

## ORDINANCE NO. O2025-015

### **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 LOW DENSITY RESIDENTIAL (R-1-6) 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 March 24, 2025 in Zoning Case No: ZONE-43589-2025 in the manner prescribed by law for the purpose of rezoning several parcels of real property hereafter described to the Low Density Residential (R-1-6) 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 February 28, 2025; and,

WHEREAS, the City Council has considered the comments and recommendation of the Planning and Zoning Commission for the rezoning in Case No: ZONE-43589-2025 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 rezoning to Low Density Residential (R-1-6) District 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 Fractional Lots 3 and 4 of Section 1, Township 9 South, Range 22 West, Gila and Salt River Base and Meridian, Yuma County, Arizona, more particularly described as follows:*

*Beginning at the 2010 City of Yuma brass cap in hand hole stamped "LS 19329" located at the northwest corner of said Section 1 and also at the northwest corner of Fractional Lot 4, said point also lies N00°31'23"W a distance of 2664.05 feet from the brass cap in concrete stamped "LS 16592" located at the southwest corner of the northwest quarter of said Section 1, and said point also lies N00°31'23"W a distance of 1336.25 feet from the 1989 BLM brass cap below the asphalt surface located at the southwest corner of Fractional Lot 4 of Section 1, and said point also lies S89°45'38"W a distance of 2645.52 feet from the 1989 BLM brass cap located at the northeast corner of the Northwest quarter of said Section 1 and also at the northeast corner of said Fractional Lot 3 of Section 1;*

*Thence N89°45'38"E along the north line of the northwest quarter of Section 1 and along the north line of Fractional Lot 4, a distance of 50.00 feet;*

*Thence S00°31'23"E along a line parallel to and 50 feet easterly of the west line of the northwest quarter of Section 1 a distance of 343.20 feet to THE TRUE POINT OF BEGINNING;*

*Thence continuing S00°31'23"E a distance of 853.00 feet to a point on the north boundary of the Araby-Blaisdell Road right of way shown on the State Highway Alignment Survey No.154, Nov. 8, 1921, Fee#4494 Yuma County Records;*

*Thence N81°09'03"E along said north boundary of the Araby-Blaisdell Road right of way distance of 1981.66 feet to a point at the intersection with the southwesterly boundary of the USBR Gila Gravity Main Canal right of way;*

*Thence N46°04'22"W along said southwesterly boundary of the USBR Gila Gravity Main Canal right of way a distance of 535.80 feet;*

*Thence N43°55'38"E along said southwesterly boundary of the USBR Gila Gravity Main Canal right of way a distance of 50.00 feet to a point at the beginning of a curve concave to the northeast of radius 997.96 feet, said point having a radial bearing of N43°55'38"E;*

*Thence northwesterly continuing along said southwesterly boundary of the USBR Gila Gravity Main Canal right of way along said curve to the right of radius 997.96 feet through a central angle of 32°46'24" an arc distance of 570.83 feet to a point having a radial bearing of N76°42'01"E to a point on the north line of said northwest quarter of Section 1;*

*Thence S89°45'38"W along the north line of the northwest quarter of Section 1 and along the north line of Fractional Lots 3 and 4, a distance of 671.93 feet to the point at the intersection with the southerly boundary of a 33 feet wide ingress/egress easement described in Docket 2065, page 784, Yuma County Records (said boundary lies parallel to and 33 feet southwesterly of the southerly boundary of the right of way of the USBR South Gila Canal right of way);*

*Thence southwesterly along said southerly boundary of said 33 feet wide easement along a curve to the right concave to the northwest of radius 408.00 feet through a central angle of 18°36'06" an arc distance of 132.46 feet;*

*Thence S05°56'02"W a distance of 94.12 feet;*

*Thence S84°03'58"E a distance of 175.00 feet; along the centerline of the 100 feet wide Western Area Power Administration easement recorded in Book 111 of Deeds, page 82, Yuma County Records*

*Thence S05°56'02"W a distance of 266.00 feet;*

*Thence N84°03'58"W a distance of 665.00 feet;*

*Thence N42°17'40"W a distance of 37.29 feet to the TRUE POINT OF BEGINNING.*

*Aforementioned parcel contains approximately 33.3825 acres.*

shall be placed in the Low Density Residential (R-1-6) 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 Low Density Residential (R-1-6) 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 Low Density Residential (R-1-6) 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. A raised median disclosure shall be recorded on the property acknowledging a median may be constructed within the 9E Street right-of-way that may limit left turning movements into and of the site.
4. The owner/developer shall dedicate 12.5 feet additional right-of-way along Avenue 9E frontage by Warranty Deed or by Plat to accommodate proposed CIP roadway improvements

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

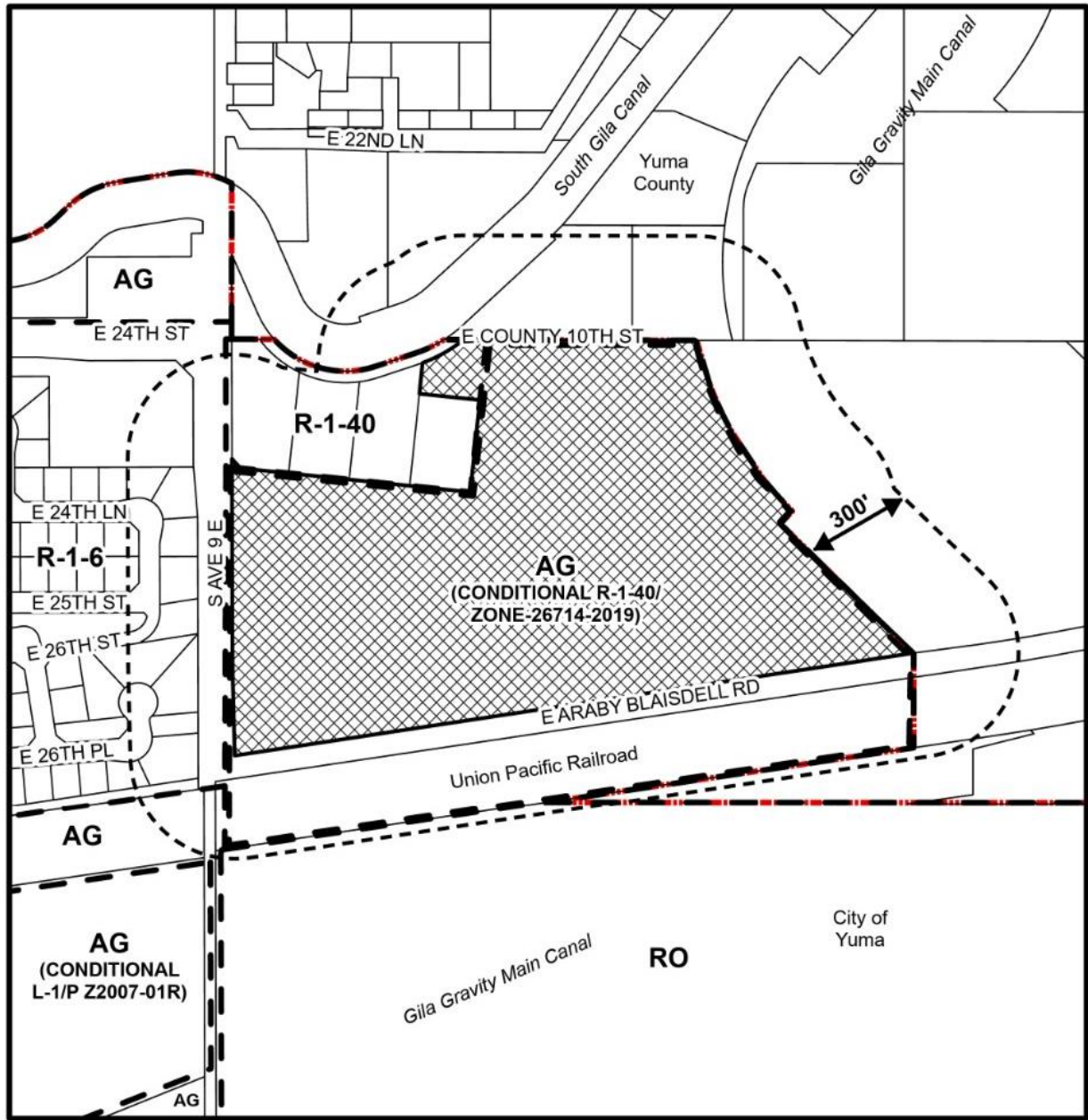
ATTESTED:

\_\_\_\_\_  
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: AD



Date: 1/30/2025

Revised:

Revised:

Case #:

ZONE-43589-2025