

ORDINANCE NO. O2026-017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 154 OF THE YUMA CITY CODE, REZONING CERTAIN PROPERTIES LOCATED IN THE HEAVY INDUSTRIAL/INFILL OVERLAY (H-I/IO) DISTRICT TO THE OLD TOWN/INFILL OVERLAY (OT/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 April 27, 2026 in Zoning Case No: ZONE-44919-2026 in the manner prescribed by law for the purpose of rezoning four parcels of real property hereafter described to the Old Town/Infill Overlay (OT/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 April 3, 2026; and,

WHEREAS, the subject properties located at 2 E. 6th Street, 541 S. Gila Street, 599 S. Gila Street, and the southeast corner of 6th Street and Gila Street include both developed and undeveloped parcels, with certain sites currently containing legally established uses, including but not limited to an automotive repair operation and existing commercial structures; and,

WHEREAS, these existing uses were lawfully established under prior zoning regulations and approvals, including Conditional Use Permits, and are recognized as legal nonconforming or conforming uses that may continue in accordance with applicable provisions of the City of Yuma Zoning Ordinance; and,

WHEREAS, the City of Yuma acknowledges the importance of allowing continued operation of existing businesses and uses on the subject properties, providing stability and continuity for property owners and tenants; and,

WHEREAS, the proposed rezoning to the Old Town/Infill Overlay (OT/IO) District is intended to facilitate long-term redevelopment and reinvestment in alignment with the Downtown Yuma and Old Town South revitalization vision; and,

WHEREAS, in the event that any existing use on the subject properties is discontinued, expanded beyond allowable thresholds, or replaced by a new use, such future development or redevelopment shall be required to comply with all applicable use regulations and development standards of the Old Town/Infill Overlay (OT/IO) District;

WHEREAS, this approach ensures a balanced transition by respecting existing lawful uses while establishing a clear regulatory framework for future redevelopment consistent with the City's General Plan and adopted revitalization strategies; and,

WHEREAS, the City Council has considered the comments and recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE-44919-2026 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 properties, depicted in Exhibit A, attached:

A portion of the East half of the Southeast quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 21 and a portion the West half of the Southwest quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 22, all in Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian. City of Yuma, Yuma County, State Arizona, and more particularly described as follows:

2 E 6th Street, APN: 633-52-070

That certain real property situate in the City of Yuma, County of Yuma, State of Arizona, being this portion of abandoned 5th Street, 6th Street, 7th Street, 8th Street and Main Street and those portions of Block 138, 139, 143 and 170, of CITY OF YUMA, according to White's Official Survey filed April 4, 1894, in the office of the County Recorder of Yuma County, Arizona, described as follows:

Beginning at the point of intersection of the East line of Cemetery Avenue and the North line of 6th street;

Thence East along said North line, a distance of 300.00 feet to the West line of abandoned Main Street;

Thence South along said West line, a distance of 60.00 feet to the South line of 6th Street;

Thence East, a distance of 110.00 feet to the intersection of the South line of the abandoned 6th Street and the East line of Main Street;

Thence South along said East line of Main Street, a distance of 1,038.19 feet to the North line of the South 33.00 feet of Block 170;

Thence South 89 degrees 57 minutes 00 seconds East, along said North line, a distance of 205.00 feet;

Thence South, a distance of 33.00 feet to the South line of Block 170;

Thence South 89 degrees 57 minutes 00 seconds East, along said South line, a distance of 66.04 feet;

Thence North 0 degrees 04 minutes 32 seconds East, a distance of 330.46 feet to the beginning of a tangent curve, concave Westerly and having a radius of 2,834.93 feet;

Thence Northerly along said curve, through a central angle of 23 degrees 57 minutes 01 seconds, an arc distance of 1,185.03 feet;

Thence North 37 degrees 16 minutes 20 seconds West, a distance of 220.49 feet to the beginning of a tangent curve, concave Southwesterly and having a radius of 607.275 feet;

Thence Northwesterly along said curve, through a central angle of 10 degrees 52 minutes 00 seconds, an arc distance of 115.18 feet;

Thence North 48 minutes 08 minutes 20 seconds West, a distance of 74.43 feet to the North line of the abandoned 5th Street;

Thence West along said North line, a distance of 171.93 feet to the East line of Cemetery Avenue;

Thence South along said East line, a distance of 660.00 feet to the POINT OF BEGINNING;

Except that portion conveyed to the City of Yuma, a municipal corporation of the State of Arizona in Warranty Deed recorded in Recording No. 2006-1196, records of Yuma County, Arizona and being described as follows:

That portion of abandoned 5th Street, City of Yuma, according to White's Official Survey filed April 4, 1894, records of Yuma County, Arizona, more particularly described as follows:

Commencing at the Northeast corner of Block 138, City of Yuma, being the TRUE POINT OF BEGINNING;

Thence Westerly along the North line of said Block 138, North 89 degrees 34 minutes 21 seconds West, a distance of 237.88 feet to the Northwest corner of said Block 138;

Thence North 00 degrees 32 minutes 54 seconds East a distance of 60.06 feet to a point on the South line of Block 23, City of Yuma;

Thence Easterly along said South line, South 89 degrees 33 minutes 39 seconds East a distance of 172.36 feet to a point;

Thence South 47 degrees 42 minutes 49 seconds East a distance of 74.56 feet to the point of curvature of a curve to the right, having a radius of 607.28 feet and a delta of 01 degrees 12 minutes, 24 seconds;

Thence along said curve an arc distance of 12.79 feet to the TRUE POINT OF BEGINNING;

Containing 12.29 ± acres more or less.

AND

541 S. Gila Street, APN: 633-53-005

Lot 2, Block 140, City of Yuma, according to White's Official Survey filed April 4, 1894, records of Yuma County, State of Arizona Lying West of the levee right-of-way, more particularly described as follows:

Beginning at the Intersection of 5" Street and Gila Street;

Thence South 01°25'00" East along the Center Line of Gila Street, a Distance of 284.11' to a point;

Thence South 84°40'16" East a Distance of 35.24' to the TRUE POINT OF BEGINNING;

Thence Continuing South 84°40'16" East a Distance of 249.51' to a point;

Thence South 03°01'00" West a Distance of 118.15' to a Point;

Thence South 89°30'04" West a Distance of 238.68' to a Point;

Thence North 01°25'00" West a Distance of 143.28' to the TRUE POINT OF BEGINNING.

Containing .63± acres more or less.

AND

599 S. Gila Street, APN: 633-61-018

Lots J through P, inclusive, MODESTI'S SUBDIVISION of Lots 1-3 and 4, Block 140, CITY OF YUMA, according to Book 2 of Plats, page 6, records of Yuma County, Arizona; Except that portion conveyed to the United States of America in Book 8 of Deeds, page 530, more particularly described as follows:

Beginning at a point which is 13.50 feet West of the Northeast corner of Lot 3 and running;

Thence West 99 feet;

Thence South 100 feet;

Thence Southeasterly 70 feet;

Thence South 46° 14' West 43 feet;

Thence along the north side of Sixth Street, East 118.50 feet;

Thence North 43 feet;

Thence North 1° 35' East, 157 feet the to the Point of Beginning;

Containing .94± acres more or less.

AND

Southeast Corner of 6th Street and Gila Street, APN: 633-61-019

Lot 1, Block 142, CITY OF YUMA, according to White's Official Survey filed April 4, 1894, in the office of the County Recorder, Yuma County, Arizona;

Except that portion thereof conveyed to the United States of America, for levee right of way in Deed recorded November 9, 1893, in Book 9 of Deeds, page 93, records of Yuma County, Arizona, described as follows:

Beginning at the Northeast corner of the Lot, which is the Southwest corner of 6th and Willow Street and running thence along 6th Street West 67 feet;

Thence South 21°07' East 107.5 feet;

Thence East 28.4 feet;

Thence along Willow Street and North 100 feet to the point of beginning; and Except that portion thereof conveyed to Southern Pacific Railroad Company, a corporation, in Deed recorded March 17, 1923, in Book 55 of Deeds, page 337, records of Yuma County, Arizona, described as follows:

Beginning at a point 65 feet West of the Southeast corner of said Lot 11

Thence North 94.82 feet;

Thence South 21°07" East 101.63 feet to a point on the South line of said Lot 1, which is West 28.40 feet from the Southeast corner of said Lot 1;

Thence West 36.60 feet to the Point of Beginning.

Containing .91± acres more or less.

shall be placed in the Old Town/Infill Overlay (OT/IO) District, as defined by Chapter 154 of the Yuma City Code as amended; that upon this Ordinance becoming final, the described real properties shall be subject to all rules, regulations and requirements of Chapter 154 of the Yuma City Code, as amended, pertaining to the Old Town/Infill Overlay (OT/IO) 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 properties described in this Ordinance will be located within the Old Town/Infill Overlay (OT/IO) 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 dedicate a road easement to the City of Yuma for the knuckle portion of the road at the intersection of 6th Street and Main Street that appears to be on the applicants property. Legal description to be determined by a survey.

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, Certificate of Occupancy or City of Yuma 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 ARS § 9-462.01.

Adopted this _____ day of _____, 2026.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

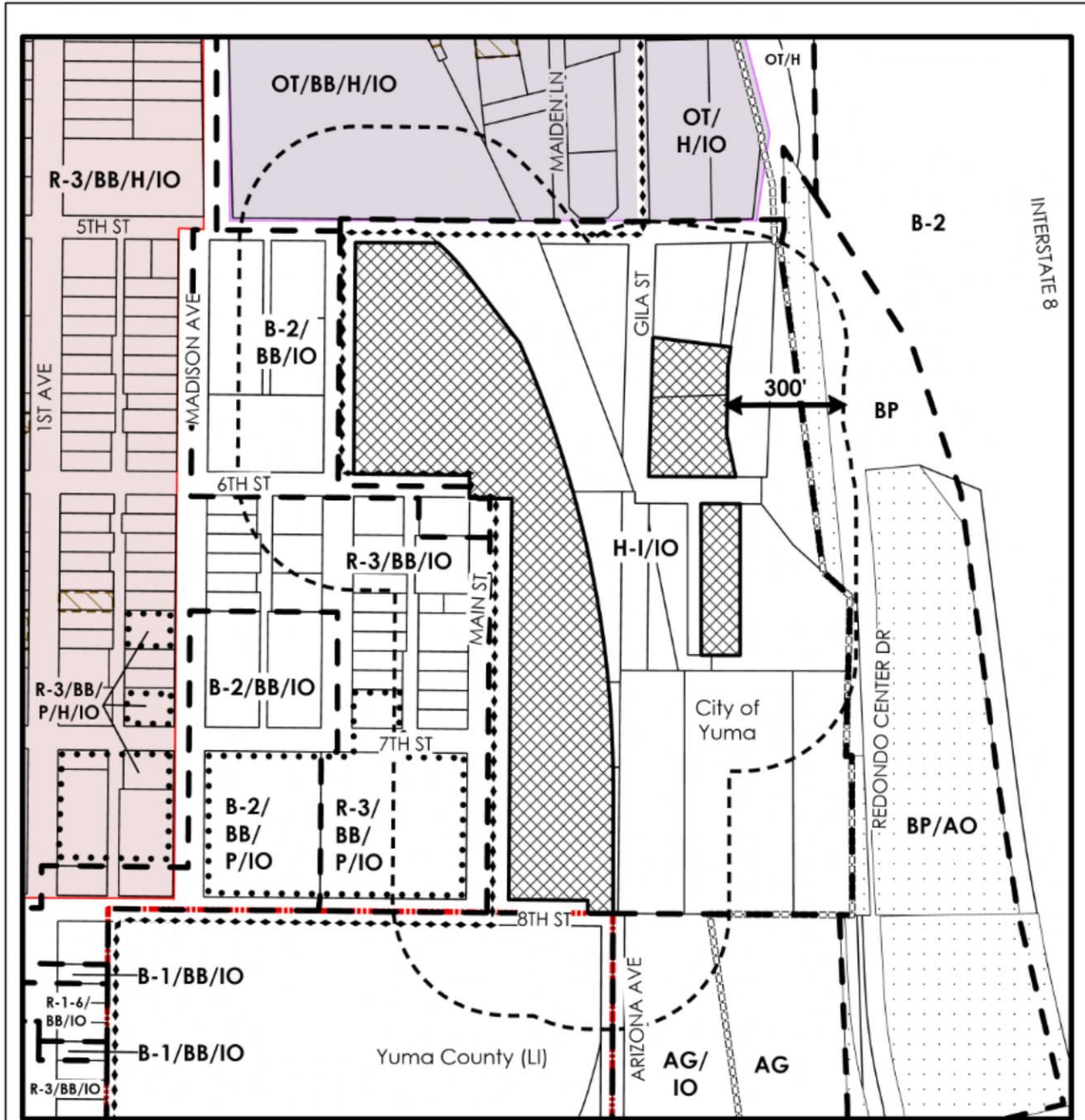
Janet L. Pierson
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

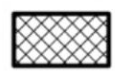
Applicable exhibits on file at the Office of the City Clerk, One City Plaza, Yuma, AZ.

Exhibit A



- Public
- Aesthetic Overlay
- Bed and Breakfast
- Infill

LOCATION MAP



LOCATION OF SUBJECT PROPERTY
 APN: 633-52-070, 633-61-018,
 633-53-005, and 633-61-019

- Individually Listed Historic Site
- Century Heights Conservancy Residential Historic District
- Main Street Historic District
- NGRoad Centerlines_



Prepared by: DG
 Checked by: GMN



Date: 2/2/2026
 Revised:

Case #:
ZONE-44919-2026