

ORDINANCE NO. O2024-009

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/INFILL OVERLAY (B-2/IO) DISTRICT TO THE HIGH DENSITY RESIDENTIAL/INFILL OVERLAY (R-3/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 February 12, 2024 in Zoning Case No: ZONE- 42076-2023 in the manner prescribed by law for the purpose of rezoning 2.82 acres of real property hereafter described to the High Density/Infill Overlay (R-3/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 December 29, 2023; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE- 42076-2023 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: That the following described real property, depicted in Exhibit A, attached:

(Portion of APN 665-37-018)

The South 130.00 feet of the Southeast quarter of the Northwest quarter of the Northwest quarter of Section 34, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona.

(Portion of APN 665-37-031)

The South 130.00 feet of the Southwest quarter of the Northwest quarter of the Northwest quarter of Section 34, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona.

shall be placed in the High Density Residential/Infill Overlay (R-3/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 High Density Residential/Infill Overlay (R-3/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 High Density Residential/Infill Overlay (R-3/IO) District.

SECTION 2: That 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.

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

Adopted this _____ day of _____, 2024.

APPROVED:

Douglas J. Nicholls
Mayor

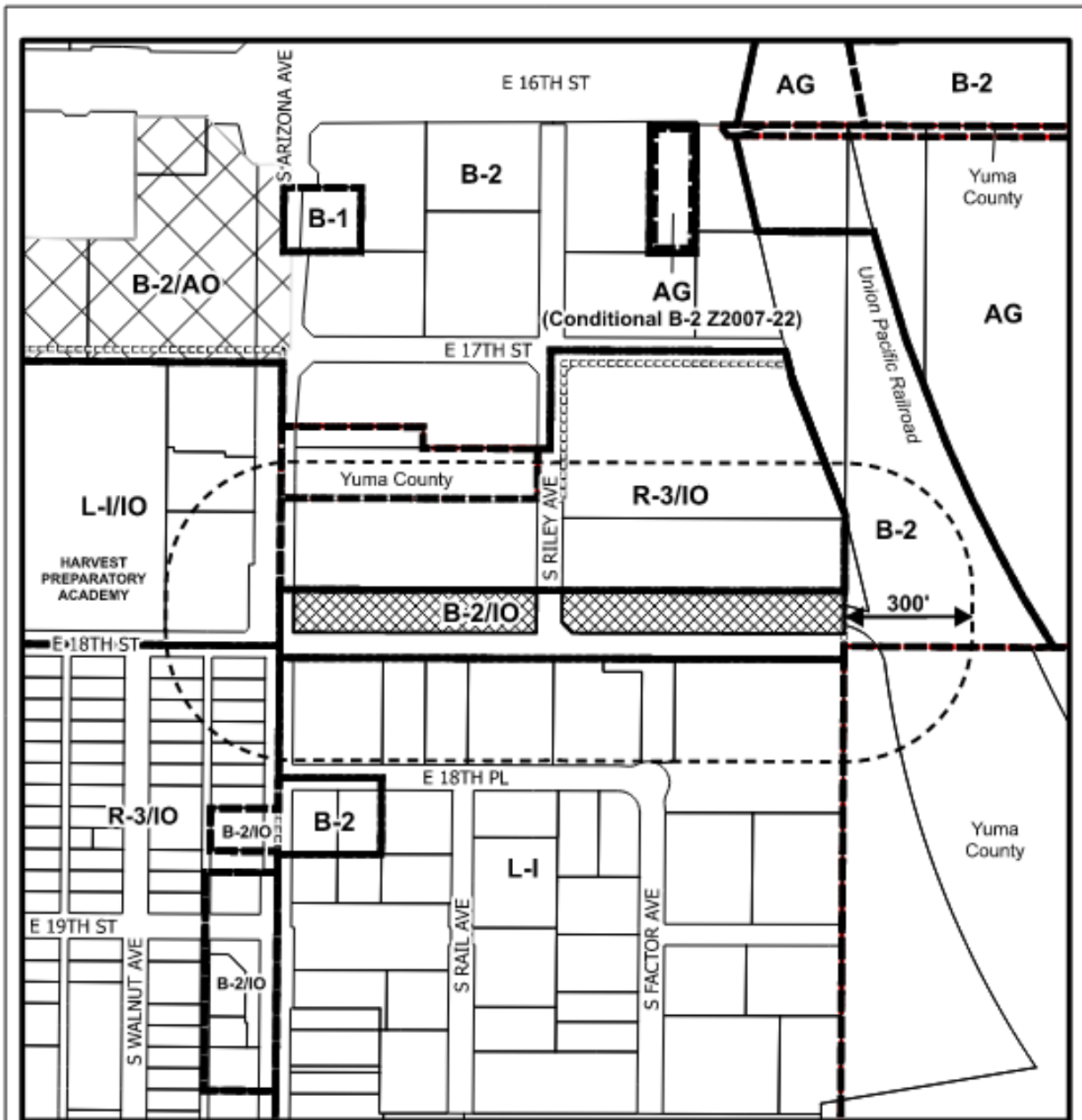
ATTESTED:

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: EP



Date: 11/20/2023
 Revised:
 Revised:

Case #:
 ZONE-42076-2023