

**ORDINANCE NO. O2024-006**

**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 LIGHT INDUSTRIAL/INFILL OVERLAY (L-I/IO) DISTRICT TO THE MEDIUM DENSITY RESIDENTIAL/INFILL OVERLAY (R-2/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 December 11, 2023 in Zoning Case no: ZONE-41907-2023 in the manner prescribed by law for the purpose of rezoning certain parcels of real property, hereafter described, to the Medium Density Residential/Infill Overlay (R-2/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 November 17, 2023; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE-41907-2023 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: The following described real property, depicted in Exhibit A, attached:

*A portion of land located in the Northeast Quarter of Section 28, Township 8 South, Range 23 West, of the Gila and Salt River Base and Meridian, Yuma County, State of Arizona, and being more particularly described as follows;*

*Block 11, Lots 4 and 5 of the Speese Addition, subdivision plat, Book 2, Page 15, Dated January 20, 1925 as recorded in Yuma County Records Office, City of Yuma, State of Arizona.*

*Containing 14,000.00 Sq. Ft. or 0.32 of an acre more or less.*

shall be placed in the Medium Density Residential/Infill Overlay (R-2/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

Medium Density Residential/Infill Overlay (R-2/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 Medium Density Residential/Infill Overlay (R-2/IO) District.

SECTION 2: 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'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: 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 \_\_\_\_\_, 2024.

APPROVED:

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

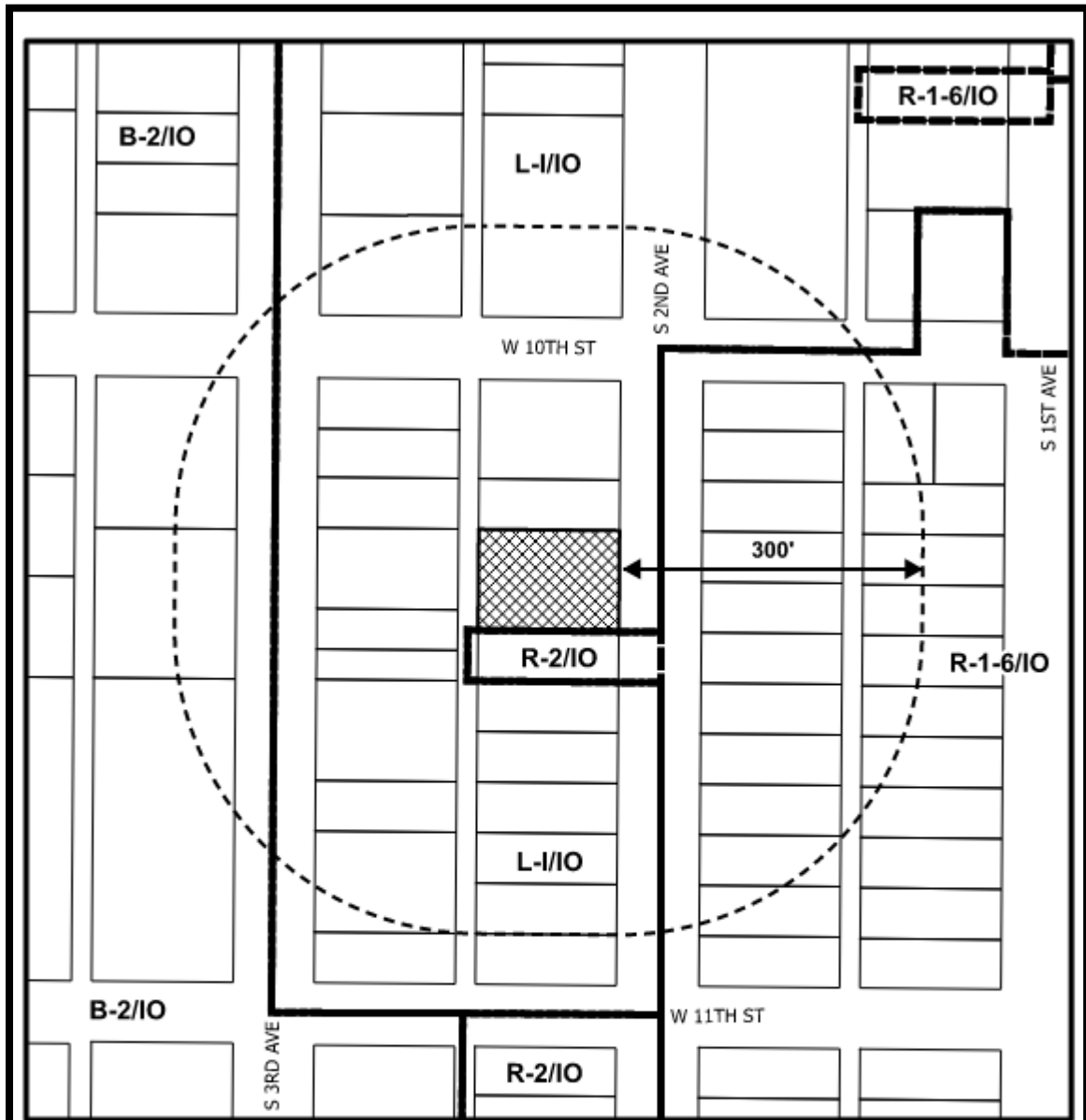
ATTESTED:

\_\_\_\_\_  
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: JLA



Date: 10/20/2023

Revised:

Revised:

Case #:

ZONE-41907-2023