

**ORDINANCE NO. O2020-006**

**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 (R-3) 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 January 13, 2020 in Zoning Case no: ZONE-28275-2019 in the manner prescribed by law for the purpose of rezoning several parcels of real property hereafter described to the High Density Residential (R-3) 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 20, 2019; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE-28275-2019 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 Section 22, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, more particularly described as follows:

BEGINNING at the South quarter corner of said Section 22

Thence North 00°05'15" East along the West line of the Southeast quarter of said Section 22 a distance of 637.83 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 00°05'15" East along the West line of the Southeast quarter of said Section 22 a distance of 682.15 feet;

Thence North 89°56'58" East a distance of 473.53 feet;

Thence South 00°03'02" East a distance of 643.00 feet;

Thence South 28°29'58" West a distance of 56.00 feet;

Thence North 79°43'13" West a distance of 56.00 feet;

Thence South 89°57'00" West a distance of 393.31 feet to the TRUE POINT OF BEGINNING;

Aforementioned parcel contains approximately 7.4257 acres.

shall be placed in the High Density Residential (R3) 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 (R-3) 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 (R-3) District, and

That portion of Section 22, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, more particularly described as follows:

BEGINNING at the South quarter corner of said Section 22

Thence North 89°57'00" East along the South line of the Southeast quarter corner of said Section 22 a distance of 892.82 feet;

Thence North 00°05'15" East a distance of 550.00 feet to the TRUE POINT OF BEGINNING;

Thence South 89°57'00" West a distance of 466.16 feet;

Thence North 15°42'49" East a distance of 80.83 feet;

Thence North 28°29'58" East a distance of 56.00 feet;

Thence North 00°03'02" West a distance of 643.00 feet;

Thence North 89°56'58" East a distance of 419.29 feet;

Thence South 00°05'15" West a distance of 769.99 feet to the TRUE POINT OF BEGINNING;

Aforementioned parcel contains approximately 7.4777 acres.

shall be placed in the High Density Residential (R-3) 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 (R-3) 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 (R-3) 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.
3. The mylars for the Fields at Castle Dome Subdivision are to be recorded prior to the vesting of the zoning.

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 \_\_\_\_\_, 2020.

APPROVED:

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

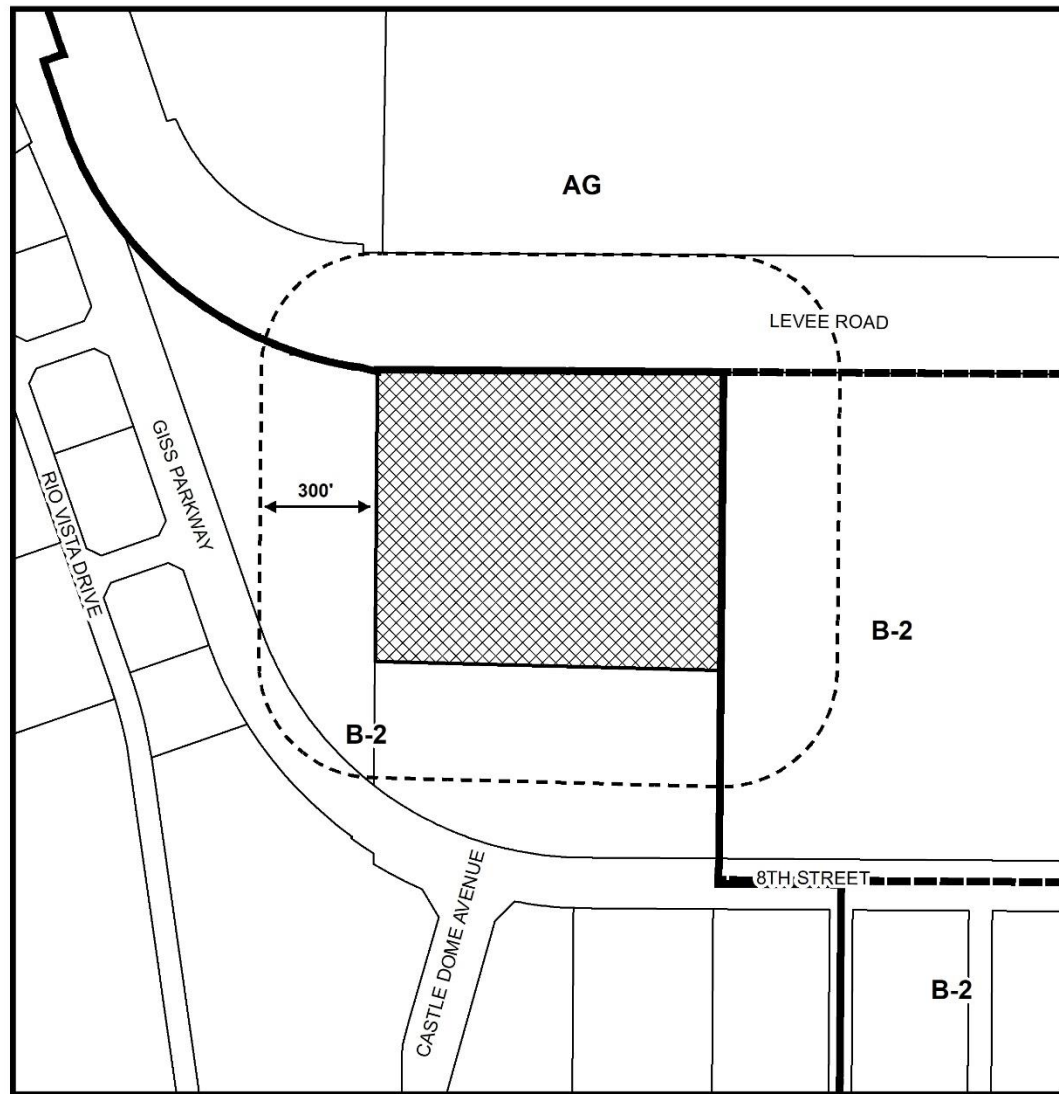
ATTESTED:

\_\_\_\_\_  
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: 11-18-19

Revised:

Revised:

Case #:

ZONE-028275-2019