

ORDINANCE NO. O2019-035

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 AGRICULTURE/CONDITIONAL LOW DENSITY RESIDENTIAL (AG/COND. R-1-8) DISTRICT TO THE LOW DENSITY RESIDENTIAL/PUBLIC OVERLAY (R-1-8/P) 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 September 23, 2019 in Zoning Case no: ZONE-26788-2019 in the manner prescribed by law for the purpose of rezoning several parcels of real property hereafter described to the Low Density Residential/Public Overlay (R-1-8/P) 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 August 16, 2019; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE-26788-2019 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:

That portion of the Southeast quarter of Section 17, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, more particularly described as follows:

Beginning at the Northeast corner of said Southeast quarter of Section 17;

Thence South 00 degrees 18 minutes 57 seconds East, along the East line of said Section 17, a distance of 549.63 feet;

Thence South 89 degrees 53 minutes 27 seconds West, a distance of 198.00 feet;

Thence South 00 degrees 18 minutes 57 seconds East, a distance of 29.00 feet;

Thence South 06 degrees 22 minutes 42 seconds West, a distance of 426.09 feet;

Thence South 89 degrees 53 minutes 27 seconds West, a distance of 967.33 feet;

Thence South 00 degrees 18 minutes 57 seconds East, a distance of 29.00 feet to the True Point of Beginning;

Thence continuing South 00 degrees 18 minutes 57 seconds East a distance of 816.84 feet to a point on the North Right-of-Way line of the "A" Canal;

Thence South 54 degrees 52 minutes 54 seconds West, along the North Right-of-Way line of the "A" Canal, a distance of 123.63 feet;

Thence North 00 degrees 13 minutes 02 seconds West, a distance of 90.08 feet;

Thence South 89 degrees 53 minutes 27 seconds West, a distance of 478.00 feet;

Thence North 00 degrees 10 minutes 04 seconds West, a distance of 782.68 feet;

Thence North 44 degrees 51 minutes 41 seconds East, a distance of 21.20 feet;

Thence North 89 degrees 53 minutes 27 seconds East, a distance of 562.30 feet to the True Point of Beginning.

Aforementioned parcel contains approximately 10.71 acres.

shall be placed in the Low Density Residential/Public Overlay (R-1-8/P), 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/Public Overlay (R-1-8/P) 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/Public Overlay (R-1-8/P) District.

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

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

2. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized “Waiver of Claims under the Private Property Rights Protection Act.” The Waiver shall be submitted prior to the issuance of any building permit, Certificate of Occupancy, or City of Yuma Business License for this property.

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

Adopted this _____ day of _____, 2019.

APPROVED:

Douglas J. Nicholls
Mayor

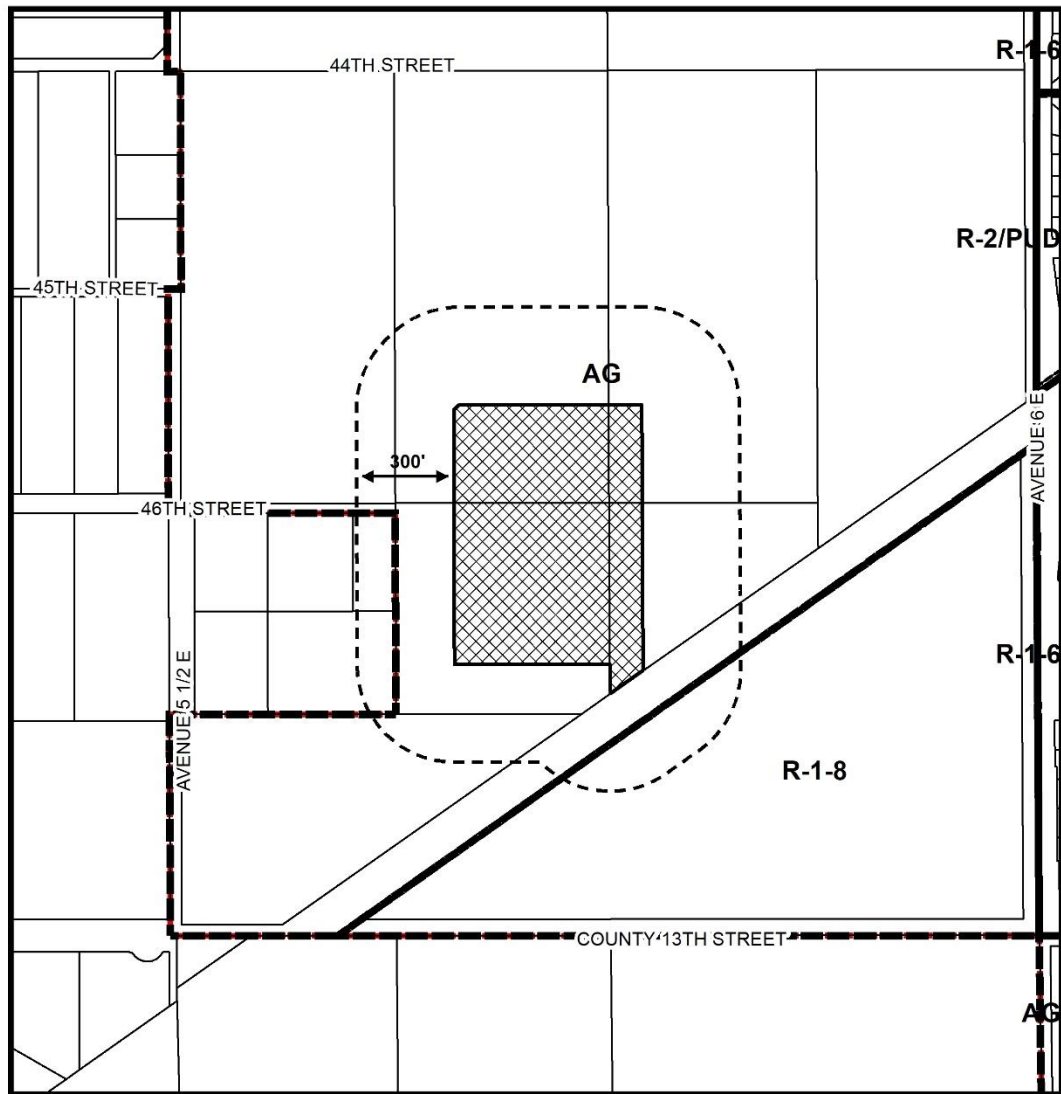
ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

Exhibit A



LOCATION MAP



LOCATION OF SUBJECT PROPERTY



Prepared by: KB

Checked by:



Date: 07-01-19

Revised:

Revised:

Case #:

ZONE-026788-2019