

ORDINANCE NO. O2025-009

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 HIGH DENSITY RESIDENTIAL (R-3) DISTRICT TO THE GENERAL COMMERCIAL (B-2) 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 February 24, 2025 in Zoning Case No: ZONE- 43538-2024 in the manner prescribed by law for the purpose of rezoning approximately 4.18 acres of real property hereafter described to the General Commercial (B-2) 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 January 31, 2025; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE- 43538-2024 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: That the following described real property, depicted in Exhibit A, attached:

That portion of the Southwest Quarter of Section 20, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, City of Yuma, Yuma County, Arizona and being more particularly described as follows:

*Lot 1 as per “**Pecan Garden Estates Subdivision**” plat as recorded in the Yuma County Recorder’s Office, Yuma County, Yuma Arizona, in Book 28, Page2. Fee# 2015-21970, Dated: 9-30-2015.*

Containing 181,905 square feet or 4.1760 acres more or less.

shall be placed in the General Commercial (B-2) 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 General Commercial (B-2) 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 General Commercial (B-2) District.

SECTION 2: That the following conditions (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.
3. In lieu of a Traffic Impact Statement/Study, the owner can furnish a statement of the number and times of the trips in/out by buses and/or vans as well as the number of people who will drive to location, park and transfer to the buses and/or vans. Also included in this statement should be how the owner will accommodate parking for those people who drive to/from the location daily for work. Owner will also agree to have a Traffic Impact Study done in the future, if the owner decides to change to standard multifamily housing. Owner will also agree to pay for improvements recommended in the study, should the project convert to standard multifamily housing in the future.

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 time frame, then the rezone shall be subject to A.R.S. § 9-462.01.

Adopted this _____ day of _____, 2025.

APPROVED:

Douglas J. Nicholls
Mayor

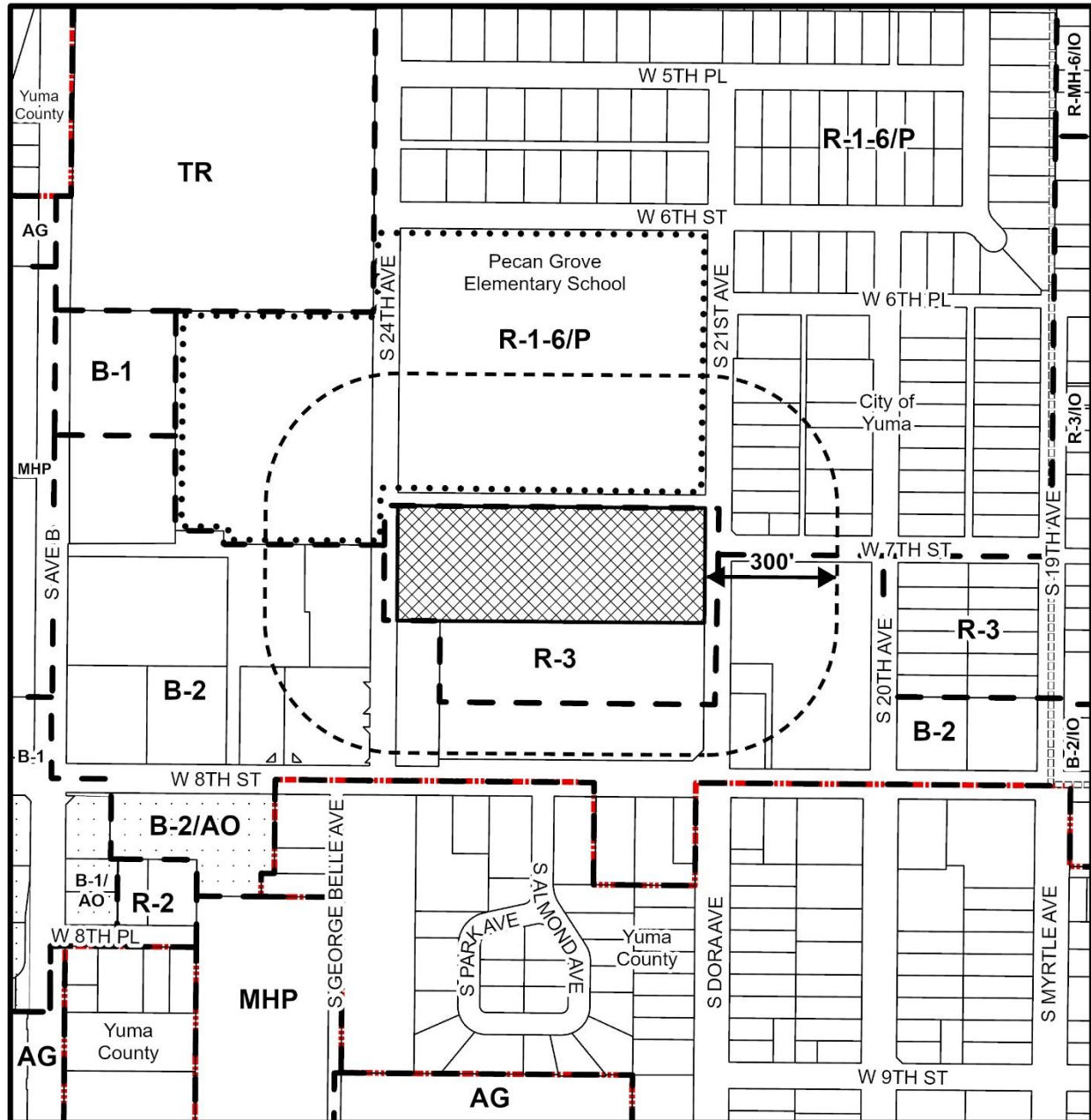
ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

Exhibit A



LOCATION MAP

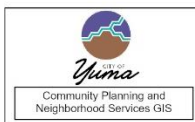


LOCATION OF SUBJECT PROPERTY



Prepared by: DG

Checked by: EP



Date: 12/26/2024

Revised:

Revised:

Case #:

ZONE-43538-2024