

ORDINANCE NO. O2025-005

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 (AG) DISTRICT TO THE LIMITED COMMERCIAL (B-1) 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, 2025 in Zoning Case No: ZONE-43337-2024 in the manner prescribed by law for the purpose of rezoning a parcel of real property hereafter described to the Limited Commercial (B-1) 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 28, 2024; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE-43337-2024 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:

That part of the Northeast Quarter of Northeast Quarter of Section 30, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona.

Beginning at a point on the East line of said Section 30, a distance of 530.9 feet South from the Northeast Corner of said section; thence running South, a distance of 796.35 feet to the Southeast Corner of the said Northeast Quarter of the Northeast Quarter of said section; thence West along the South Line of said Northeast Quarter of the Northeast Quarter. A distance of 820.5 feet; thence North and parallel to the East Line of said section, a distance of 796.35 feet; thence East, a distance of 820.5 feet to the point of beginning.

Containing 409,202.25 square feet or 9.39 acres, more or less.

shall be placed in the Limited Commercial (B-1) 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 Limited Commercial (B-1) District, and that the zoning map adopted under Chapter 154 of the Yuma City Code is ordered to be changed and amended so as to show that the real property described in this Ordinance will be located within the Limited Commercial (B-1) District.

SECTION 2: The following conditions 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.
3. The Owner/Developer shall provide a Traffic Impact Statement providing peak hour traffic count based on the Trip Generation Manual from the Institute of Transportation Engineers, sealed by an Arizona Engineer with Traffic Experience. Mitigation of the traffic impact shall be approved by the City Engineer prior to building permits being issued.
4. If the peak hour traffic count exceeds 100 vehicles per hour, then the Owner/Developer shall submit a full Traffic Study with onsite and offsite mitigation recommendations as required by City construction standard 2-040, sealed by and Arizona Traffic Engineer. The Owner/Developer will be responsible for the needed onsite and offsite improvements, prior to the building permits being issued.
5. Owner/Developer shall design and construct a southbound to westbound turn lane along the Avenue B frontage including any traffic striping and signage as needed for safe ingress and egress of the site.

SECTION 3: Each of the conditions listed above shall be completed within two (2) years of the effective date of this 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 _____, 2025.

APPROVED:

Douglas J. Nicholls
Mayor

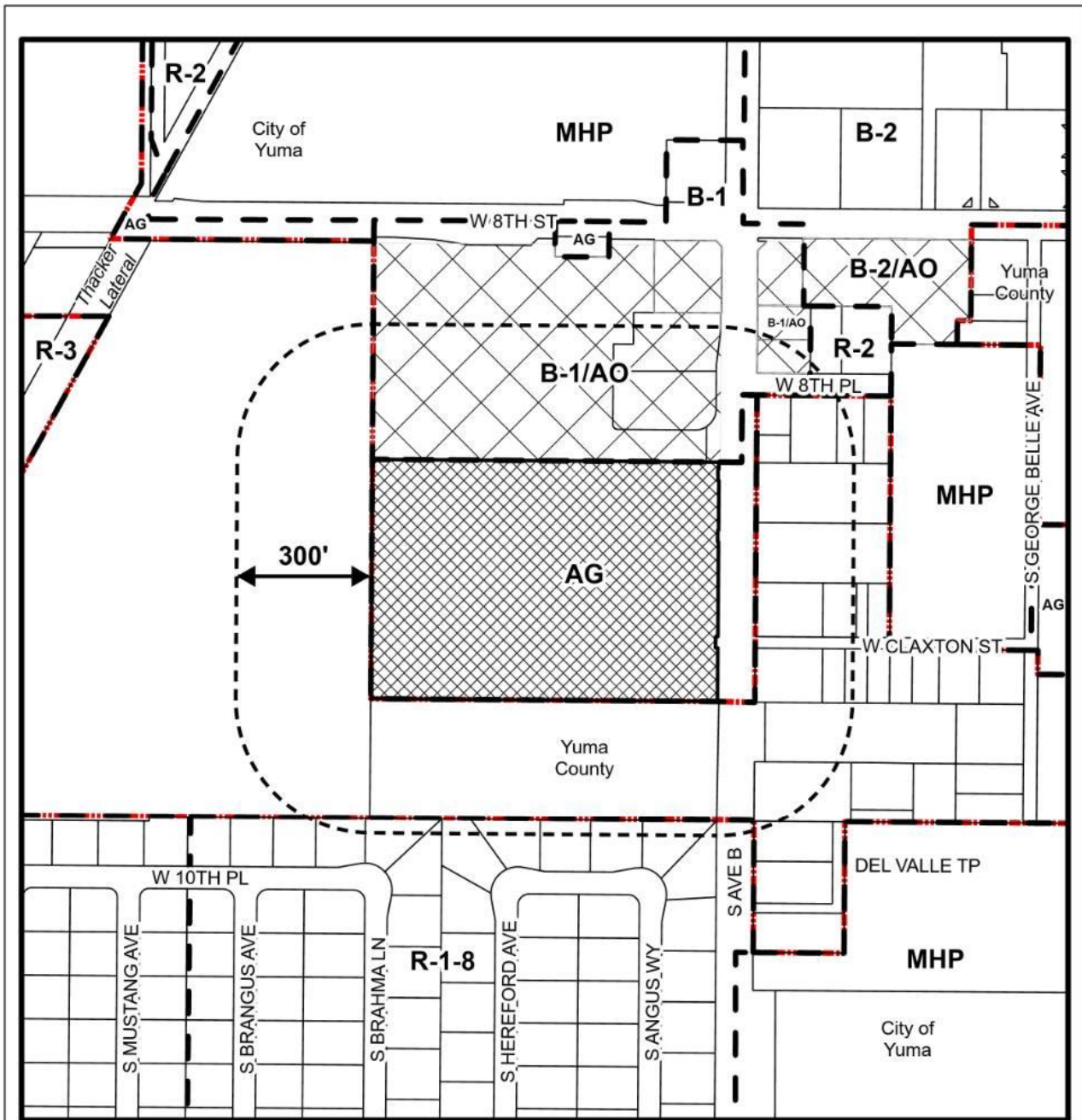
ATTESTED:

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: MB



Date: 11/6/2024

Revised:

Revised:

Case #:

ZONE-43337-2024