



# City of Yuma

## Legislation Text

File #: MC 2024-085, Version: 1

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Planning & Neighborhood Svc	<input checked="" type="checkbox"/> Safe & Prosperous	<input checked="" type="checkbox"/> Motion
	<input type="checkbox"/> Active & Appealing	<input type="checkbox"/> Resolution
DIVISION: Community Planning	<input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Ordinance - Introduction
	<input type="checkbox"/> Connected & Engaged	<input type="checkbox"/> Ordinance - Adoption
	<input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Public Hearing

### TITLE:

**Final Plat: Downtown Heights Subdivision**

### SUMMARY RECOMMENDATION:

Approve the final plat of the Downtown Heights Subdivision. The property is located on the northwest corner of Giss Pkwy and 3<sup>rd</sup> Avenue. (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

### STRATEGIC OUTCOME:

This subdivision furthers the City Council’s strategic outcomes of Safe and Prosperous and Respected and Responsible, as the approval of the final plat will facilitate an increase in new residential development, increasing access to housing opportunities.

### REPORT:

The proposed Downtown Heights Subdivision, located within the Old Town/Infill Overlay/Bed and Breakfast Overlay (OT/IO/BB) District, will reconfigure one existing vacant parcel into four lots, intended for residential development. The subject property is approximately .59 acres in size, which will be divided into three lots of approximately 6,290 square feet and one lot of 6,900 square feet in size.

Following the subdividing of the property, all resulting parcels will be required to meet all development standards as specified in the City of Yuma’s Zoning Code. These development requirements include access, setbacks, landscaping, and lighting. Additionally, any proposed development for property located within the Old Town (OT) District, shall be reviewed by The City Design and Historic Review Commission.

In accordance with Yuma City Code §153-19, subdivisions which contain ten or fewer lots are not required to process and/or receive approval for a preliminary plat by the Planning and Zoning Commission. This expedited process reduces the subdivision timeline by eight weeks.

Approval of the final plat for the Downtown Heights Subdivision, shall be subject to the following conditions:

1. The conditions 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 rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
4. Any easements on other property in the subdivision must be vacated to the extent that they would require a utility, licensed cable operator, or other licensed or franchised communications system (collectively, the "utilities") to:
  - a. pay to cross the easement to reach any structure on the lot;
  - b. prevent the utilities from providing service to any structure on a lot; or
  - c. effectively prevent any entity authorized to place facilities in a utility easement from using the easements or accessing potential customers passed by the easement.
5. Approval of the plat does not authorize the maintenance or installation of any facility in the rights of way, whether or not contemplated by the plat, without a license, franchise, or similar authorization issued by the City.
6. A time frame of build-out for the subdivision shall be submitted to the Yuma School District One, to enable the districts to adequately plan for future school facilities.
7. After the final plat has been approved by City Council, the applicant/developer shall have two years to record the approved plat, or the final plat approval shall be null and void.

The City Council’s approval of this motion accepts the final plat of the Downtown Heights Subdivision, including the conditions of approval set forth above.

**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			
To total; right click number & choose "Update Field"			

**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: 6/18/2024
Reviewed by City Attorney: Richard W. Files	Date: 6/17/2024