certificates of deposit.
- (4) Letter of credit.

(B) Such assurance of full and faithful performance shall be in a form approved by the City Attorney and shall be for a sum approved by the City Engineer as sufficient to cover the cost of the improvements and repairs and related engineering and incidental expenses. The amount shall be based on a construction estimate of the work to be completed, prepared by a registered engineer and shall be a minimum of 100% of the uncompleted construction estimate, concurred to by the City Engineer.

(C) If the applicant fails to carry out the provisions of the agreement, without the written concurrence of the City Engineer and the City Engineer determines that the city will incur costs or expenses to complete these provisions, the City Engineer shall call on the assurance monies and deposit those monies in an account specifically set aside for completion of the requirements. If the amount of the assurance monies, called on by the City Engineer, exceeds the costs and expenses incurred by the city for completion of the required improvements, the City Engineer shall refund the remainder. If the amount of the assurance monies, called on by the City Engineer, proves to be insufficient to satisfy the costs and expenses incurred by the city, the applicant shall be liable to the city to satisfy the full amount of the shortfall, upon demand by the city. Ten percent of the required assurance amount shall be retained pending the city's full acceptance of subdivision improvements by the City Engineer. Release of assurances shall be based on the amount of work remaining to be completed. The city will provide written notification of the subdivision improvements acceptance and

cause the release of assurances.

Required Improvements

§ 153-60 Improvements Responsibility of Subdivider; Compliance with Standards.

All public improvements shown on the preliminary plan, and any additional improvements that may be required by the ~~Planning Commission~~ **Department of Community Development** as a condition for approval of the final plat, shall be the responsibility of the subdivider. All improvements constructed shall meet the City of Yuma standard specifications, as adopted or amended.

§ 153-61 Streets and Drainage.

(A) *Access.* Any land hereinafter subdivided shall have frontage on an existing dedicated and improved street, road, or highway. Where such proposed subdivision does not meet this condition, it shall be the responsibility of the subdivider to provide access by means of a dedicated and improved street or road.

(B) *Grading.* All streets and alleys within the limits of the subdivision shall be graded full width of the dedicated right-of-way, and all roadways shall be improved to meet the City of Yuma standard specifications, as adopted or amended.

(C) *Drainage.* Any land which is considered to be excessively irregular shall be provided with proper drainage. Where surface drainage is adequate, all appurtenant structures such as combination curb and gutter, driveway and alley entrances, valley gutters, culverts, and the like, will be constructed. Where subsurface drainage is required, all manholes, inlets, or connections to existing systems shall be required. This work shall be done prior to any street surfacing.

(D) *Sidewalks.* Sidewalks of such width and type as required by the City of Yuma standard specifications, as adopted or amended, shall be constructed on both sides of all streets within the subdivision, and in all crosswalkways.

§ 153-62 Utilities.

(A) *Sewer.* Sewer lines shall be installed to serve all lots within the subdivision in accordance with minimum standards of the city. Where sewer service is not available, a system for disposal of sewerage shall be installed in accordance with minimum requirements of the City-County Health Department. Plans for disposal systems and sanitary sewers shall be approved by the Arizona State Board of Health.

(B) *Water.* Water mains shall be installed to serve all lots within the subdivision, or certified evidence shall be submitted by the subdivider that potable water is available in sufficient quantity.

(C) *Electricity.* Certification from the local electric power company, that electrical service is available and will be provided, shall be submitted by the subdivider. Location of power distribution poles and street light standards shall be indicated on preliminary plat.

(D) *Fire hydrants.* Fire hydrants shall be installed in accordance with requirements of the City Engineer, City of Yuma Fire Department, and the recommendations of the Board of Fire Underwriters.

(E) *Street Lighting.*

(1) Street lighting shall be installed in accordance with city standards along all streets within the subdivision and along perimeter streets developed in conjunction with the subdivision. Where all utilities are proposed to be underground, underground street light circuits shall also be provided. The pole, lamp, luminaries and bracket and underground circuits shall be provided by the developer.

(2) Upon acceptance of the street lighting improvements by the city, the monthly street lighting charges shall be paid by the city. The street lighting improvements shall be maintained by the city.

(F) *Street name signs.* Signs shall be placed at all street intersections. Specifications for design, construction, location and installation shall be in accordance with City of Yuma standard specifications, as adopted or amended.

(G) *Utility connections.* Where practicable, no utilities shall be installed under any streets except where access lines are required from one area to another.

(H) *Mailboxes.* USPS-approved cluster box unit mailboxes shall be installed by the developer in the location(s) approved by the USPS and identified on the final plat. For residential developments, mailbox units must be installed prior to the final inspection of the first dwelling unit (not including the model homes). The responsibility of maintenance, replacement and repairs of the cluster box unit mailboxes is that of the home owners after initial installation by the developer.

§ 153-63 Schedule of Installation.

(A) The improvements required to be made under these regulations shall be installed in compliance with schedules agreed upon during approval of preliminary plan.

(B) Installation of all improvements shall be done under supervision of the City Engineer or under the supervision of the offices of the city having jurisdiction.

Administration and Enforcement

§ 153-75 Administration by City Planning Department.

The provisions of this chapter shall be administered by the Department of ~~Planning and Neighborhood Services~~ **Community Development**, and appeals from any decision of the ~~Planning and Zoning Commission~~ **Department of Community Development** shall go to **are appealable to** the City Council. ~~Notice of the appeal shall be given to said Planning and Zoning Commission 30 days preceding any meeting held by the City Council pertaining to said appeal.~~

§ 153-76 Variances.

Where the ~~Planning Commission~~ **Community Development Director, or authorized deputy** finds that hardships may result from strict compliance with any of these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of the Master Plan or of these regulations.

§ 153-77 Large Scale Development.

The standards and requirements of these regulations may be modified in the case of a plan and program for complete community or a neighborhood unit, which in the judgment of the Planning Department and the City Engineer, provides adequate public spaces and improvements for the circulation, recreation, light, air, and

service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to, and achievement of, the plan.

§ 153-78 Sale of Lots by Metes and Bounds Description.

The sale of property to be used as lots, plots, or building sites in subdivisions only by a metes and bounds description shall be presumed to be an attempt to evade the provisions of this ordinance, and such an instrument shall not be eligible for filing and recording in the office of the County Recorder.

§ 153-79 Issuance of Building Permits.

No building permit shall be issued for the erection of any building on any property other than on a lot of record prior to adoption of these regulations or a resubdivided lot in a duly approved and recorded subdivision without approval of the ~~City Planning Commission~~ **Department of Community Development**.

SECTION 2: Yuma City Code, Title 15, Chapter 154, Article 2, Section 1, Planning and Zoning Commission, Subsections A, B, and C, be amended to insert the bolded text and delete the strike through text:

§ 154-02.01 Planning and Zoning Commission.

(A) Created. A City Planning and Zoning Commission is hereby established.

- (1) Charter reference. Power to regulate land use for the public benefit, see Charter Art. III, § 12 and to engage in intergovernmental agreements, see Charter Art. III, § 13.
- (2) Statutory reference. Municipal planning, see A.R.S. §§ 9-461 et seq. and open space preservation, see A.R.S. §§ 9-464 et seq.

(B) Responsibilities. The Planning and Zoning Commission shall be responsible for:

- (1) Identifying and evaluating the unique factors influencing the character and location of development within the City;
- (2) Recommending to the City Council desirable standards for guiding the development and rehabilitation of various sections of the community; and,
- (3) Recommending to the City Council standards for adequate public services and facilities throughout the City.

(C) Duties. The City Planning and Zoning Commission shall:

- (1) Review long term City planning documents and recommend to the City Council that the City adopt or amend the City Council approved General Plan;
- ~~(2) Recommend to the City Council subdivision platting rules and regulations and amendments thereto;~~
- ~~(3)~~**(2)** Recommend to the City Council the adoption or amendment of zoning regulations consistent with the General Plan;
- ~~(4)~~**(3)** Recommend to the City Council an official zoning map of the City and amendments thereto consistent with the General Plan; and,
- ~~(5)~~**(4)** Review and evaluate proposed redevelopment plans for conformity with the General Plan and recommend to the City Council adoption of redevelopment plans consistent with the General Plan.

SECTION 3: Yuma City Code, Title 15, Chapter 154, Article 3, Section 1 Citizen Review Process be amended to insert the bolded text and delete the strike through text::

§ 154-03.01 Citizen Review Process

(A) Purpose. To provide appropriate information to adjacent land owners and other potentially affected citizens of requested zoning map amendments, conditional use permits, specific plans and ~~subdivisions of land~~ and allow opportunities to express any issues or concerns that they may have with the proposal before the public hearing.

(B) Notification. All notifications sent pursuant to § 154-03.02 shall include:

- (1) The substance and location of the proposal;
- (2) The purpose or intent of the proposal;
- (3) Contact information for the staff and the applicant, or his or her agent, which may include telephone numbers, mailing and e-mail addresses; and
- (4) Meeting dates and locations of neighborhood meetings, if deemed appropriate.

(C) Neighborhood meetings. Following application for zoning map amendment, conditional use permit, ~~or specific plan or preliminary subdivision of land~~, a neighborhood meeting or other public input opportunity may be required. City staff will establish the process and procedures for the neighborhood meetings. Failure by the applicant to participate in the neighborhood meeting, will delay the development review process for the subject application.

**ATTACHMENT B
AGENCY NOTIFICATION**

- Legal Ad Published: The Sun 10/03/25
- 34 Commenting/Reviewing Agencies noticed: 09/08/25
- Neighborhood Meeting: N/A
- Hearing Date: 10/27/25
- Comments due: 09/22/25

External List (Comments)	Response Received	Date Received	“No Comment”	Written Comments	Comments Attached
Yuma County Airport Authority	NR				
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	09/15/25	X		
Yuma County Planning & Zoning	YES	09/15/25	X		
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	09/15/25	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	“No Conditions”	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineering	NR				
Fire	YES	09/15/25	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	10/2/25	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

Neighborhood Meeting	Comments Available
None Required	N/A

PUBLIC COMMENTS RECEIVED: NONE

ORDINANCE NO. O2025-052

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 153 AND CHAPTER 154 OF THE YUMA CITY CODE TO COMPLY WITH STATE STATUTE RELATING TO MUNICIPAL ADMINISTRATIVE REVIEWS; AND DECLARING AN EMERGENCY

WHEREAS, House Bill 2447, approved by the legislature and signed by the Governor on March 31, 2025, requires by ordinance that cities and towns authorize administrative personnel to review site plans, development plans, land divisions, lot ties, preliminary plats, final plats and plat amendments without a public hearing; and,

WHEREAS, House Bill 2447 has an effective date of December 31, 2025, and in order to comply with that effective date, this ordinance shall be enacted as an emergency and shall be in effect upon adoption on December 17, 2025; and,

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

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on October 27, 2025 in Case No: ZONE-44496-2025 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 October 3, 2025; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the zoning code text amendment in Case No: ZONE-44496-2025 and the probable impact on the cost to construct housing for sale or rent that may occur as a result of this amendment, and finds that the recommendation complies with and supports 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: Yuma City Code, Title 15, Chapter 153, Subdivisions be amended to insert the bolded text and delete the strike through text:

General Provisions

§ 153-01 Purpose and Intent for Plat Approval Procedure.

Under the authority of the City Charter, Article III, Section 12, Land Use, and state statutes granting to municipalities the right to review and approve subdivision of lands (Title 9, Chapter ~~6~~ **4**, Article 6.2, Municipal Subdivision Regulations), the city shall regulate as is necessary for the public benefit the use of all land within the corporate limits. The subdivision of land affects public rights-of-way and their use. Therefore, procedural requirements for the review and processing of plats shall be established for the subdivision of land.

§ 153-02 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AGREED SCHEDULE. A time schedule agreed upon by the subdivider and the Planning Commission for installation of required public improvements, and the sequence in which each will be installed.

ALLEY. A minor public right-of-way used primarily for vehicular access to the rear or side of properties otherwise abutting on a street.

ASSURANCE OF COMPLETION. A contract secured by a bond in an amount and with surety satisfactory to the City Engineer, guaranteeing completion of public improvements which are shown on the subdivision preliminary plan.

BOARD OF SUPERVISORS. Chief legislative body of the County of Yuma.

BUILDING SETBACK LINE. The line indicating the minimum horizontal distance between the street right- of-way line and buildings or any projection thereof, other than steps, eaves, or overhangs.

CITY. The City of Yuma, being in Yuma County, State of Arizona.

CITY COUNCIL. The chief legislative body of the City of Yuma.

CITY ENGINEER. The City Engineer of the City of Yuma or their designee for oversight of a given functional role or project.

COUNTY. County of Yuma, State of Arizona.

CUL-DE-SAC. A short, minor street having but one end open for motor traffic; the other being terminated by a vehicular turn-a-round.

DEPARTMENT OF BUILDING SAFETY. The Department of Building Safety of the City of Yuma, Arizona.

~~*DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES.* The Department of Planning and Neighborhood Services of the City of Yuma, Arizona.~~

DEPARTMENT OF COMMUNITY DEVELOPMENT. The Department of Community Development of the City of Yuma, Arizona.

EASEMENT. A grant by a property owner of the use, for a specific purpose or purposes, of a designated strip of land to the general public, a corporation, or other individuals.

GENERAL PLAN. The comprehensive, long-range general plan for the development of the City of Yuma consisting of statements of community goals and development policies, including maps, any necessary diagrams and text setting forth objectives, principles, standards and plan proposals.

LOT. A portion of a subdivision intended as a unit for transfer of ownership or for development or both, and having frontage on a dedicated street. In determining the area and dimensions of a lot, no part of the right- of-way of a street or crosswalk may be included.

LOT FRONTAGE. The front dimension of a lot measured along the street right-of-way.

LOT WIDTH. The width of the lots at the building line measured parallel to the street right-of-way line.

MAJOR STREET PLAN OR OFFICIAL MAP. A part of the master plan showing the location and dimensions of principal thoroughfares (land shown in parks along such thoroughfares is not deemed part of the street right-of-way).

MASTER PLAN. A comprehensive subdivision development or neighborhood plan consisting of statements of neighborhood goals and development policies, including maps, any necessary diagrams and text setting forth objectives, principles, standards and plan proposals to guide subdivision design and platting. A *MASTER PLAN* shall consist of not less than 80 acres of land.

OFFICIAL MAP. The map established by the City Council as provided by law, showing the streets theretofore existing and established by law as public streets and any amendments thereto adopted by the City Council, as appropriate, or additions thereto resulting from approval of subdivision plats and the subsequent recording of such approved plats.

PLANNING AND ZONING COMMISSION. Planning and Zoning Commission of the City of Yuma.

PLAT OF SUBDIVISION. A map showing the division of any tract of land into two or more parcels, and prepared for the purpose of recording.

PROTECTIVE COVENANT. A restriction on the use of private property within a subdivision for the purpose of providing mutual protection against undesirable aspects of development. Protective covenants regulating the use of land represent an express agreement between the subdivider and the lot purchasers.

PUBLIC IMPROVEMENTS. Any of the following: roadway pavement section, curbs, gutters, sidewalks, crosswalks, water mains, sanitary sewer, storm drains, landscaping, retention basins, and other appurtenant construction as related to the subdivision plan.

RIGHT-OF-WAY. The entire strip of land lying between the property lines of a street or thoroughfare, alley, walkway, or easement.

ROADWAY. The portion of a street available for vehicular traffic between curbs, or the improved portion within the right-of-way.

~~*RULES OF PROCEDURE.* Regulations adopted by the Planning and Zoning Commission and the City Council for the submission and approval of subdivision plats.~~

SIDEWALKS. The portion of a street or walkway, paved or otherwise surfaced, intended for pedestrian use only.

STREET. A right-of-way designed for vehicular and pedestrian traffic, regardless of its designation by name, such as street, thoroughfare, avenue, land, place or the like.

STREET, ACCESS OR FRONTAL. A street running parallel to and adjacent to or in the immediate vicinity of a major street or highway and which has as its purpose the relief of such major street from the local service of abutting properties.

STREET ARTERIAL. A street of great continuity, existing or planned which serves or is intended to serve foreign and local traffic, and which is designated on the major street plan to identify those streets comprising the basic structure of the street system of the city and surrounding area. Arterials are only those streets designated on the master street plan, including additions or corrections thereto.

STREET, LOCAL. A street of limited continuity which serves or is intended to serve the local needs of a neighborhood.

STREET STANDARDS. City of Yuma standard specifications as adopted or amended.

SUBDIVIDER. Any person, firm or corporation acting as a unit, or any agent thereof, dividing or proposing to divide land so as to constitute a subdivision as defined herein.

SUBDIVISION. A division of land into two or more lots, tracts or parcels for the purpose of financing, sale or lease, whether immediate or future, except for any division of land which qualifies

as a lot split as specified in § 153-18. *SUBDIVISION* shall include any condominium, cooperative, community apartment, townhouse, or similar project in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit thereon, and further indicating the building(s) or the manner in which the building(s) or airspace above the property shown on the plat is to be recorded.

SUBDIVISION PRELIMINARY PLAT. A drawing showing a proposed subdivision of land together with the public improvements which are to be installed therein. Such a drawing is not recordable.

TRACT. A defined area of land regardless of size.

WALKWAY. A public right-of-way used primarily for pedestrian travel through or across any portion of a block.

ZONING. Regulation by districts of the height, area, and use of buildings; use of land and density of population.

§ 153-03 General Principles of Acceptability

(A) *Master plan.*

(1) Streets shall conform substantially to the general plan adopted by the city and any revisions or amendments thereof. Whenever a tract to be subdivided includes any part of a street indicated as an arterial street on the major street plan of the general plan, such part of such street shall be dedicated by the subdivider.

(2) Where frontal or access roads are deemed necessary, additional right-of-way shall be 40 feet on either side of the arterial street.

(B) *Public open spaces and sites.* Where, as indicated by the master plan, a proposed subdivision contains, wholly or in part, a proposed public open space or a proposed site for a public building, such sites shall be reserved unless the concerned authority states it has no intention of development in the area. ~~The Planning and Zoning Commission will immediately notify the concerned authority.~~

(C) *Neighborhood plan.* If a tentative plan has been approved by the ~~Planning and Zoning Commission~~ **Department of Community Development** for the neighborhood of the proposed subdivision, the street system of the latter shall conform substantially thereto.

(D) *Unsubdivided portion of tract.* The ~~Planning and Zoning Commission~~ **Department of Community Development** may require a sketch of the tentative future street system beyond the limits of the tract adjacent to the land area presently being subdivided.

(E) *Provision for future subdivision.* If a tract is subdivided into parcels larger than ordinary building lots, such parcels shall be arranged to allow the opening of the future streets and logical further subdivision.

(F) *Reserved strips prohibited.* There shall be no “reserved” strips controlling access to land dedicated or intended to be dedicated to public use.

§ 153-04 Streets

(A) *Circulation.*

(1) The street pattern shall provide ease of circulation within the subdivision as well

as convenient access to adjoining streets or unsubdivided land, as may be required by the City Engineer.

- (2) Local residential streets should be so planned as to discourage their use by non-local traffic. Where a street will eventually be extended beyond the subdivision but is temporarily dead-ended, an interim turn-around may be required.

(B) *Arterial streets.* If a new subdivision involves frontage on an arterial street, as defined herein, the street layout should be planned to avoid, as far as possible, any private residential driveways from having direct access to such by providing access or frontal streets.

(C) *Existing streets.* Existing street (constructed or recorded) in adjoining territory shall be continued at equal or greater width and in similar alignment by streets proposed in the subdivision, unless variations are approved by the City Engineer.

(D) *Cul-de-sacs.* Cul-de-sacs shall not be longer than 600 feet, unless necessitated by topography or other circumstances beyond the subdividers control.

(E) *Half-streets.* No half-streets will be accepted. Where there exists a dedicated or platted half-street adjacent to the tract to be subdivided, the other half, being a minimum width to meet this chapter, shall be platted.

(F) *Stub streets.* Where a subdivision adjoins unsubdivided land, stub streets shall be provided at locations as determined by the City Engineer to ensure future access and traffic circulation.

(G) *Intersections.* All street intersections shall be at right angles. Where, because of topographic or other reasons, an intersection cannot be at right angles, such intersection shall be designed to insure safety.

(H) *Easements.* Easements for slopes and utilities shall be dedicated wherever necessary as required by the City Engineer. Easements shall be at least eight feet wide across the rear or front of all lots, except that a utility easement adjacent to unsubdivided lands shall be at least ten feet wide. In addition, easements may be required at other suitable locations by the City Engineer.

(I) *Dimensional standards.*

- (1) *Minimum width.* The street right-of-way and roadway width shall not be less than the minimum width shown in the latest adoption of the City of Yuma Construction Standards Detail Drawings and the Transportation Element of the General Plan. Additional right-of-way or easements may be required for utilities, slope rights, drainage facilities or irrigation facilities.

(2) *Alignment; minimum standards.*

- (a) One electronic copy of the complete, plans and profiles for street and alley improvements shall be submitted for approval of the City Engineer prior to approval of the final plat by ~~City Council~~ **the Department of Community Development**.

(b) Vertical curves:

1. Arterial streets: As determined by the City Engineer.
2. Collector, local streets: Minimum length 100 feet, except in cases approved by the City Engineer.

(c) Horizontal curves:

1. Arterials, access and frontal streets: 500 feet.
 2. Collector streets: 200 feet.
 3. Local streets: 100 feet.
 4. Alleys: Laid out to provide turning radius at alley intersection.
- (3) *Reserved curve.* Unless approved by the City Engineer, all streets shall have a tangent of 100 feet between reserve curves.
- (4) *Corners.* At the intersection of two streets, property line corners shall be chamfered by a corner triangle in accordance with the currently adopted design and construction standards. The minimum corner triangle size shall be increased when the smallest angle of intersection is less than 90 degrees, or in any case where the City Engineer considers an increase necessary.

§ 153-05 Blocks

(A) Length of residential blocks shall not be more than 1,000 feet long unless approved by the ~~Planning and Zoning Commission~~ **Department of Community Development**.

(B) Irregular shaped blocks (including superblocks) indented by cul-de-sacs containing interior parks or playgrounds and adequate parking space, will be acceptable when properly designed and covered by agreements as to maintenance of such park areas.

(C) Orientation on arterials: If frontage on an arterial street is involved, the long dimension of the block shall preferably front thereon by means of an access or frontal road, in order to create as few intersections as possible with the arterials.

(D) Business or industrial: Blocks intended for business or industry shall be of such length and depth as may be considered most suitable for their prospective use by the ~~Planning and Zoning Commission~~ **Department of Community Development**, including adequate provision for parking, on-site loading and unloading and buffer, as required by the zoning ordinance.

§ 153-06 Lots.

(A) *Minimum width.* The minimum width of residential lots for all subdivisions shall be 50 feet at the building line and shall have a minimum area as approved by the County Health Unit, unless a larger area is required by the zoning ordinance.

(B) *Length and width ratio.* It is desirable that the length of a lot shall be not more than four times its width.

(C) *Fronting on arterials.* Lots fronting on arterials should be of such depth to accommodate setbacks as set forth in the zoning ordinance.

(D) *Double frontage.* Double frontage lots shall be avoided, except to overcome disadvantages of topography and orientation.

(E) *Side lot lines.* Side lines of lots shall be approximately at right angles or radial to the street line unless, in the opinion of the ~~Planning and Zoning Commission~~ **Department of Community Development**, a variation from this rule will give a better street and lot plan.

(F) *Corner lots.* Corner lots shall have sufficient width to permit the maintenance of the side street building line after providing a minimum building width of 30 feet, and a side yard, as required by the zoning ordinance, on the interior side of the lot.

(G) *Building sites.* Every lot must contain a suitable building site, which will provide minimum yard requirements in compliance with the zoning ordinance.

(H) *Street frontage.* Every lot shall front on a public street having a minimum right-of-way of 50 feet for a distance of not less than 35 feet measured along said right-of-way line.

Procedure for Plat Approval

§ 153-14 Pre-Application Procedure.

(A) Informal consideration. While the subdivision is still in the preliminary planning stage, the applicant shall consult with the Department of ~~Planning and Neighborhood Services~~ **Community Development** through a pre-development meeting, for informal review regarding the general plan, the zoning code, drainage and floodplain regulations, utility regulations, International Building Code, the subdivision code and standard for the design and installation of public improvements.

(B) Upon receiving favorable feedback from the pre-development meeting, the applicant may proceed to prepare the preliminary plat for submittal.

(C) Under no circumstances shall informal favorable consideration by the Department of ~~Planning and Neighborhood Services~~ **Community Development** be construed as formal approval of any subdivision.

§ 153-15 Submittal Process Outline

(A) Step One: Preliminary Plat: The preliminary plat application shall be reviewed and approved by the ~~Planning and Zoning Commission~~ **Department of Community Development**. The preliminary plat shall include applicable information as indicated in Yuma City Code § 153-31(A).

(B) Step Two: Improvement Plans

(1) A complete set of final improvement plans shall be submitted with the preliminary plat application, ~~or within 3 weeks of submitting the preliminary plat application.~~ Improvement plans shall include applicable information as indicated in Yuma City Code §§ 153-47(B), 153-47(C), and 153-47(D).

(2) Three sets of final improvement plans, and supplementary materials as specified, shall be submitted to the Department of ~~Planning and Neighborhood Services~~ **Community Development**. If plans are submitted electronically, there shall be no need to provide three hard copy sets.

~~(3) If final improvement plans are not submitted in a timely manner, review and approval of the preliminary plat to the Planning and Zoning Commission may be continued to an appropriate hearing date.~~

~~(4)~~ (3) For phased development projects, final improvement plans for a particular phase must be approved prior to the submittal of a final plat application.

(C) Step Three: Final Plat

The final plat application shall be reviewed and approved by the ~~City Council~~ **Department of Community Development**.

§ 153-16 Preliminary Plat Process

(A) The applicant shall prepare a preliminary plat that includes all applicable information required in Yuma City Code §§ 153-31(A) and 153-47.

(B) Three sets of the preliminary plat, or one electronic copy of the preliminary plat, and

supplementary material as specified, shall be submitted to the Department of ~~Planning and Neighborhood Services~~ **Community Development**. One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.

~~(C) At the time of submittal of all required preliminary plat and necessary supplemental materials to the Department of Planning and Neighborhood Services, a public hearing date with the Planning and Zoning Commission shall be scheduled in accordance with the Case Review Hearing Deadlines calendar for the year. Generally, public hearings with the Planning and Zoning Commission occur within 60 days of application submittal. At the public hearing, the Planning and Zoning Commission shall express its approval or disapproval of the proposed preliminary plat. The Planning and Zoning Commission shall state the conditions of such approval, if any, or if disapproved, shall express the reasons for the disapproval.~~

~~(B)~~ **(C)** Conditional ~~a~~ Approval of a preliminary plat shall not constitute approval of the final plat. Rather, conditional approval shall be deemed an expression of approval to the subdivision layout, road alignments and number of lots submitted on the preliminary plat as a guide to the preparation of the final plat. The final plat shall be processed in accordance with the requirements of Yuma City Code §§ 153-17, 153-45, 153-46, 153-47, 153-50, and 153-51 of this code.

~~(E)~~ **(D)** The recording of a phase of the preliminary plat automatically extends the approval of the preliminary plat for an additional three years from the date of recording. The maximum time period a preliminary plat may be approved without a final plat submittal is six years.

§ 153-18 Procedure for Approval of Lot Split.

(A) Any division of land into three or fewer parts in which no right-of-way dedication, utility extension or other off-site public improvement is involved may be processed as a lot split subject to approval by the City Planning Director and City Engineer.

(B) Any proposed lot split shall be submitted to the Community Planning Division to determine compliance with applicable platting, subdividing and zoning regulations. The City Planning Director or City Engineer may require the submittal of any additional information as is pertinent to make this determination.

(C) The final plat shall be prepared by an Arizona registered surveyor **or registered civil engineer** on a sheet suitable for recording, or on polyester or linen or a copy reproduced on polyester by a photographic silver imaging process or other method that assures archival quality. Required signatures shall be original signature, not copies, and shall include provisions for signatures by the City Planning Director and City Engineer. The plat must be 24" x 36" or other size as required by the Yuma County Recorder. All drawing, printing, and signatures shall be directly applied to the sheet to be recorded. The use of nonpermanent inks, press-on adhesive letters, films, or tapes is prohibited. The plat shall further include items specified in §§ 153-47. One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.

§ 153-19 Procedure for Approval of a Ten Lot Subdivision.

(A) A division of land into ten or fewer parts may be processed as a subdivision which does not require the need for a preliminary plat approval. A ten lot or less subdivision shall follow the final plat review process as specified in § 153-46 and will be subject to approval by **the Department of Community Development** ~~City Council~~.

(B) In accordance with state statute, A.R.S. § 9-463.01, the City Engineer may waive or reduce infrastructure standards or requirements except for improved dust-controlled access and minimum drainage improvements.

§ 153-20 Optional Commercial and Industrial Master Plat Process.

(A) *Purpose.* The commercial or industrial subdivision master plat process establishes an optional procedure within the city's subdivision plat process for subsequent divisions of a commercial or industrial master plat into smaller lots or tracts. A commercial or industrial master plat shall comply with all applicable city, state and federal development standards in effect at the time of development and the plat shall comply with the purpose and intent of the city's subdivision regulations.

(B) This procedure can only be followed if:

(1) The commercial or industrial subdivision master plat has completed preliminary and final plat approval per Chapter 153 of the City of Yuma Code of Ordinances;

(2) No further right-of-way dedication, utility extension or other off-site public improvement is involved;

(3) Infrastructure, grading, and all site remediation and improvements are completed prior to the division of the master plat into subsequent lots or tracts.

(C) Subsequent divisions of the master plat shall be processed in accordance with the procedures specified within § 153-18 Procedure for Approval of Lot Split. Minimum lot size is determined by the requirements of the zoning district.

§ 153-21 Filing Fee.

Each subdivision as defined herein shall be accompanied by a completed application form as provided by the City of Yuma Community Planning Division, and a nonreturnable filing fee in accordance with the fee schedule adopted by City of Yuma Ordinance No. 1943, and successors.

Preliminary Plat~~n~~

§153-30 Purpose and Intent

The preliminary plat is intended to precede the final subdivision plat. Its purpose is to show all facts needed to enable ~~the Planning and Zoning Commission and the~~ administrative staff of the city to determine whether the proposed layout of the subject land and the proposed public improvements are in the public interest. All required engineering and surveying work must be performed by or under the supervision of a registered engineer or surveyor registered in accordance with the provisions of the Arizona State Board of Registration for Professional Engineers and Land Surveyors. The following graphic and plat descriptive items are required to be shown on a preliminary plat.

§ 153-31 Preliminary Plat and Plans Submittal Requirements.

(A) *Preliminary plat information:*

- (1) Plat scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on the plat;
- (2) Plat may be submitted on several sheets and accompanied by an index sheet showing entire subdivision;
- (3) Subdivision name, names and addresses of owner and developer;
- (4) Location by section, township, range, county, state;
- (5) Plat signed and sealed by a registered land surveyor;

- (6) North arrow;
- (7) Subdivision boundary shown as a heavy, dark, solid line with accurate distances and bearings to primary control points;
- (8) Location, width and status (i.e., fee title, easement, county declaration, etc.) of all streets, alleys and other rights-of-way within and adjacent to the plat;
- (9) Names of streets within (existing and proposed) and 150 feet outside of the plat boundaries;
- (10) Bearings and distances to the nearest established section, or patent corners or other official monuments;
- (11) Federal Emergency Management Agency flood zone designations shall be clearly indicated or noted on the plat;
- (12) Lengths of all arc radii;
- (13) All existing easements or rights-of-way provided for public services or utilities, canals, or drainage ditches including purposes and any limitations of such easements. Also show and identify all other geophysical features within and 150 feet outside the plat boundaries;
- (14) Proposed easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
- (15) Lot lines (existing and proposed) with dimensions to the nearest foot and bearings;
- (16) Building setback lines, shown graphically along all streets with dimensions;
- (17) Square footage or acreage of each resulting lot;
- (18) All access points (vehicular and pedestrian) located within 150 feet of the proposed subdivision including their location, name, width, title status (i.e., easement, fee title) and recording information, if applicable;
- (19) Names and property lines of adjacent subdivision lots, and unsubdivided lands, shown with lightly dashed lines. Unsubdivided lands shall have reference to Yuma County Assessor's Parcel Numbers. Note locations and uses of all parcels or lots with non-residential uses;
- (20) Accurate description of all monument or marker locations used on the plat;
- (21) Accurate outlines of any areas being dedicated for public use with purposes indicated thereon and any area reserved by deed covenant for common use by all property owners in the subdivision, including private streets, if any;
- (22) Retention designations and volumes as required, if applicable. Deed restrictions to be recorded on subdivision plat with identified stormwater storage requirements;
- (23) Clearly identify or note zoning district boundaries and designations on the property and within 150 feet outside the plat boundary;
- (24) Draft restrictive covenants applying to lots in the subdivision;
- (25) Show USPS approved cluster box unit mailbox locations.
 - (a) Coordinate with the USPS for locations of cluster box unit mailboxes,
 - (b) Provide easement(s) and/or fee title dedication to the City of Yuma on the plat

for the location(s) of the cluster box unit mailboxes,

- (c) The cluster box unit mailboxes and supporting structures shall be located so that they do not create a traffic hazard, sight hindrance or other safety hazard per the American Association of State Highway and Transportation Officials' (AASHTO's) "Intersection Sight Distance" methodology, as presented in the most current revision adopted by the State of Arizona of "A Policy on Geometric Design of Highways and Streets".

(26) Two full street access points shall be shown for the proposed development. Where such access cannot be provided due to existing development or land-locked property, provisions may be added to conditions for subdivision approval, which improve accessibility or reduce fire hazards through ~~sprinklered structures and/or~~ other solutions.

Final Plat

§ 153-45 Preparation and Recording of Plat Required.

A subdivision final plat is the official recordable plat. All required engineering and surveying work must be performed by or under the supervision of a professional engineer and land subdividing and property pin setting by or under the supervision of a land surveyor, registered in accordance with the provisions of the State of Arizona State Board of Technical Registration. The final plat must bear the seal, signature and date of said professional engineer or surveyor.

§ 153-46 Final Plat Process.

(A) The final plat shall be prepared as specified in §§ 153-47 and 153-50 and shall conform substantially to the preliminary plat as approved. If desired by the applicant, the plat may be approved and recorded in phases. Each phase is required to conform to all city requirements and conditions of approval of the preliminary plat.

(B) The final plat shall be submitted to the Department of ~~Planning and Neighborhood Services~~ **Community Development** within three years of the approval date of the preliminary plat; otherwise, such preliminary plat shall automatically expire and be null and void. ~~An extension of time applied for prior to the expiration date of a preliminary plat and granted by the Planning and Zoning Commission shall extend such deadline.~~

(C) Three complete sets the final plat or one electronic copy, and other supplementary material required for review, shall be submitted to the Department of ~~Planning and Neighborhood Services~~ **Community Development**. Other final plat supplementary materials shall include:

- (1) Completed application form and staff notes from pre-development meeting;
- (2) Filing fee;
- (3) Environmental transaction screen or equivalent documentation (two copies or an electronic copy);
- (4) Engineer's construction cost assessment for determining assurances;
- (5) One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.

~~(D) If the Department of Planning and Neighborhood Services determines that all conditions of approval and city codes are satisfied, then the Department of Planning and Neighborhood Services will forward the final plat to the City Council for consideration based on the final~~

~~plat application deadline schedule.~~

§ 153-47 Final Plat Submittal Requirements.

(A) *Final plat information:*

- (1) Final scale to be shown on plat: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet;
- (2) Plat may be submitted on several sheets and accompanied by an index sheet showing entire subdivision;
- (3) Subdivision name, and unit number, if any;
- (4) Names and addresses of owner and developer; location by section, township, range, county and state;
- (5) Professional land surveyor's certification;
- (6) North arrow;
- (7) Signature lines and dates on plat for: City Department of Community Development, City of Yuma Engineer, Acceptance by Mayor, City Clerk or designee, Health Department where applicable; owner(s) signed and notarized approval of plat and dedications of streets, alleys, easements, and any other public areas;
- (8) Subdivision boundary with accurate distances and bearings to primary control points;
- (9) Location and width of all streets, crosswalks, alleys and other rights-of-way within the plat;
- (10) Names of streets within and adjacent to the plat boundaries as defined in approved preliminary plat;
- (11) Bearings and distances to the nearest established section or patent corners or other official monuments;
- (12) Lengths of all arcs, radii, internal angles, tangent lengths and radial bearings, if necessary;
- (13) All existing easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
- (14) Proposed easements for right-of-way provided for public services or utilities, including purposes and limitations of such easements;
- (15) Sequentially-numbered lots with accurate dimensions in feet, to the nearest hundredth and bearings and angles for applicable lot lines;
- (16) Accurate description of all monument or marker locations used on the plat;
- (17) Accurate outlines of any areas being dedicated for public use with purposes indicated thereon and any area reserved by deed covenant for common use by all property owners in subdivision, including private streets, if any;
- (18) Square footage or acreage of each resulting lot;
- (19) Building setback lines, shown graphically along all streets with dimensions;
- (20) Stormwater retention designations and volumes as required for lots within the

subdivision, if applicable (deed restrictions to be recorded on lots with identified stormwater volume storage requirements);

(21) Any restrictive covenants applying to lots in the subdivision (signed by the owner(s)) and printed on subdivision plat or recorded in the Office of the Recorder;

(22) Show easement(s) for USPS approved cluster box units; monuments or markers shall be located and in place prior to final approval;

(a) The cluster box unit mailboxes must meet the specifications of the United States Postal Service (USPS) with the inscription "US Mail" and "Approved by the Postmaster General" plainly legible and be approved by the local postmaster prior to installation.

(23) Monuments or markers shall be located and in place prior to final plat acceptance of the subdivision of the city.

(24) One full street access and a second access (permanent or temporary) including subdivision improvement plans for each phase of the development shall be shown having accessible routes for emergency access personnel and equipment, subject to the approval of the Fire Marshal. Where such access cannot be provided due to existing development or land-locked property, the ~~Planning and Zoning Commission may recommend conditions for subdivision approval,~~ **proposal shall be subject to review by the Fire Marshal, which may include measures to improve accessibility or reduce fire hazards through sprinklered structures.**

(B) *Final plat boundary and topographic survey map information:*

(1) Scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on plat;

(2) Title block including the following information: Subdivision name and unit number, if any;

(3) Name and address of registered land surveyor;

(4) Subdivision boundary with accurate distances and bearings to primary control points;

(5) Location and width of all streets, crosswalks, alleys and other rights-of-way within and adjoining the plat;

(6) Names of streets within and adjacent to the plat boundaries as defined in the approved preliminary plat;

(7) Bearings and distances to the nearest established section or patent corners or other official monuments (street lines or political subdivision boundaries);

(8) Lengths of all arcs, radii, internal angles, tangent lengths and radial bearings, if necessary;

(9) All easements, restrictive covenants and right-of-way provided for public services or utilities, including purposes and any limitations of such easements;

(10) Accurate description of all monument or marker and benchmark locations used on the plat.

(C) *Final plat grading, paving and drainage plan map information:*

(1) Scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on plat;

- (2) Title block including the following information: Subdivision name and unit number, if any, and professional engineer preparing map information including address and phone;
 - (3) Subdivision boundary;
 - (4) Location and width of all streets, crosswalks, alleys and other rights-of-way within and adjoining the plat;
 - (5) Names of streets within and adjacent to the plat boundaries as defined in the approved preliminary plat;
 - (6) All easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
 - (7) Accurate description of all monument or marker and benchmark locations used on the plat;
 - (8) Monuments or markers to be constructed in accordance with the City of Yuma standard specifications and/or other specifications;
 - (9) Applicable lot lines with accurate dimensions; onsite stormwater retention designations;
 - (10) Boundary and topographic survey information;
 - (11) Street plans with grades and details;
 - (12) Drainage plans and profiles with grades and details;
 - (13) Street lighting locations and details where necessary.
- (D) Final plat water, sewer, utility and landscaping plan information:*
- (1) Scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on plat;
 - (2) Title block including the following information: Subdivision name and unit number, if any, and professional engineer preparing map information including address and phone;
 - (3) Subdivision boundary;
 - (4) Names of streets within and adjacent to the plat boundaries as defined in the approved preliminary plat;
 - (5) All existing easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
 - (6) Applicable lot lines with accurate dimensions;
 - (7) Accurate outlines of any areas being dedicated for public use with purposes indicated thereon and any area reserved by deed covenant for common use by all property owners in subdivision, including private streets, if any;
 - (8) Monuments or markers to be constructed in accordance with City of Yuma standard specifications and/or other specifications;
 - (9) Boundary and topographic survey information including benchmarks;
 - (10) Water plans and details;
 - (11) Sewer plans and details;

- (12) On-site stormwater retention designations
- (13) Public utilities, including telephone, cable television, electricity or other public utilities and details where necessary
- (14) Landscaping plans including systems for retention and/or detention areas/recreation areas or parks - total linear footage of irrigation lines for landscaping shall be provided by location;
- (15) Lighting locations and details where necessary.

§ 153-50 Final Plat Materials and Documents Required.

Upon approval of the final plat by the ~~City Council~~ **Department of Community Development**, the following materials shall be provided to the Department of ~~Planning and Neighborhood Services~~ **Community Planning** prior to recordation of the plat:

- (A) One reproducible (i.e., mylar) copy of the final plat, with proper signatures to be retained by the County Recorder's Office. Digital copies of the recorded final plat will be distributed to the City of Yuma Department of Planning and Neighborhood Services and the applicant. One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.
- (B) Prior to construction, a digital copy of the complete subdivision improvements plans, including street plan and profiles, water, sewer, stormwater drainage and alley improvements shall be submitted to City Engineering.

§ 153-51 Assurance of Completion.

Prior to recordation of a final plat, the applicant shall either construct or install required improvements and repair existing streets and other public facilities damaged in the development of the property or execute and file with the Department of ~~Planning and Neighborhood Services~~ **Community Development** an agreement between the applicant and the city. Said agreement shall specify the period within which required improvements and repairs shall be completed and, if the work is not completed within the period specified, it shall provide the city with the ability to complete the work and recover the full cost and expense of all improvements, together with all court costs and attorney fees necessary to collect said amounts from the applicant.

(A) The applicant shall file with the agreement, to assure full and faithful performance thereof, one of the following:

- (1) A surety bond executed by a surety company authorized to transact business in the State of Arizona.
- (2) A personal bond co-signed by at least one additional person together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of ability to proceed in accordance with the agreement.
- (3) Cash deposit, including certificates of deposit.
- (4) Letter of credit.

(B) Such assurance of full and faithful performance shall be in a form approved by the City Attorney and shall be for a sum approved by the City Engineer as sufficient to cover the cost of the improvements and repairs and related engineering and incidental expenses. The amount shall be based on a construction estimate of the work to be completed, prepared by a registered engineer and shall be a minimum of 100% of the uncompleted construction estimate, concurred to by the City

Engineer.

(C) If the applicant fails to carry out the provisions of the agreement, without the written concurrence of the City Engineer and the City Engineer determines that the city will incur costs or expenses to complete these provisions, the City Engineer shall call on the assurance monies and deposit those monies in an account specifically set aside for completion of the requirements. If the amount of the assurance monies, called on by the City Engineer, exceeds the costs and expenses incurred by the city for completion of the required improvements, the City Engineer shall refund the remainder. If the amount of the assurance monies, called on by the City Engineer, proves to be insufficient to satisfy the costs and expenses incurred by the city, the applicant shall be liable to the city to satisfy the full amount of the shortfall, upon demand by the city. Ten percent of the required assurance amount shall be retained pending the city's full acceptance of subdivision improvements by the City Engineer. Release of assurances shall be based on the amount of work remaining to be completed. The city will provide written notification of the subdivision improvements acceptance and cause the release of assurances.

Required Improvements

§ 153-60 Improvements Responsibility of Subdivider; Compliance with Standards.

All public improvements shown on the preliminary plan, and any additional improvements that may be required by the ~~Planning Commission~~ **Department of Community Development** as a condition for approval of the final plat, shall be the responsibility of the subdivider. All improvements constructed shall meet the City of Yuma standard specifications, as adopted or amended.

§ 153-61 Streets and Drainage.

(A) *Access.* Any land hereinafter subdivided shall have frontage on an existing dedicated and improved street, road, or highway. Where such proposed subdivision does not meet this condition, it shall be the responsibility of the subdivider to provide access by means of a dedicated and improved street or road.

(B) *Grading.* All streets and alleys within the limits of the subdivision shall be graded full width of the dedicated right-of-way, and all roadways shall be improved to meet the City of Yuma standard specifications, as adopted or amended.

(C) *Drainage.* Any land which is considered to be excessively irregular shall be provided with proper drainage. Where surface drainage is adequate, all appurtenant structures such as combination curb and gutter, driveway and alley entrances, valley gutters, culverts, and the like, will be constructed. Where subsurface drainage is required, all manholes, inlets, or connections to existing systems shall be required. This work shall be done prior to any street surfacing.

(D) *Sidewalks.* Sidewalks of such width and type as required by the City of Yuma standard specifications, as adopted or amended, shall be constructed on both sides of all streets within the subdivision, and in all crosswalkways.

§ 153-62 Utilities.

(A) *Sewer.* Sewer lines shall be installed to serve all lots within the subdivision in accordance with minimum standards of the city. Where sewer service is not available, a system for disposal of sewerage shall be installed in accordance with minimum

requirements of the City-County Health Department. Plans for disposal systems and sanitary sewers shall be approved by the Arizona State Board of Health.

(B) *Water.* Water mains shall be installed to serve all lots within the subdivision, or certified evidence shall be submitted by the subdivider that potable water is available in sufficient quantity.

(C) *Electricity.* Certification from the local electric power company, that electrical service is available and will be provided, shall be submitted by the subdivider. Location of power distribution poles and street light standards shall be indicated on preliminary plat.

(D) *Fire hydrants.* Fire hydrants shall be installed in accordance with requirements of the City Engineer, City of Yuma Fire Department, and the recommendations of the Board of Fire Underwriters.

(E) *Street Lighting.*

(1) Street lighting shall be installed in accordance with city standards along all streets within the subdivision and along perimeter streets developed in conjunction with the subdivision. Where all utilities are proposed to be underground, underground street light circuits shall also be provided. The pole, lamp, luminaries and bracket and underground circuits shall be provided by the developer.

(2) Upon acceptance of the street lighting improvements by the city, the monthly street lighting charges shall be paid by the city. The street lighting improvements shall be maintained by the city.

(F) *Street name signs.* Signs shall be placed at all street intersections. Specifications for design, construction, location and installation shall be in accordance with City of Yuma standard specifications, as adopted or amended.

(G) *Utility connections.* Where practicable, no utilities shall be installed under any streets except where access lines are required from one area to another.

(H) *Mailboxes.* USPS-approved cluster box unit mailboxes shall be installed by the developer in the location(s) approved by the USPS and identified on the final plat. For residential developments, mailbox units must be installed prior to the final inspection of the first dwelling unit (not including the model homes). The responsibility of maintenance, replacement and repairs of the cluster box unit mailboxes is that of the home owners after initial installation by the developer.

§ 153-63 Schedule of Installation.

(A) The improvements required to be made under these regulations shall be installed in compliance with schedules agreed upon during approval of preliminary plan.

(B) Installation of all improvements shall be done under supervision of the City Engineer or under the supervision of the offices of the city having jurisdiction.

Administration and Enforcement

§ 153-75 Administration by City Planning Department.

The provisions of this chapter shall be administered by the Department of ~~Planning and Neighborhood Services~~ **Community Development**, and appeals from any decision of the ~~Planning and Zoning Commission~~ **Department of Community Development** shall go to ~~are~~ **appealable to**

the City Council. ~~Notice of the appeal shall be given to said Planning and Zoning Commission 30 days preceding any meeting held by the City Council pertaining to said appeal.~~

§ 153-76 Variances.

Where the ~~Planning Commission~~ **Community Development Director, or authorized deputy** finds that hardships may result from strict compliance with any of these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of the Master Plan or of these regulations.

§ 153-77 Large Scale Development.

The standards and requirements of these regulations may be modified in the case of a plan and program for complete community or a neighborhood unit, which in the judgment of the Planning Department and the City Engineer, provides adequate public spaces and improvements for the circulation, recreation, light, air, and service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to, and achievement of, the plan.

§ 153-78 Sale of Lots by Metes and Bounds Description.

The sale of property to be used as lots, plots, or building sites in subdivisions only by a metes and bounds description shall be presumed to be an attempt to evade the provisions of this ordinance, and such an instrument shall not be eligible for filing and recording in the office of the County Recorder.

§ 153-79 Issuance of Building Permits.

No building permit shall be issued for the erection of any building on any property other than on a lot of record prior to adoption of these regulations or a resubdivided lot in a duly approved and recorded subdivision without approval of the ~~City Planning Commission~~ **Department of Community Development**.

SECTION 2: Yuma City Code, Title 15, Chapter 154, Article 2, Section 1, Planning and Zoning Commission, Subsections A, B, and C, be amended to insert the bolded text and delete the strike through text:

§ 154-02.01 Planning and Zoning Commission.

(A) Created. A City Planning and Zoning Commission is hereby established.

- (1) Charter reference. Power to regulate land use for the public benefit, see Charter Art. III, § 12 and to engage in intergovernmental agreements, see Charter Art. III, § 13.
- (2) Statutory reference. Municipal planning, see A.R.S. §§ 9-461 et seq. and open space preservation, see A.R.S. §§ 9-464 et seq.

(B) Responsibilities. The Planning and Zoning Commission shall be responsible for:

- (1) Identifying and evaluating the unique factors influencing the character and location of development within the City;
- (2) Recommending to the City Council desirable standards for guiding the development and rehabilitation of various sections of the community; and,
- (3) Recommending to the City Council standards for adequate public services and facilities throughout the City.

(C) Duties. The City Planning and Zoning Commission shall:

- (1) Review long term City planning documents and recommend to the City Council that the City adopt or amend the City Council approved General Plan;
- ~~(2) Recommend to the City Council subdivision platting rules and regulations and amendments thereto;~~
- ~~(3)~~(2) Recommend to the City Council the adoption or amendment of zoning regulations consistent with the General Plan;
- ~~(4)~~(3) Recommend to the City Council an official zoning map of the City and amendments thereto consistent with the General Plan; and,
- ~~(5)~~(4) Review and evaluate proposed redevelopment plans for conformity with the General Plan and recommend to the City Council adoption of redevelopment plans consistent with the General Plan.

SECTION 3: Yuma City Code, Title 15, Chapter 154, Article 3, Section 1 Citizen Review Process be amended to insert the bolded text and delete the strike through text::

§ 154-03.01 Citizen Review Process

(A) Purpose. To provide appropriate information to adjacent land owners and other potentially affected citizens of requested zoning map amendments, conditional use permits, specific plans and ~~subdivisions of land~~ and allow opportunities to express any issues or concerns that they may have with the proposal before the public hearing.

(B) Notification. All notifications sent pursuant to § 154-03.02 shall include:

- (1) The substance and location of the proposal;
- (2) The purpose or intent of the proposal;
- (3) Contact information for the staff and the applicant, or his or her agent, which may include telephone numbers, mailing and e-mail addresses; and
- (4) Meeting dates and locations of neighborhood meetings, if deemed appropriate.

(C) Neighborhood meetings. Following application for zoning map amendment, conditional use permit, **or specific plan** ~~or preliminary subdivision of land~~, a neighborhood meeting or other public input opportunity may be required. City staff will establish the process and procedures for the neighborhood meetings. Failure by the applicant to participate in the neighborhood meeting, will delay the development review process for the subject application.

SECTION 4: It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of this ordinance. 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 any violation of said sections occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

SECTION 5: The immediate operation of the provisions of this Ordinance is necessary to meet the requirements of House Bill 2447 as adopted by the Legislature and signed by the Governor, requiring compliance by December 31, 2025, and, therefore, an emergency is declared to exist. This Ordinance is enacted as an emergency and shall be in full force and effect immediately upon its passage by the

City Council, as required by law, and it is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona and the Charter of the City.

Adopted this _____ day of _____, 2025.

APPROVED:

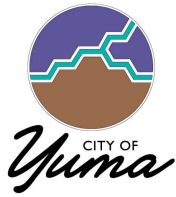
Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney



City of Yuma

City Council Report

File #: R2025-100

Agenda Date: 12/3/2025

Agenda #: 1.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Community Development	☒ Safe & Prosperous	☐ Motion
	☐ Active & Appealing	☒ Resolution
	☐ Respected & Responsible	☐ Ordinance - Introduction
DIVISION:	☐ Connected & Engaged	☐ Ordinance - Adoption
Community Planning	☐ Unique & Creative	☒ Public Hearing

TITLE:

Minor General Plan Amendment: Southwest Corner of 17th Street and Madison Avenue

SUMMARY RECOMMENDATION:

Following a public hearing, approve the request to amend the City of Yuma General Plan to change the land use designation from Mixed Use to High Density Residential. (Community Development/Community Planning) (Alyssa Linville)

STRATEGIC OUTCOME:

This General Plan amendment furthers the City Council's strategic outcome of Safe and Prosperous by providing an adequate mixture and balance of land uses.

REPORT:

Clerk Note: This Public Hearing was closed at the City Council Meeting on November 5, 2025. A motion to continue was approved and City Council may re-open the Public Hearing at this time.

This is a Minor General Plan Amendment request by Jose Salazar, on behalf of Nextgen Properties, LLC, to change the land use designation from Mixed Use to High Density Residential for approximately .48 acres, for the property located at the southwest corner of 17th Street and Madison Avenue, Yuma, AZ.

The existing Mixed Use land use designation supports the following types of zoning: Low Density Single-Family Residential (R-1-5 and R-1-6), Medium Density Residential (R-2 and R-2-5), Residence-Manufactured Housing (R-MH), Manufactured Housing Subdivision (MHS), Transitional (TR), Limited Commercial (B-1), and Industrial Park (I-P) districts.

The proposed High Density Residential land use designation supports the following types of zoning: High Density Residential (R-3), Residence-Manufactured Housing (R-MH), Recreational Vehicle Subdivision (RVS) and Manufactured Housing Park (MHP) districts.

The applicant's intent in changing the land use designation is to pursue a rezoning of the site to High Density Residential (R-3) to allow the development of multi-family units.

Staff received a total of 16 emails and phone calls in opposition of the request. These comments are attached to the final report.

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On October 13, 2025, the Planning and Zoning Commission voted to recommend DENIAL (5-0) of the General Plan amendment request to change the land use designation from Mixed Use to High Density Residential.

Public Comments - Excerpt from Planning and Zoning Commission Minutes (10/13/25):

QUESTIONS FOR STAFF

NONE

APPLICANT/APPLICANT'S REPRESENTATIVE

"Jose Salazar, 3378 W. 17th Place, Yuma, AZ, stated that the proposed minor amendment would allow a 12-unit multi-family development, updating the outdated light industrial zoning to better align with the city's goals for affordable housing within the infill overlay district. **Salazar** went on to say that the project would act as a transitional buffer between nearby homes and commercial uses, with minimal traffic during peak hours. All on-site parking requirements will be met. **Salazar** then added that the development would generate city fees, support local businesses, and that all tenants undergo background and credit checks prior to approval.

"Lorraine Arney, Planning and Zoning Commissioner asked if the apartments would be at market rate or would they be Housing and Urban Development (H.U.D) subsidized.

"Salazar replied he is not set on market rates.

"Arney clarified that background and credit checks would be done on potential tenants and that applicant has standards of occupancy according to fair housing.

"Salazar replied yes.

PUBLIC COMMENT

"Chris Hamel, Planning and Zoning Commissioner noted that there will be a five minute time limit for all public comments.

"Tom Pancrazi, 350 W. 16th Street Suite # 332, Yuma, AZ stated that he was one of the owners of the adjoining property to the west, and expressed opposition to the proposed 12-unit development, he then noted that light industrial zoning requires a Conditional Use Permit (CUP) for uses within 600 feet of residential properties, and the project would place residential units directly next to existing industrial businesses.

Pancrazi then expressed concerns that future industrial uses on nearby properties could face operational restrictions due to the new residential units and acknowledges the community's push for affordable housing but stated that this location is not appropriate for the project.

"Pat Hodges Jr., 350 W. 16th Street Suite # 332, Yuma, AZ, stated he was also in opposition of the proposed project and then expressed concern that the noise from the surrounding businesses could negatively impact the residents of the proposed apartment complex. **Hodges** then noted that the proposed project may not provide sufficient space for the required parking and landscaping to adequately support a 12-unit development.

"Amanda Delara, 6277 E. 47th Place, Yuma, AZ, was also opposed to the proposed project, and stated that she was in agreement that the noise from the surrounding businesses could negatively impact the residents of the proposed apartment complex.

"Maribel Acosta, 3736 W. 25th Place, Yuma, AZ, stated that was the owner of AAMCO and was in opposition, and expressed concern about existing noise levels and heavy traffic in the area related to nearby businesses, noting potential safety hazards that could affect families residing in the proposed apartment complex.

"Keith Dennis, 3885 S. Bella Vista Drive, Yuma, AZ, stated that he was the owner of the property to the north of the proposed project and that he also was in opposition, then expressed concerns about increased traffic in the area in particular truck traffic, potential safety issues for the public, and a possible decline in surrounding property values. **Dennis** then added that the proposed development is not a good fit for the area.

"Lauren Tyler, 4598 W. 27th Lane, Yuma, AZ, was in opposition of the proposed project due to the location and expressed concern for the safety of the public due to the increased traffic. **Tyler** then acknowledged the city's need for affordable housing but stated that this particular site is not an appropriate location for such a development.

"Kathy Spongross, expressed concern about the traffic and safety of the public in the proposed project area with the existing businesses and school taking up all the street parking.

"Vice Chairman John Mahon, asked for clarification on what the General Plan designation Mixed Use Density currently supports.

"Erika Peterson, Senior Planner replied that it currently permits Low Density Single Family Residential (R-1-5 and R-1-6), Medium Density Residential (R-2 and R-2-5), Residence Manufactured Housing (RMH), Manufactured Housing Subdivision (MHS), Transitional (TR), Limited Commercial (B-1), and Industrial Park (IP).

"John Mahon, Planning and Zoning Commissioner asked would a CUP be required for a new use on one of the industrial properties if it lies within 300 feet of any residential properties.

"Peterson stated that any property that is zoned light industrial and they are within 600 feet of a residential zoning they would need to apply for a CUP.

"Mahon then asked if the properties that currently exist near the project area were zoned Light Industrial.

"Peterson replied that the homes are not zoned R-1-6 that they are zoned Light Industrial and that she believes that there are four homes that have the R-1-6 designation.

"Chelsea Malouff-Craig, Planning and Zoning Commissioner asked if the land use designation is approved would all of the existing businesses that are within 600 feet will need to apply for a CUP to continue operating.

"Peterson replied that it would only apply to new light industrial uses.

"Jennifer Albers, Assistant Director of Planning stated that the existing gym and mortuary had already

gone through the CUP process to establish their uses on their industrial sites.

"Hamel asked for a motion or a discussion that would lead to a motion.

"Mahon commented that this case is challenging due to limited areas available for high-density zoning and the effect that this decision may have on the existing and future light industrial uses.

"Hamel agreed with Vice Chairman Mahon and stated that the intent of the policy change is to encourage infill development and promote the use of underutilized properties within the city.

"Hamel then noted that multiple businesses would be affected by this proposal and then stated that the proposed project does not fit within this area.

"Hamel asked for a motion or a discussion that would lead to a motion.

"Mahon asked if one of these properties were located within that 300 foot notification area was changing its use would that business need a new CUP.

"Peterson replied only new Industrial business.

"Mahon then asked were some of the existing uses are grandfathered in.

"Peterson replied correct.

"Peterson then clarified that if the applicant's request was approved the tenants would not receive a notification only the owner of the parcel would.

"Hamel commented that in another case the owner of the property had received a notification and that it would be up to the owner to notify the tenants of any upcoming request.

"Peterson answered correct.

"Mahon then stated that the applicant could reapply and request R-2 zoning.

"Peterson said yes but the request would still need to go through the hearing process for approval.

"Peterson then stated that if the commission could not come to a decision to approve the current request, the commission could consider a less intense land use designation of Medium Density Residential.

"Mahon asked could all the homes in the area change the zoning designation.

"Peterson replied that there was an attempt to change the zoning, but the homeowners were against the rezoning at the time. Individual homeowners are now requesting rezoning.

"Gonzalez asked since the area is still categorized as mixed use the applicant would be able to build 3 to 5 dwelling units.

"Peterson replied yes.

"Mahon commented that the request does support that, but the applicant would still need to apply for a rezone request.

"Peterson replied if the commission intends to suggest changing the request to medium density land use designation the maximum density would be 6 units.

"Andrew McGarvie, Engineering Manager, commented that the Commission could add a condition regarding noise exposure to address potential concerns from future tenants about existing noise levels in the area.

"Albers stated these types of conditions are not normally added to the General Plan conditions, they are usually added to rezone conditions.

“**Chairman Hamel** asked for clarification on whether a noise condition could be added to inform future tenants about the potential for elevated noise levels in the area.

“**Albers** replied yes.

“**Hamel** asked for a motion or a discussion that would lead to a motion.

“**Albers** commented that if no motion for action is made, the request would fail and result in a recommendation of denial to the City Council.

“**Hamel** addressed the Commission and asked if a motion would be made.

“**Mahon** commented that the request is not compatible with the area but noted that the plan could support rezoning in another district, which may present similar issues.

“**Hamel** asked for clarification on whether the Commission could approve or deny the request with the recommendation that it be considered as medium-density development.

“**Albers** replied yes, the commission could approve or disapprove or consider a less intense designation.

“**Hamel** stated that the Commission’s decision is only a recommendation, and that if the case were disapproved, it would still proceed to the City Council for a final decision.

“**Motion Mahon, second by Mallouff-Craig to DENY GP-44277-2025 as presented.**

“**Motion carried unanimously, (5-0) with one absent and one vacancy.’**

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$ 0.00		

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

1. Resolution R2022-011

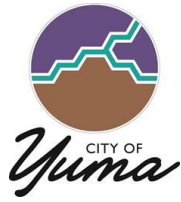
IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- ☐ Department
- ☒ City Clerk’s Office
- ☐ Document to be recorded
- ☐ Document to be codified

Acting City Administrator:
Jennifer Reichelt for John D. Simonton

Date:
10/27/2025

Reviewed by City Attorney: Richard W. Files	Date: 10/26/2025
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STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING
CASE TYPE – GENERAL PLAN AMENDMENT
Case Planner: Erika Peterson

Hearing Date: October 13, 2025

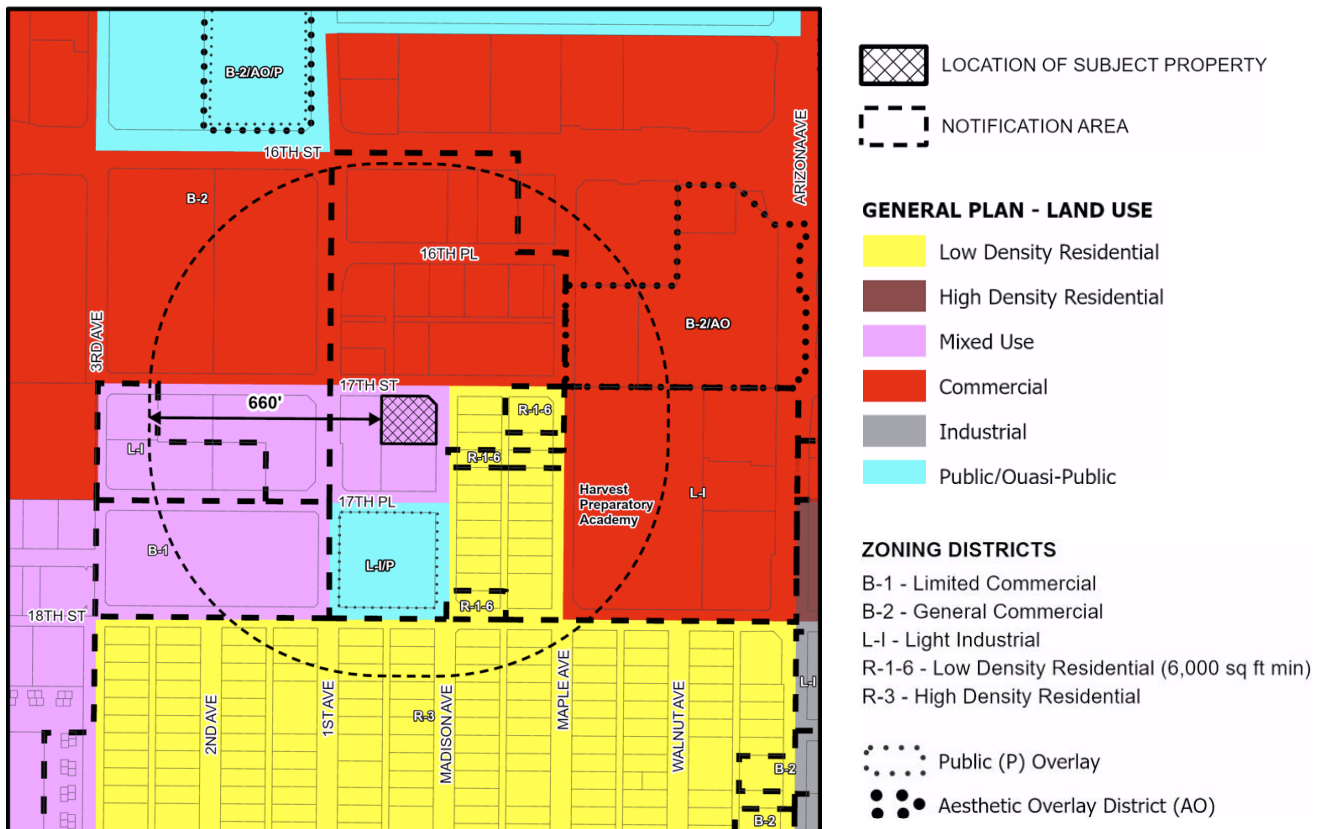
Case Number: GP-44277-2025

Project Description/ Location:

This is a Minor General Plan Amendment request by Jose Salazar, on behalf of Nextgen Properties, LLC, to change the land use designation from Mixed Use to High Density Residential for approximately .48 acres, for the property located at the southwest corner of 17th Street and Madison Avenue, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Light Industrial (L-I)	Undeveloped	Mixed Use
North	Light Industrial (L-I)	Undeveloped, Mechanic Shop, Cabinet Shop	Commercial
South	Light Industrial (L-I)	Funeral Home	Mixed Use
East	Light Industrial (L-I) and Low Density Residential (R-1-6)	Single-family homes	Low Density Residential
West	Light Industrial (L-I)	Gymnasium	Mixed Use

Location Map



Prior site actions: Annexation, Ord. 672, effective July 21, 1956; Rezoning C14-60-8 (D) Original zoning to Industrial “A”, Z80-23 Ord.1979 Industrial A to Light Industrial; CUP-CU89-18, Conditional Use to allow used car sales in a Light Industrial District; CUP-3072-2013 Conditional Use permit to allow a parking lot as primary use in Light Industrial; LOTS-27418-2019, CrossFit Yuma Lot Tie/Lot Split creating Lot 1 and Lot 2.

Staff Recommendation: Staff recommends the Planning and Zoning APPROVE the request to change the land use designation for approximately .48 acres from Mixed Use to High Density Residential.

Suggested Motion: Move to APPROVE the request to change the land use designation for approximately .48 acres from Mixed Use to High Density Residential.

Staff Analysis: This is a Minor General Plan Amendment request by Jose Salazar, on behalf of Nextgen Properties, LLC, to change the land use designation from Mixed Use to High Density Residential for approximately .48 acres, for the property located at the southwest corner of 17th Street and Madison Avenue, Yuma, AZ.

The existing Mixed Use land use designation supports the following types of zoning: Low Density Single-Family Residential (R-1-5 and R-1-6), Medium Density Residential (R-2 and R-2-5), Residence-Manufactured Housing (R-MH), Manufactured Housing Subdivision (MHS), Transitional (TR), Limited Commercial (B-1), and Industrial Park (I-P) districts.

The proposed High Density Residential land use designation supports the following types of zoning: High Density Residential (R-3), Residence-Manufactured Housing (R-MH), Recreational Vehicle Subdivision (RVS) and Manufactured Housing Park (MHP) districts.

The applicant’s intent in changing the land use designation is to pursue a rezoning of the site to High Density Residential (R-3) to allow the development of multi-family units.

A neighborhood meeting was held on-site on August 7, 2025. There were many neighbors in attendance who were in opposition of the request. Some expressed their concern regarding the potential denial of future conditional use permits for industrial zoned properties adjacent to residential development. Other concerns were relating to traffic, parking and noise.

During the meeting staff informed the neighbors that any new industrial building or activity permitted in the Light Industrial Zoning District may be located less than 600 feet from a residential zoning district and residential use provided such building or activity is granted a conditional use by the Planning and Zoning Commission. For example, the existing adjacent gym and mortuary went through respective CUP approvals in 2013 and 2015. The neighborhood already features a mix of residential and industrial zoning and uses. The residential block to the east of the subject property has recently been the subject of numerous requests to rezone to Low Density Residential (R-1-6) zoning to reflect the actual use of the properties.

Density

The current land use designation of Mixed Use would allow from 2 to 5 dwelling units to be constructed on .48 acres.

The proposed High Density Residential land use designation would allow 6 to 14

dwelling units to be developed.

Population

Information from the 2023 American Community Survey provides data on population by housing unit type. The information results in an average household size for multi-family homes of 1.8 persons per dwelling in the City of Yuma. Comparing the densities allowed within the General Plan, the potential persons expected are:

- Mixed Use:
 - Minimum 2 homes – Expected population: 4
 - Maximum 5 homes – Expected population: 9
- High Density Residential:
 - Minimum 6 homes – Expected population: 11
 - Maximum 14 homes – Expected population: 25

The 2020 Census identified that 20% of the population within the City of Yuma was between 5 and 17 years of age. Therefore, the expected school-age population is estimated at:

- Mixed Use:
 - Minimum expected population: 4 – School Age: 1
 - Maximum expected population: 9 – School Age: 2
- High Density Residential:
 - Minimum expected population: 11 – School Age: 2
 - Maximum expected population: 25 – School Age: 5

Transportation

The property is located on the southwest corner of 17th Street and Madison Avenue. Vehicle access to the property will be from Madison Avenue, a Local Road with the nearest Collector on 1st Avenue.

There is an existing bus stop at 4th Avenue and 16th Street, Green Route 4A, and an existing bike route on 1st Avenue to the north and proposed bike route to the south.

The City of Yuma Transportation Master Plan identifies Madison Avenue and 17th Street as Local Streets and 1st Avenue as a Collector Road. According to the City of Yuma Transportation Master Plan, 1st Avenue operates at a Level of Service (LOS) of C or above, meaning that there are stable conditions with movements somewhat restricted due to higher volumes but not objectionable to motorists. The Yuma Metropolitan Planning Organization identified an average annual daily traffic count at 1st Avenue near 18th Street as 4,621 in 2024.

Recreation

The Recreation Element of the City of Yuma 2022 General Plan outlines a well-developed network of recreational areas and public sites, including a detailed inventory of existing park facilities throughout the City. Among these, neighborhood parks play a vital role by offering accessible, localized spaces for informal recreation and open space activities. These parks typically support field games, court sports, walking and jogging paths, and picnic areas serving the immediate needs of surrounding residential communities. Joe Henry Optimist Park, located just south of the subject property and within walking distance, is one such neighborhood park that provides a range of recreational amenities for nearby residents.

Housing

The Housing Element of the City of Yuma 2022 General Plan addresses the need to provide safe, decent, sanitary, and affordable housing for all residents. Objective 1.3 encourages providing a variety of housing types:

Objective 1.3: Encourage a variety of housing types to meet all socioeconomic segments of the population, considering both full time and seasonal residents.

An Action Item of the Housing Element is to consider rezoning land for higher density residential development to promote additional rental and lower cost ownership options.

The current zoning designation of Light Industrial does not permit the development of any residential dwellings. The current zoning is not in conformance with the current land use designation of Mixed Use. However, the current Mixed Use land use designation does permit zoning districts that allow residential development such as Low and Medium Density Residential. In addition, the Manufactured Housing Subdivision District and Residence-Manufactured Housing District are permitted zoning districts within the Mixed Use land use designation.

Public Services

It is a requirement of State Statute for a General Plan to identify public schools and other public buildings. The City of Yuma General Plan Public Services Element identifies the location of public/charter schools within the three school districts in the General Plan area.

The subject property is within the boundaries of Yuma Elementary School District One and Yuma Union High School District. According to the Yuma Elementary School District One Boundary Map, the elementary students in the subject area are within the boundary of C W McGraw Elementary School at 2345 S. Arizona Avenue. Junior high school students are within the boundary of Gila Vista Junior High School located at 2245 S. Arizona Avenue. According to the Yuma Union High School District, the high school students are within the boundary of Kofa High School located at 3100 S. Avenue A. In addition, the subject property is also near Harvest Preparatory Academy, a charter school located at 350 E. 18th Street.

Redevelopment

The Redevelopment Chapter of the General Plan emphasizes conservation, rehabilitation, redevelopment, neighborhood preservation, and revitalization efforts. Designated Revitalization Areas are blighted areas that are primarily residential in character, often defined by strong family ties and a history of long-term, multigenerational residency. The subject property is located within the Mesa Heights Revitalization Area, aligning it with the City's broader objectives for neighborhood reinvestment and community enhancement.

Growth Areas

The Growth Areas chapter identifies those parts of the Planning Area ideal for a concentration of a variety of land uses, including higher densities and intensities or uses. Equally essential is the need for growth to occur close to existing or planned public facilities and services.

The General Plan request is located within the Arizona Avenue and 16th Street Growth Area, which presents significant opportunities for infill development due to the presence of numerous vacant and underutilized properties. This area is well-supported by existing infrastructure, transportation networks, and commercial development,

making it well-positioned for strategic growth. New residential developments of high and medium density in this location would serve as an effective transitional buffer, separating the established residential neighborhoods to the south from the more intensive commercial and industrial uses located to the north and west.

An increase in residents in this area would enhance and strengthen the existing commercial development and transportation network. The YCAT bus system has several fixed routes through this area with a focus on the Yuma Mesa Shopping Center.

1. Does the proposed amendment impact any elements of the General Plan?

No. The elements of the General Plan will not be impacted by the proposed amendment.

Transportation Element:

FACILITY PLANS

Transportation Master Plan	Planned	Existing
17 th Street - Local Street	29 FT HW	30 FT HW
Madison Avenue - Local Street	29 FT HW	30 FT HW
1st Avenue – 2-lane Collector	40 FT HW	30 FT HW
Median Disclosure		

2. Does the proposed amendment impact any of the facility plans? No.

No. The change in land use will not significantly impact any of the facility plans.

3. Is the proposed amendment in conflict with Council's prior actions?

Yes. The 2022 City of Yuma General Plan land use designation for this area is Mixed Use.

Scheduled Public Hearings:

- ☒ City of Yuma Planning and Zoning Commission: October 13, 2025
☐ City of Yuma City Council: November 5, 2025

Public Comments Received: See Attachment A

Agency Comments: See Attachment B

Neighborhood Meeting Comments: See Attachment D

Final staff report delivered to applicant on:

- ☐ Applicant agreed with staff's recommendation:
☐ Applicant did not agree with staff's recommendation:
☒ Final report has been emailed to applicant on 9/25/2025 and awaiting response.

Attachments

A	B	C	D	E	F
Public Comments	Agency Comments	Staff Worksheet	Neighborhood Meeting Comments	Neighbor Notification List	Aerial Photo

Prepared By:

Erika Peterson

Date: 9/23/2025

Erika Peterson
Senior Planner
Erika.Peterson@YumaAZ.Gov

(928) 373-5000, x3071

Reviewed By: Jennifer L. Albers

Date: 9/24/25

Jennifer L. Albers,
Assistant Director of Planning

Approved By: Alyssa Linville

Date: 09/25/25

Alyssa Linville,
Director, Planning and Neighborhood Services

**ATTACHMENT A
PUBLIC COMMENTS**

Name:	Anonymous				Contact Information:							
Method of Contact:	Phone	☒	FAX		Email		Letter		Other			
Comment: Asked about the impact the proposed request and development would have on adjacent properties such as existing and future industrial uses near residential. Expressed opposition of the request to change the land use designation to high density residential.												
Name:	Regina Herndon				Contact Information:				(928)941-2810			
Method of Contact:	Phone	☒	FAX		Email		Letter		Other			
Comment: Requested information about the proposed amendment and the proposed future development. Mrs. Herndon stated she is not opposed to apartments but would not like to see the property developed as a mobile home park.												
Name:	Cesar Dominguez				Contact Information:							
Method of Contact:	Phone	☒	FAX		Email		Letter		Other			
Comment: Is opposed of the request.												
Name:	Cesar Dominguez				Contact Information:				Cesar.Dominguez@familyfuneralcare.com			
Method of Contact:	Phone		FAX		Email	☒	Letter		Other			
Good afternoon Mrs. Peterson, My name is Cesar Dominguez and owner/operator of All Saints Cremation & Memorial Chapel at 170 E. 17th Place. I am in opposition of the proposed minor general plan amendment to change the land use to high density residential. Thank you, Cesar Dominguez Funeral Director Proprietor												

Dennis Construction Company of Yuma, Inc.
53 E. 16th Street
Post Office Box 1987
Yuma, Arizona 85366

August 4, 2025

Department of Community Development
One City Plaza Yuma
Arizona 85364

RE: CASE NUMBER GP-44277-2025 SWC of 17th St. & Madison Avenue Minor General Plan
Amendment - Mixed-Use to High Density Residential

Ladies and Gentlemen:

I am writing as the owner of Dennis Construction Company of Yuma, Inc., which operates on Light Industrial property directly adjacent to the site proposed for a land use amendment. I want to express my concerns regarding the request to change the designation from Mixed Use to High Density Residential for the property at the southwest corner of 17th Street and Madison Avenue.

Our business is a construction company that relies heavily on the flexibility afforded by Light Industrial zoning. On a daily basis, our operations involve significant tractor-trailer traffic, heavy equipment movement, and other industrial activities that generate substantial noise and vibrations. These are essential components of our business and are consistent with the zoning designation of this area.

The proposed amendment to High Density Residential zoning introduces a land use that is fundamentally incompatible with the nature of industrial operations. Residential developments often bring heightened sensitivity to noise, traffic, and other industrial impacts, which could lead to complaints and potential restrictions on our ability to operate effectively. This would not only harm our business but also disrupt the balance of land uses in the area.

It is important to recognize that Light Industrial zoning exists to support businesses like ours, which require operational freedom without the constraints of residential concerns. Introducing high-density housing adjacent to industrial properties risks creating unnecessary conflicts and undermines the purpose of this zoning designation.

I strongly urge the Planning and Zoning Commission and the Yuma City Council to carefully evaluate the long-term implications of this amendment. Protecting the integrity of Light Industrial zoning is critical to ensuring that businesses like Dennis Construction Company can continue to thrive and contribute to the local economy.

Thank you for considering my perspective. If you have any questions or need further information, please feel free to contact.

Sincerely,



Keith Dennis, President
Dennis Construction Company of Yuma, Inc.

Whitacre Family Trust
Attn: Donald A. Whitacre
302 Adams Ranch Rd. #3
Mountain Village, CO 81435

August 7, 2025

Department of Community Development
Attn: Ericka Peterson
One City Plaza
Yuma, Arizona 85364

RE: CASE NUMBER GP-44277-2025
Minor General Plan Amendment - Mixed-Use to High Density Residential
SWC of 17th St. & Madison Avenue

Dear Ms. Peterson,

As the owner of the shopping center commonly known as the Staples Center, located adjacent to the property in question, I am writing to express my concerns regarding the proposed amendment to change the land use designation to Mixed Use to High Density Residential for the site at the southwest corner of 17th Street and Madison Avenue.

The Staples Center is zoned B-2 Commercial and serves as a hub for retail, dining, and service businesses that rely on consistent customer traffic and a harmonious surrounding environment. The introduction of High Density Residential zoning adjacent to our property raises concerns about the potential impact on the commercial viability of the area.

Residential developments often bring challenges such as increased parking demand, traffic congestion, and heightened sensitivity to noise and activity levels. These factors could disrupt the flow of business operations and deter customers from visiting the shopping center. Additionally, the shift in land use may alter the character of the area, making it less attractive for future commercial investment and development.

The current Mixed Use designation provides a balanced approach that supports both residential and commercial activities, fostering a dynamic and complementary environment. Changing this designation to High Density Residential risks tipping the balance and creating conflicts between land uses that could negatively affect the businesses operating in the Staples Center.

I urge you, the Department of Development Services, the Planning and Zoning Commission and Yuma City Council to carefully consider the broader implications of this amendment and prioritize the long-term economic health of the area. Maintaining a land use designation that supports commercial activity is essential to ensuring the continued success of businesses like those in the Staples Center.

Please feel free to contact me if you have any questions or require further information.

Sincerely,

Donald Whitacre
Donald A. Whitacre

Electronically Signed using eSignOnline™ | Session ID: d728961-0966-4f0f-845e-3ab7326536c0

Panho, LLC
Attn: Thoms J. Pancrazi and
Patrick K. Hodges, Jr.
c/o A.T. Pancrazi Real Estate Services, Inc.
350 W. 16th Street, Suite 332
Yuma, Arizona 85364
Office: 928-782-0000

August 7, 2025

Department of Community Development
One City Plaza
Yuma, Arizona 85364

RE: SWC of 17th St. and Madison Avenue Minor General Plan Amendment - Mixed-Use to High Density Residential - CASE NUMBER GP-44277-2025

Dear Staff Members, Zoning Commissioners, and Council Members:

As the owner of the property where CrossFit Yuma operates, I am writing to express my concerns regarding the proposed Minor General Plan Amendment request by Jose Salazar, on behalf of Nextgen Properties, LLC, to change the land use designation from Mixed Use to High Density Residential for the property located at the southwest corner of 17th Street and Madison Avenue.

Our property is zoned Light Industrial, and the activities conducted on-site are consistent with this designation. CrossFit Yuma operates as a high-energy fitness facility, with early morning classes starting at 5:30 AM that include loud music, weights being dropped, and members running around the building. Additionally, there are midday kids' classes and other activities throughout the day that generate significant noise and movement. These operations are integral to the business and align with the intended use of Light Industrial zoning.

More importantly, the proposed amendment to High Density Residential zoning for the adjacent property raises serious concerns about the **current** and **future** compatibility of our property as it relates to compliance with Yuma Code of Ordinance §§154-09.02(F)(1)(c) and (d), which provide as follows:

“(c) Distance from residential zoning district. Any industrial building or activity as may be permitted in the Light Industrial Zoning District shall be located a minimum distance of 600 feet from any residential zoning district and residential use, unless separated from said residential district and use by an arterial street, a state or federal highway, railroad right-of-way in use as such, or a designated truck route.

“(d) Exception. An industrial building or activity may be located less than 600 feet from a residential zoning district and residential use provided such building or activity is granted a conditional use by the Planning and Zoning Commission.”

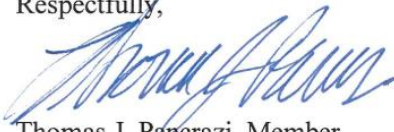
Our property and the Nexgen property are not separated by an arterial road and, as such, the rezoning would immediately render the Panho property out of compliance as to any future LI uses. Moreover, Panho would be required to obtain a conditional use permit in order to conduct light industrial operations from the Panho property. Not only is this extremely unfair, but it is also clear, based upon the Yuma Code of Ordinances, that residential developments in close proximity to Light Industrial properties will result in immediate conflicts. In addition, residents may find the use, noise, odorous and activity levels disruptive, which will only serve to make rise to complaints and pressure to restrict or modify Panho's operations, thereby negatively impacting our business and the services we provide to the community, at no fault of Panho. Moreover, introducing High Density Residential

zoning next to Light Industrial properties undermines the purpose of industrial zoning, which is designed to accommodate businesses that require operational flexibility without the constraints of residential concerns. This amendment risks creating unnecessary friction between land uses and could hinder the long-term viability of the area as a hub for industrial and commercial activity.

For the above reasons, we respectfully urge the Planning and Zoning Commission and Council Members to carefully consider the potential negative impacts this amendment would have on existing businesses and the broader implications for land use compatibility in the area.

Thank you for your contemplative consideration to this matter and our concerns.

Respectfully,



Thomas J. Pancrazi, Member
Panho, LLC



Patrick K. Hodges, Jr., Member
Panho, LLC

Gladiator Fitness, LLC
d.b.a. Crossfit Yuma
Attn: Kim Glenn
1735 S. 1st Avenue
Yuma, AZ 85364
Tel: (928) 246-0274

August 4, 2025

Department of Community Development
One City Plaza Yuma
Arizona 85364

RE: CASE NUMBER GP-44277-2025 SWC of 17th St. & Madison Avenue Minor General Plan
Amendment - Mixed-Use to High Density Residential

To Whom it My Concern:

I am writing on behalf of CrossFit Yuma, a gym located directly adjacent to the subject property, to express my opposition to the proposed Minor General Plan Amendment request by Jose Salazar, on behalf of Nextgen Properties, LLC, to change the land use designation from Mixed Use to High Density Residential.

Our gym operates on a property zoned Light Industrial, and our daily activities are consistent with this zoning designation. We host early morning classes starting at 5:30 AM, which involve loud music, weights being dropped on the floor, and outdoor physical activities. Additionally, we have a kids' class at 11:00 AM, which brings a lively and energetic atmosphere to the area. These activities generate substantial noise and movement throughout the day, which are typical for a business operating in a Light Industrial zone.

Changing the adjacent property's designation to High Density Residential would create significant conflicts between our operations and the proposed multi-family residences. Residents in high-density housing may find our noise levels disruptive, leading to complaints and potential restrictions on our ability to operate as we currently do. This could jeopardize the viability of our business and limit the services we provide to the community.

Furthermore, the introduction of residential zoning in close proximity to Light Industrial and Commercially zoned properties is inherently incompatible. Light Industrial and Commercial zoning is designed to accommodate businesses like ours, which require flexibility in operations without the constraints of residential concerns. High Density Residential zoning would undermine this purpose and create unnecessary friction between land uses.

I strongly urge the Planning and Zoning Commission and the Yuma City Council to consider the impact this amendment would have on existing businesses like CrossFit Yuma and the broader implications of introducing incompatible zoning in this area.

Thank you in advance for considering my strong concerns and for your attention to this matter.

Respectfully Submitted,

Kimberly Glenn

Kim Glenn, Owner, CrossFit Yuma

Electronically Signed using eSignOnline™ [Session ID: a009490-c956-4d73-bb35-a9806ab0516f]

Jim D. Smith
221 S. 2nd Avenue
Yuma, AZ 85364
e-mail: jimmiedeesmith@gmail.com
Tele: 928-783-7809

9/17/2025- Hand Delivered

Department of Community Development
Attn: Erika Peterson
One City Plaza
Yuma, Arizona 85364

RE: CASE NUMBER GP-44277-2025
Minor General Plan Amendment – Mixed-Use to High Density Residential
SWC of 17th St. & Madison Avenue

Dear Ms. Ericka Peterson,

I am the owner of a commercial building at 299 W. 17th St, Yuma, AZ, 85364. I believe my present zoning is either Light Industrial or Heavy Industrial, as the zoning has changed over the years.

I am concerned about and object to the proposed rezoning from Mixed-Use to High-Density Residential for the property the subject of this application.

17th Street is and has always been a commercial area, not residential. The applicant's property is only one block South of 16th street the busiest street in Yuma. There are many businesses in this area. I do not recall any residences or apartments in this area. The Proposed Multi-Family Residential units in this area will increase the number of children playing on the Street, create a need for more playgrounds, increase traffic, increase cars parked on the Street, and increase pedestrian activity. Delivery trucks, customer vehicles and existing commercial operations will conflict with proposed Multi-Family residences and additional residential traffic. These conditions could easily discourage future tenants from leasing my commercial building, reducing the commercial viability and value of my property.

Maintaining the current Use designation ensures safe traffic flow, does not interfere with present businesses and protects property values and community safety.

Thank you for considering these important impacts.

Jim D. Smith, Property Owner



September 17, 2025

Department of Community Development
Attn: Ericka Peterson
One City Plaza
Yuma, Arizona 85364

RE: CASE NUMBER GP-44277-2025
Minor General Plan Amendment - Mixed-Use to High Density Residential
SWC of 17th St. & Madison Avenue

Dear Ms. Peterson,

As the owner of Budgetel Inn & Suites, located adjacent to the property in question, I am writing to express my strong concerns regarding the proposed amendment to change the land use designation to Mixed Use to High Density Residential for the site at the southwest corner of 17th Street and Madison Avenue.

Our hotel serves a vital role in the community by providing affordable and accessible accommodations to travelers, families, and business guests. The success of a hotel depends heavily on maintaining a safe, accessible, and commercially viable environment that supports consistent guest traffic.

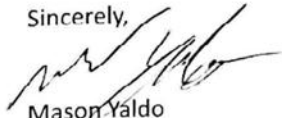
The introduction of High-Density Residential zoning adjacent to our property raises significant concerns about the negative impact it could have on our operations. Residential developments often bring challenges such as increased parking demand, traffic congestion, and heightened sensitivity to activity levels. These factors could discourage guests from staying at our property, disrupt hotel operations, and diminish the overall experience we strive to provide. Additionally, the shift in land use could alter the character of the surrounding area, making it less attractive for visitors and undermining the long-term sustainability of our business.

The current Mixed-Use designation strikes a necessary balance between residential and commercial activities, allowing both to thrive while complementing one another. By contrast, the shift to High Density Residential risks creating conflicts between land uses that would jeopardize not only the success of our hotel but also the broader commercial appeal of the area.

I respectfully urge the Department of Development Services, the Planning and Zoning Commission, and Yuma City Council to carefully consider the long-term economic implications of this amendment. Preserving a land use designation that supports hospitality and commercial activity is critical to ensuring the continued success of businesses like Budgetel Inn & Suites and to sustaining a vibrant and balanced community.

Please feel free to contact me if you have any questions or would like to discuss this matter further.

Sincerely,



Mason Valdo
Owner, Budgetel Inn & Suites

Erika Peterson
Senior Planner
(928) 373-5000 Ext. 3071
Erika.Peterson@YumaAz.gov
One City Plaza
Yuma, AZ 85364

RE: CASE NUMBER GP-44277-2025 SWC of 17th St. & Madison Avenue - Minor General Plan Amendment - Mixed-Use to High Density Residential

Dear Planning & Zoning Commissioners,

I am writing as a concerned neighbor and community member to respectfully oppose the proposed rezoning of SWC of 17th St. & Madison Avenue. My opposition is based on a number of concerns that could negatively impact the community, such as but not limited to:

- Traffic and pedestrian safety risks due to higher vehicle volume on already narrow or busy streets.
- Reduced visibility at intersections and driveways, making it more hazardous for drivers, cyclists, and pedestrians.
- Emergency access concerns, as overcrowded or blocked streets could hinder fire trucks, ambulances, and law enforcement from responding quickly.
- Increased risk of accidents from residents and visitors circling the area to find available parking.
- Obstructed views and diminished aesthetic character of the area caused by taller structures.
- Greater strain on local infrastructure and public services.
- Reduced privacy for neighboring properties due to the height and density of the buildings.
- Increased noise and activity levels that will impact the quality of life for current residents.
- Potential decline in property values in surrounding areas due to overcrowding and limited parking availability.
- Additional comments/concerns: _____

_____.

Thank you for your consideration,

Nohemi Sanchez
Property Owner/Resident

Nohemi Sanchez
Signature

9-24-25
Date

Property Address: 1704 S Maple Ave
Yuma AZ

Erika Peterson
Senior Planner
(928) 373-5000 Ext. 3071
Erika.Peterson@YumaAz.gov
One City Plaza
Yuma, AZ 85364

RE: CASE NUMBER GP-44277-2025 SWC of 17th St. & Madison Avenue - Minor General Plan Amendment - Mixed-Use to High Density Residential

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- Increased noise and activity levels that will impact the quality of life for current residents.
- Potential decline in property values in surrounding areas due to overcrowding and limited parking availability.
- Additional comments/concerns: _____

_____.

Thank you for your consideration,

Property Owner/Resident

Sanita Simola
Signature

9/24/2025
Date

Property Address: *1711 S Maple Ave*
Yuma, AZ 85364

Erika Peterson
Senior Planner
(928) 373-5000 Ext. 3071
Erika.Peterson@YumaAz.gov
One City Plaza
Yuma, AZ 85364

RE: CASE NUMBER GP-44277-2025 SWC of 17th St. & Madison Avenue - Minor General Plan Amendment - Mixed-Use to High Density Residential

Estimados Comisionados de Planificación y Zonificación,

Me dirijo a ustedes como vecino(a) y miembro de la comunidad preocupado(a) para expresar respetuosamente mi oposición a la propuesta de cambio de zonificación en la esquina suroeste de la Calle 17 y la Avenida Madison. Mi oposición se basa en varias preocupaciones que podrían afectar negativamente a la comunidad, tales como, entre otras:

- Riesgos de tráfico y seguridad peatonal debido al mayor volumen vehicular en calles ya angostas o concurridas.
- Visibilidad reducida en intersecciones y entradas, lo que aumenta el peligro para conductores, ciclistas y peatones.
- Preocupaciones sobre el acceso de emergencia, ya que calles congestionadas o bloqueadas podrían dificultar la respuesta rápida de bomberos, ambulancias y fuerzas del orden.
- Mayor riesgo de accidentes por residentes y visitantes circulando en busca de estacionamiento disponible.
- Vista obstruida y disminución del carácter estético de la zona debido a estructuras más altas.
- Mayor presión sobre la infraestructura local y los servicios públicos.
- Pérdida de privacidad para propiedades vecinas debido a la altura y densidad de los edificios.
- Incremento en los niveles de ruido y actividad que afectarán la calidad de vida de los residentes actuales.
- Posible disminución en el valor de las propiedades en áreas circundantes debido al hacinamiento y la disponibilidad limitada de estacionamiento.
- Comentarios/preocupaciones adicionales: NO ES TOY DE ACUERDO

Gracias por su consideración.

Propietario/Residente Concepción Valenzuela Firma Concepción Valenzuela Fecha 9/24/25
Dirección de la propiedad: 1789 S. Madison Ave
Yuma, AZ 85364

ATTACHMENT B
AGENCY COMMENTS

DATE:	8/26/25	NAME:	Antonio Martinez	TITLE:	Community Liaison Specialist
AGENCY:	MCAS Yuma			PHONE:	928-269-2103
<i>Enter comments below:</i>					
Subject parcel is located near a known flight path. It is requested an Avigation Disclosure statement be recorded to recognize the noise, interference, or vibrations due to aviation operations that may occur at the nearby Marine Corps Air Station Yuma, Yuma International Airport Aviation Complex, and its associated flight paths. Please send a copy of the recorded easement to MCASYUMA CPLO@usmc.mil. Thank you for the opportunity to review and comment.					

**ATTACHMENT C
STAFF WORKSHEET**

	STAFF RESEARCH – GENERAL PLAN AMENDMENT CASE #: GP-44277-2025 CASE PLANNER: ERIKA PETERSON
---	---

I. PROJECT DATA

Project Location:		SWC of 17 th Street and Madison Avenue												
Parcel Number(s):		665-36-073												
Parcel Size(s):		.48 acres												
Total Acreage:		.48 acres												
Proposed Dwelling Units:		Maximum:		14		Minimum:		6						
Address:														
Applicant:		Nextgen Properties, LLC												
Applicant's Agent:		Jose Salazar												
Land Use Conformity Matrix:		Current Zoning District Conforms:								Yes		No	X	
Zoning Overlay:	Public		AO		Auto		B&B		Historic		Infill	X	None	
Airport		Noise Contours	65-70		70-75		75+		APZ1		APZ2		CLEAR ZONE	

	Existing Zoning	Current Use	General Plan Designation
Site	Light Industrial (L-I)	Undeveloped	Mixed Use
North	Light Industrial (L-I)	Undeveloped, mechanic shop, cabinet shop	Commercial
South	Light Industrial (L-I)	Funeral home	Mixed Use
East	Light Industrial (L-I) and Low Density Residential (R-1-6)	Single-family homes	Low Density Residential
West	Light Industrial (L-I)	Gymnasium and parking lot	Mixed Use

Prior Cases or Related Actions:														
<u>Type</u>	<u>Conforms</u>			<u>Cases, Actions or Agreements</u>										
Pre-Annexation Agreement	Yes		No	N/A										
Annexation	Yes	X	No	Effective 7/21/1956, Ord. 672										
General Plan Amendment	Yes		No	N/A										
Development Agreement	Yes		No	N/A										
Rezone	Yes	X	No	C14-60-8 (D), Z80-23										
Subdivision	Yes	X	No	Lot Tie/Lot Split: LOTS-27418-2019										
Conditional Use Permit	Yes		No	CUP-3072-2013, CUP-CU89-18										
Pre-Development Meeting	Yes		No	Date: 6/17/2025, PDM-44200-2025										
Enforcement Actions	Yes		No	N/A										
Land Division Status:		Legal lot of record												
Irrigation District:		None												
Adjacent Irrigation Canals & Drains:		None												
Water Conversion: (5.83 ac ft/acre)		0.00 Acre Feet a Year												
Water Conversion Agreement Required		Yes		No	X									

II. CITY OF YUMA GENERAL PLAN

Land Use Element:																			
Land Use Designation:				Mixed Use															
Issues:				None															
Historic District:		Brinley Avenue				Century Heights				Main Street				None		X			
Historic Buildings on Site:				Yes				No		X									
Transportation Element:																			
FACILITY PLANS																			
Transportation Master Plan				Planned		Existing		Gateway		Scenic		Hazard		Truck					
17 th Street - Local Street				29 FT HW		30 FT HW													
Madison Avenue - Local Street				29 FT HW		30 FT HW													
1 st Avenue - 2 lane Collector				40 FT HW		30 FT HW				X									
Bicycle Facilities Master Plan				1 st Avenue- existing bike route to north and proposed bike route to south															
YCAT Transit System				Green Route 4A at 16 th Street and 4 th Avenue															
Issues:																			
Parks, Recreation and Open Space Element:																			
Parks and Recreation Facility Plan																			
Neighborhood Park:		Existing: Joe Henry Optimist Park						Future: Joe Henry Optimist Park											
Community Park:		Existing: Kennedy Memorial Park						Future: Kennedy Memorial Park											
Linear Park:		Existing: East Main Canal Linear Park						Future: East Main Canal Linear Park											
Issues:																			
Housing Element:																			
Special Need Household:				N/A															
Issues:																			
Redevelopment Element:																			
Planned Redevelopment Area:				Mesa Heights Revitalization Area															
Adopted Redevelopment Plan:				North End:				Carver Park:				None:		X					
Conforms:				Yes				No											
Conservation, Energy & Environmental Element:																			
Impact on Air or Water Resources				Yes				No		X									
Renewable Energy Source				Yes				No		X									
Issues:																			
Public Services Element:																			
Population Impacts Population projection per 2023 5-Year American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan: Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person				Dwellings & Type		Projected Population		Police Impact		Water Consumption		Wastewater Generation							
				<i>Multi-Family</i>															
				Maximum		Per Unit				Officers		GPD		AF					
				14		1.8		25		0.05		5,216		5.8		1,764			
				Minimum															
6		1.8		11		0.02		2,236		2.5		756							
Fire Services Plan:				Existing: Fire Station No. 3						Future: Fire Station No. 3									
Water Facility Plan:				Source:		City		X		Private				Connection:		4" AC line on Madison Avenue			
Sewer Facility Plan:				Treatment:		City		X		Septic				Private				Connection: 8" line on 17 th Street	
Issues:																			
Safety Element:																			
Flood Plain Designation:				500-year Flood				Liquefaction Hazard Area:				Yes				No		X	

Issues:		N/A									
Growth Area Element:											
Growth Area:	Araby Rd & Interstate 8			Arizona Ave & 16 th St		X	Avenue B & 32 nd St.				
	North End		Pacific Ave & 8 th St			Estancia		None			
Issues:											

NOTIFICATION

- Legal Ad Published: The Sun 9/20/25
- Display Ad Published: 9/20/25
- 660' Vicinity Mailing: 7/22/25
- 54 Commenting/Reviewing Agencies noticed: 7/15/25

- Site Posted: 7/30/2025
- Neighborhood Meeting: 8/7/2025
- Hearing Dates: 10/13/25 & 11/5/25
- Comments Due: 9/13/25

External List	Response Received	Date Received	"No Comment"	Written Comments
Yuma Metropolitan Planning Organization (ARS)	NR			
Yuma County Engineering	NR			
Yuma County Flood Control District	NR			
Yuma County Planning & Zoning (ARS)	NR			
Yuma County Public Works	YES	7/15/2025	X	
Yuma County Airport Authority	YES	7/21/2025	X	
Yuma County Chamber of Commerce	NR			
Yuma County Assessor	NR			
Greater Yuma Econ. Development Corp.	NR			
Yuma County School Superintendent	NR			
YUHS District #70 (ARS)	NR			
Yuma Elementary School District #1 (ARS)	NR			
Crane School District #13 (ARS)	NR			
City of San Luis (ARS)	NR			
City of Somerton (ARS)	NR			
Imperial County, California (ARS)	NR			
Qwest Communications (ARS)	NR			
Arizona Public Service (ARS)	NR			
Time Warner Cable (ARS)	NR			
Southwest Gas (ARS)	NR			
Arizona Department of Transportation	NR			
Arizona Game & Fish Dept.	NR			
Arizona Department of Commerce (ARS)	NR			
Arizona State Attorney General (ARS)	NR			
Arizona Dept. of Water Resources (ARS)	NR			
Arizona State Land Department (ARS)	NR			
MCAS / C P & L Office (ARS)	YES	8/26/2025		X
Bureau of Land Management (ARS)	NR			
US Border Patrol	NR			
US Postal Service	NR			
Quechan Tribal Office	YES	7/15/2025	X	
Cocopah Indian Tribe	NR			
Yuma County Water Users' Association	YES	7/21/2025	X	
Yuma Irrigation District	NR			
Yuma Mesa Irrigation Drainage District	NR			
Unit B Irrigation District	NR			
Yuma County Association of Realtor's	NR			
Yuma County Contractor's Association	NR			
AZ Society of Military Engineers (ASME)	NR			
AZ Society of Civil Engineers (ASCE)	NR			
AZ Society of Professional Engineers (ASPE)	NR			

El Paso Natural Gas Co.	NR			
Western Area Power Administration	YES	7/16/2025	X	

City of Yuma Internal List	Response Received	Date Received	"No Comment"	Written Comments
Thomas Garrity, Police	NR			
Rod Hamilton, Police	NR			
Eric Urfer, Parks and Rec – Admin	NR			
David Wostenberg, City Engineer	NR			
Scott Nodes, Traffic Engineer	NR			
Andrew McGarvie, Engineering	NR			
Kayla Franklin, Fire – Prevention	YES	7/15/2025	X	
Randall Crist, Building Safety	NR			
Jeremy McCall, Utilities	NR			
Joel Olea, Public Works	NR			
NR=None Received	NR			

Neighborhood Meeting	Comments Available
8/7/2025	See Attachment D
Prop. 207 Waiver	
Received by Owner's signature on the application for this land use action request.	

ATTACHMENT D
NEIGHBORHOOD MEETING COMMENTS

Date Held: August 7, 2025

Location: City Hall Room #190

Attendees: Staff: Erika Peterson; Applicant: Jose Salazar

Neighbors in attendance: Jennifer Ingram, Ruben Nevarez, Maribel Acosta, Loran Tyler, Kieth Dennis, Amanda DeLara, David Gamboa, Tom Pancrazi, Susan Bridgeman

Summary of Attendee's Comments Related to the Project:

- Staff explained the applicant's request to change the land use designation from Mixed Use to High Density Residential to pursue a rezoning of the site to High Density Residential.
- The applicant explained his intent is to develop a 12-unit multi-family development, 3 buildings with 4 units each.
- Many neighbors expressed concern for future and existing industrial and commercial uses and the impact that high density residential would have in the area and how the proposed development is not compatible with existing uses.
- Neighbors commented on how future CUP's may be denied because of the proximity to the proposed multi-family development.
- Neighbors expressed their concern with on-street parking and commented on the traffic, noise, parking, smells and deliveries in the area from existing industrial uses and nearby school and what was being proposed to help mitigate those impacts.
- Neighbors asked how many parking spaces would be provided for the entire development and how many were required.
- Neighbors asked if notification to the future residents of the development could be provided to notify them of the potential noise from existing businesses and operations.
- Neighbors inquired about the specifics on proposed development about what type of fencing, setbacks, price for each unit, and what the entire development would look like.
- A neighbor had a question about how the proposed development would impact property values.
- Many neighbors stated they would like to see commercial or light industrial development in the area instead of residential.

ATTACHMENT E
NEIGHBOR NOTIFICATION LIST

Property Owner	Mailing Address	City	State	Zip Code
41 E 16TH ST AZ LLC	1980 W CHICO LN	YUMA	AZ	85365
AEA FEDERAL CREDIT UNION	1780 S 1ST AVE	YUMA	AZ	85364
ATLAS INVESTMENTS CA LLC	10721 TREENA ST STE 200	SAN DIEGO	CA	92131
BEJARANO JUAN ANTONIO JR	1719 S MADISON AVE	YUMA	AZ	85364
BONILLA PABLO	1743 S MADISON AVE	YUMA	AZ	85364
BRIDGEMAN SUSAN LUCILLE	1800 S MAPLE AVE	YUMA	AZ	85364
COLUNGA DANIEL & MARISOL	1805 S 1ST AVENUE	YUMA	AZ	85364
CONTRERAS RICARDO	1725 S MADISON AVE	YUMA	AZ	85364
DENNIS KEITH A	PO BOX 1987	YUMA	AZ	85366
DOBOSZ DANIEL P & TARA M	3049 W 12TH LN	YUMA	AZ	85364
FIRST INTERSTATE BANK OF ARIZONA	PO BOX 2609	CARLSBAD	CA	92018
FUENTES VERONICA & CARLOS JR	2953 S ROYAL ABERDEEN LOOP	GREEN VALLEY	AZ	85614
GAMBOA DAVID JR	1821 S 3RD AVE	YUMA	AZ	85364
GARCIA MIKE	PO BOX 1846	YUMA	AZ	85366
HARVEST POWER COMMUNITY DEVELOPMENT	350 E 18TH ST	YUMA	AZ	85364
HAYNES PROPERTIES AZ LLC	11483 E VIA SALIDA	YUMA	AZ	85367
HERRERA EDUARDO & GONZALEZ MAYRA LIZETH MEDRANO CPWROS	1749 S MADISON AVE	YUMA	AZ	85364
HERRERA RICARDO H &	1812 S MAPLE AVE	YUMA	AZ	85364
KING GERALD JR & CATHY JT	1712 S MAPLE AVE	YUMA	AZ	85364
LOZANO MARIA ISABEL	PO BOX 12383	SAN LUIS	AZ	85349
MALES TEDFORD C JR	4232 W 7TH ST	YUMA	AZ	85364
MARQUEZ JESUS L	1810 S MADISON AVE	YUMA	AZ	85364
MARTINEZ ORALIA	1761 S MADISON AVE	YUMA	AZ	85364
MAY VIOLA	5435 E 38TH PLACE	YUMA	AZ	85365
MONTES GONZALO & EVANGELINA JT	1813 S 1ST AVE	YUMA	AZ	85364
NEVAREZ RUBEN	3736 W 25TH PL	YUMA	AZ	85364
NEXT LEVEL HOME BUYERS LLC	2903 W 12TH PL	YUMA	AZ	85364
NEXTGEN PROPERTIES LLC	3378 W 17TH PL	YUMA	AZ	85364
NURICUMBO DIANA I	1068 VIA BARRANCA	CALEXICO	CA	92231
ORTIZ MARCO A & CARMEN M CPWROS	8795 E 24TH LN	YUMA	AZ	85365
PADILLA MARIA GUADALUPE	1820 S MAPLE AVE	YUMA	AZ	85364
PANHO LLC	350 W 16TH ST STE 332	YUMA	AZ	85364
PATINO ERICA A JONES	1820 S 1ST AVE	YUMA	AZ	85364
QUINTANA JOSE T & MARIA C JT	7248 E 25TH PL	YUMA	AZ	85365
QUINTERO MARIA TRUST 4-10-2024	PO BOX 1903	WINTERHAVEN	CA	92283
QUINTERO VALERIE JEAN	2160 S DEL VALLE WAY	YUMA	AZ	85364
RAMIREZ TERESA	1789 S MADISON AVE	YUMA	AZ	85364
RANGEL SERGIO R &	1737 S MADISON AVE	YUMA	AZ	85364
ROBLES JUANA	1804 S 1ST AVE	YUMA	AZ	85364
RODRIGUEZ EDUARDO ANDRADE	1812 S 1ST AVE	YUMA	AZ	85364
RODRIGUEZ MONICA	1803 S 2ND AVE	YUMA	AZ	85364

SACO ROMEO & RITA TRUST 05-28-2013	2301 S 4TH AVE	YUMA	AZ	85364
SANCHEZ NOHEMI	1704 S MAPLE AVE	YUMA	AZ	85364
SMITH JIM D	221 S 2ND AVE STE 1	YUMA	AZ	85364
SMITH WM MICHAEL & DELLA E	1321 W 19TH ST	YUMA	AZ	85364
SPONGROSS KATHY M	1715 S MADISON AVE LOT A	YUMA	AZ	85364
STREBE CHRISTOPHER C & PHYLLIS L TRUST	1681 S 1ST AVE	YUMA	AZ	85364
STUHR ROSARIO RAMOS	15385 S AVENUE 4E	YUMA	AZ	85365
TALAMANTE CHRISTIAN R & MARCELA JT	1812 S MADISON AVE	YUMA	AZ	85364
TRES ESTRELLAS HOLDINGS LLC	13484 S AVENUE 5 E	YUMA	AZ	85365
WAKAMATZU ICELA	267 E PALO VERDE DR	YUMA	AZ	85364
WEST COAST LODGING LLC	1640 S ARIZONA AVE	YUMA	AZ	85364
WHITACRE DONALD ALAN & VICKI LYNN TRUST 2-10-1993	10721 TREENA ST STE 200	SAN DIEGO	CA	92131
WILLIAMS GUADLUPE R &	1821 S 1ST AVE	YUMA	AZ	85364
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ	85364
YUMA INDUSTRIAL BUILDINGS AZ LLC	PO BOX 1107	LAKE FOREST	CA	92609
YUMA OFFICE RENTAL LLC	1700 S 1ST AVE STE 200	YUMA	AZ	85364
YUMA SAFE STORAGE LLC	4062 S NAVAL AVE	YUMA	AZ	85365
YUMA SITE AZ LLC	5939 W CHANDLER BLVD	CHANDLER	AZ	85226

ATTACHMENT F
AERIAL PHOTO



Public comments received after completion of the Final Report

Erika Peterson
Senior Planner
(928) 373-5000 Ext. 3071
Erika.Peterson@YumaAz.gov
One City Plaza
Yuma, AZ 85364

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- Potential decline in property values in surrounding areas due to overcrowding and limited parking availability.

➤ Additional comments/concerns: Safety Concerns

Thank you for your consideration,

Maribel Acosta
Property Owner/Resident

Maribel Acosta
Signature

10-13-25
Date

Property Address: 11699 S. 1st Ave.
Yuma, AZ 85364

Erika Peterson
Senior Planner
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- Potential decline in property values in surrounding areas due to overcrowding and limited parking availability.
- Additional comments/concerns: See attached.

Thank you for your consideration,

Catherine King

Gerald King

Property Owner/Resident

Gerald King
Catherine King
Signature

10-8-25
Date

Property Address: 1712 S. Maple Ave

We are opposed to the proposed rezoning on Madison Ave and 17th Street based on increasing higher vehicle volume on busy streets and/or increasing risks of accidents from residents - visitors seeking parking.

On May 29, 2025, We had to file a police report due to damages from a "Hit and Run" on our F-150 Ford truck that was parked in front of our home on Maple Avenue, (Report # 25-33174 Officer: Landeras). Parking has been, and still is, a huge concern and issue.

Erika Peterson
Senior Planner
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Erika.Peterson@YumaAz.gov
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- Increased noise and activity levels that will impact the quality of life for current residents.
- Potential decline in property values in surrounding areas due to overcrowding and limited parking availability.
- Additional comments/concerns: For This To happen, would be a travesty. We people in this neighborhood are already dealing with a great amount of traffic. I implore you, please, not to do this.

Thank you for your consideration,

KATHY SPONGROSS
Property Owner/Resident

Kathy Spongross
Signature

10/1/25
Date

Property Address: 1715 S. Madison Ave.
APT. A & B Yuma 85364

September 26, 2025

Haynes Properties, LLC
Mark Haynes
1726 S. Maple Avenue
Yuma, Arizona 85364

Planning & Zoning Commission and City Council
Attn: Erika Peterson
One City Plaza
Yuma, Arizona 85364

Re: Case No. GP-44277-2025

Dear Ms. Peterson

The purpose of this letter is to object to the Minor General Plan Amendment referenced above, in its current form.

I have owned and occupied an office and shop at 1726 S. Maple Avenue, one block East of the referenced property, since 2011.

Prior to the development of Harvest Preparatory School, there were minimal traffic and parking issues in the vicinity. Since Harvest Preparatory has come to the area, traffic has become extremely dense, particularly at times when parents and busses are dropping students off or picking them up, or when special events are scheduled. Additionally, parking during the school day is congested with employees or students who drive to school. It is common to have the driveway into my business blocked or partially blocked by parked vehicles, or drivers awaiting a turn to drop students off. The development proposed in the Amendment cannot help but contribute to these problems.

Moreover, as the owner/manager of several apartment complexes, I find the standard of 1.5 allocated parking slots per unit to be totally unrealistic. Almost all of my units have at least two vehicles operated by unit occupants, and many have more than that number, not to mention temporary parking by delivery drivers and tenant guests.

In closing, I find the Amendment in its present form would contribute to problems that already exist in the general area, and cannot help but add an element of danger and difficulty to an already taxing situation. If you have any questions on the information provided or need additional information, do not hesitate to contact me at (928) 210-3223.



Mark Haynes

Haynes Properties LLC

Erika Peterson
Senior Planner
(928) 373-5000 Ext. 3071
Erika.Peterson@YumaAz.gov
One City Plaza
Yuma, AZ 85364

RE: CASE NUMBER GP-44277-2025 SWC of 17th St. & Madison Avenue - Minor General Plan Amendment - Mixed-Use to High Density Residential

Dear Planning & Zoning Commissioners,

I am writing as a concerned neighbor and community member to respectfully oppose the proposed rezoning of SWC of 17th St. & Madison Avenue. My opposition is based on a number of concerns that could negatively impact the community, such as but not limited to:

- Traffic and pedestrian safety risks due to higher vehicle volume on already narrow or busy streets.
- Reduced visibility at intersections and driveways, making it more hazardous for drivers, cyclists, and pedestrians.
- Emergency access concerns, as overcrowded or blocked streets could hinder fire trucks, ambulances, and law enforcement from responding quickly.
- Increased risk of accidents from residents and visitors circling the area to find available parking.
- Obstructed views and diminished aesthetic character of the area caused by taller structures.
- Greater strain on local infrastructure and public services.
- Reduced privacy for neighboring properties due to the height and density of the buildings.
- Increased noise and activity levels that will impact the quality of life for current residents.
- Potential decline in property values in surrounding areas due to overcrowding and limited parking availability.
- Additional comments/concerns: _____

_____.

Thank you for your consideration,

Owner

Property Owner/Resident



Signature

10-11-25

Date

Property Address: 1719 S. Madison
Ave Yuma AZ 85364

RESOLUTION NO. R2025-100

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA,
AMENDING RESOLUTION R2022-011, THE CITY OF YUMA 2022 GENERAL PLAN,
TO CHANGE THE LAND USE DESIGNATION OF APPROXIMATELY .48 ACRES AT
THE SOUTHWEST CORNER OF 17TH STREET AND MADISON AVENUE FROM
MIXED USE TO HIGH DENSITY RESIDENTIAL**

WHEREAS, the General Plan of the City of Yuma was adopted by Resolution R2022-011 for the orderly and balanced development of lands through efficient and systematic land use planning; and,

WHEREAS, the General Plan provides a vision of development into the future based on existing development, the needs of the community, and the desires of property owners; and,

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on October 13, 2025, for General Plan Amendment Case No. GP-44277-2025, regarding the request to amend the General Plan; and,

WHEREAS, due and proper notice of the public hearings were given in the time, form, substance and manner as provided by law, including publication of such notice in The Sun on September 20, 2025, and October 11, 2025; and,

WHEREAS, as the community grows and prospers, it may be necessary to amend the General Plan to reflect development trends and opportunities; and,

WHEREAS, the proposed General Plan Amendment meets the goals and objectives of the General Plan and retains an adequate mixture and balance of land uses.

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

SECTION 1: Resolution R2022-011, the City of Yuma 2022 General Plan, is amended to change the land use designation of the real property depicted with crosshatching in Exhibit A, attached and by this reference made a part of this Resolution, from Mixed Use to High Density Residential.

Adopted this _____ day of _____, 2025.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

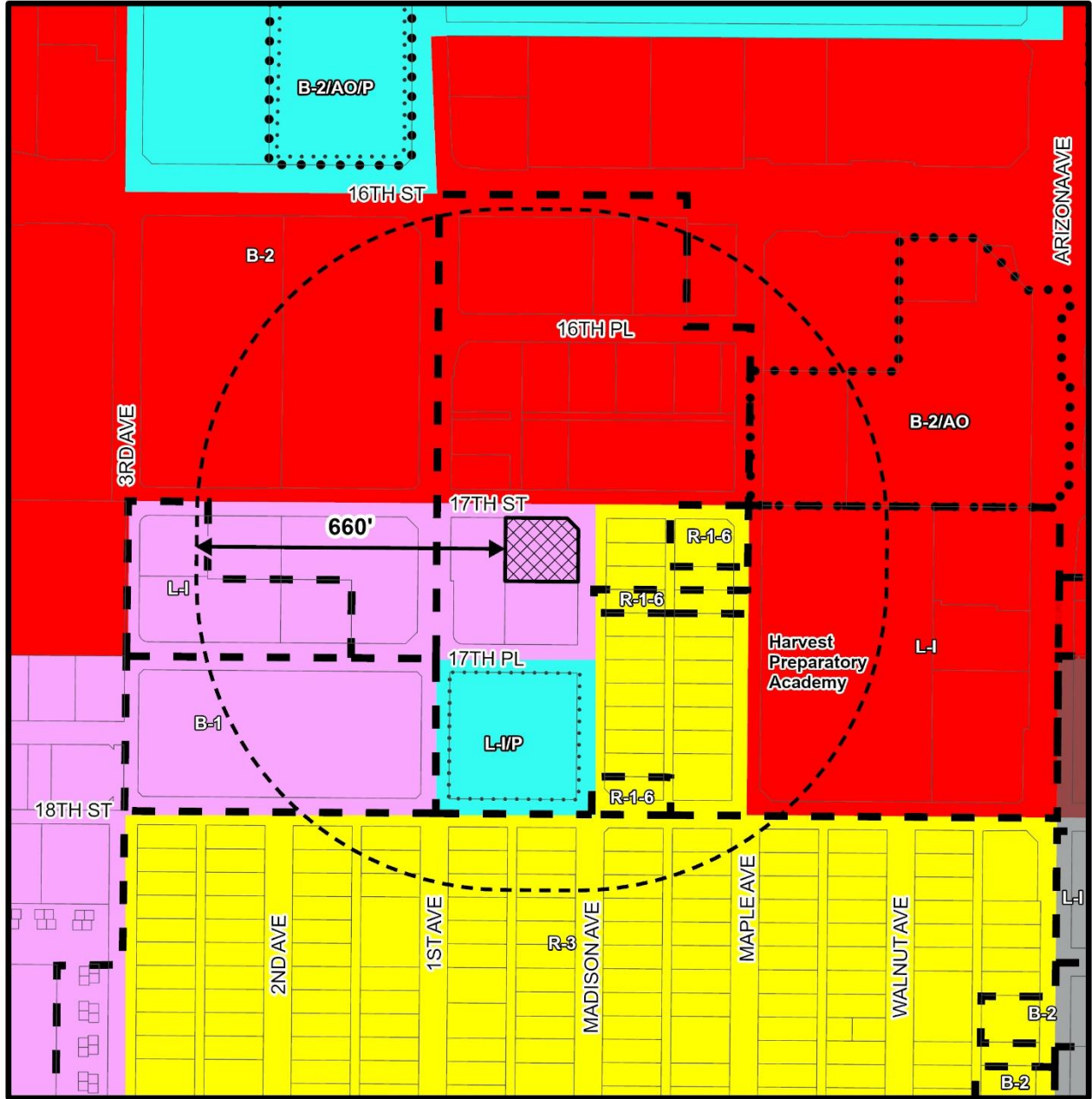
Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

Applicable exhibits on file at the Office of the City Clerk, One City Plaza, Yuma, AZ.

Exhibit A



GENERAL PLAN - LAND USE

-  Low Density Residential
 High Density Residential
 Mixed Use
 Commercial
 Industrial
 Public/Quasi-Public

LOCATION MAP



LOCATION OF SUBJECT PROPERTY



NOTIFICATION AREA

ZONING DISTRICTS

- B-1 - Limited Commercial
B-2 - General Commercial
L-I - Light Industrial
R-1-6 - Low Density Residential (6,000 sq ft min)
R-3 - High Density Residential

- Public (P) Overlay
Aesthetic Overlay District (AO)



Prepared by: DG

Checked by: EP

Community Planning and
Neighborhood Services GIS

Date: 7/1/2025

Revised:

Revised:

Case #:

GP-44277-2025