

ORDINANCE NO. O2024-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 154 OF THE YUMA CITY CODE, AS AMENDED, RELATING TO ZONING REGULATIONS, PROVIDING FOR CHANGES TO THE ZONING CODE TO AMEND THE LOT COVERAGE, SETBACKS, OPEN SPACE REQUIREMENTS, AND HEIGHT ALLOWANCES FOR CERTAIN RESIDENTIAL DISTRICTS

WHEREAS, from time to time it may be desirable to modify the zoning code keeping within the context of a dynamic and growing community; and,

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on February 12, 2024 in Case no: ZONE-42143-2023 in the manner prescribed by law for the purpose of amending the City of Yuma Zoning 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 19, 2024; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the zoning code text amendment in Case No: ZONE-42143-2023 and the probable impact on the cost to construct housing for sale or rent that may occur as a result of this amendment, 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: Yuma City Code, Title 15, Chapter 154, Article 5, Section 2 Suburban Ranch Districts, Subsection F (3), is amended to insert the bolded text and delete the strike through text:

- (3) *Lot coverage.* The maximum lot coverage for each of the four Suburban Ranch Districts shall be **15 25%** of the lot area. ~~The first 600 square feet of covered parking shall not count against the maximum lot coverage.~~

SECTION 2: Yuma City Code, Title 15, Chapter 154, Article 5, Section 3 Residential Estate Districts, Subsection F (3), is amended to insert the bolded text and delete the strike through text:

- (3) *Lot coverage.* The following is the list of maximum lot coverage for each of the three residential estate districts:
- (a) *Residential Estate-35 (RE-35) District.* ~~Twenty percent~~ **30%;**
 - (b) *Residential Estate-18 (RE-18) District.* ~~Twenty-five percent~~ **35%; and**
 - (c) *Residential Estate-12 (RE-12) District.* ~~Thirty percent; and~~ **40%.**

- (d) ~~Exception. The first 600 square feet of covered parking shall be permitted in addition to the maximum lot coverage percentage listed above.~~

SECTION 3: Yuma City Code, Title 15, Chapter 154, Article 5, Section 4 Low Density Residential Districts, Subsection F (3), is amended to insert the bolded text and delete the strike through text:

- (3) *Lot coverage.* The maximum lot coverage for the R-1-40, R-1-20, R-1-12, R-1-8 and the R-1-6 Districts shall be **35 50%** of the lot area. ~~The first 600 square feet of covered parking shall be permitted in addition to the maximum lot coverage percentage listed above.~~

SECTION 4: Yuma City Code, Title 15, Chapter 154, Article 5, Section 4 Low Density Residential Districts, Subsection F (4), is amended to insert the bolded text:

- (c) *Minimum rear yard setback.* Twenty feet (reduced to ten feet in the R-1-6 District **and fifteen feet in the R-1-8 District**); and

SECTION 5: Yuma City Code, Title 15, Chapter 154, Article 5, Section 5 Low Density Single-Family Residential District, Subsection F (4), is amended to insert the bolded text and delete the strike through text:

- (4) *Lot coverage.* The maximum lot coverage in the Low Density Single-Family Residential (R-1-5) District shall be **35 50%** of the lot area. ~~The required 400 square feet of enclosed garage shall not count against the maximum lot coverage percentage listed above.~~

SECTION 6: Yuma City Code, Title 15, Chapter 154, Article 5, Section 5 Low Density Single-Family Residential District, Subsection F (5), is amended to insert the bolded text and delete the strike through text:

- (b) *Minimum side yard setbacks.* Five feet ~~clear of equipment and any other structures and/or appurtenances on one side; nine feet on the other side;~~

SECTION 7: Yuma City Code, Title 15, Chapter 154, Article 6, Section 1 Residence-Manufactured Housing District, Subsection F (4), is amended to insert the bolded text and delete the strike through text:

- (4) *Lot coverage.* The maximum lot coverage in the ~~for each of the five~~ Residence-Manufactured Housing Districts **is: shall be 50% of the lot area.**

- (a) ~~Residence Manufactured Housing 6 (R-MH-6) District. Thirty five percent;~~

- (b) ~~Residence Manufactured Housing 8 (R-MH-8) District. Thirty five percent;~~

- (c) ~~Residence Manufactured Housing 10 (R-MH-10) District. Thirty five percent;~~

(d) — ~~Residence Manufactured Housing 12 (R-MH 12) District. Thirty percent;~~

(e) — ~~Residence Manufactured Housing 20 (R-MH 20) District. Twenty five percent;~~

SECTION 8: Yuma City Code, Title 15, Chapter 154, Article 6, Section 1 Residence-Manufactured Housing District, Subsection F (5), is amended to insert the bolded text:

- (a) 3. *Minimum rear yard setback.* Twenty feet; reduced to ten feet in the R-MH-6 District **and fifteen in the R-MH-8 District;** and

SECTION 9: Yuma City Code, Title 15, Chapter 154, Article 6, Section 2 Recreation Vehicle Subdivision District, Subsection E (1), is amended to insert the bolded text and delete the strike through text:

- (b) 5. *Side yard setback.* **Seven five** feet;

SECTION 10: Yuma City Code, Title 15, Chapter 154, Article 6, Section 2 Recreation Vehicle Subdivision District, Subsection E (1), is amended to insert the bolded text and delete the strike through text:

- (d) *Lot coverage.* The maximum lot coverage for all principal and accessory buildings in the Recreation Vehicle Subdivision District is ~~50~~ **55**%.

SECTION 11: Yuma City Code, Title 15, Chapter 154, Article 6, Section 3 Manufactured Housing Subdivision District, Subsection E (3), is amended to insert the bolded text and delete the strike through text:

- (b) *Side yard.* ~~Seven~~ **five** feet from interior lot lines and ten feet from side street lot lines;

SECTION 12: Yuma City Code, Title 15, Chapter 154, Article 6, Section 3 Manufactured Housing Subdivision District, Subsection E (5), is amended to insert the bolded text and delete the strike through text:

- (5) *~~Maximum~~ Lot coverage.* The maximum permitted coverage by the manufactured home unit and accessory buildings shall not exceed ~~45~~ **55**% of the manufactured home lot, ~~excluding the first two carports up to 44 square feet.~~

SECTION 13: Yuma City Code, Title 15, Chapter 154, Article 7, Section 1 Medium Density Residential District, Subsection F (3), is amended to insert the bolded text and delete the strike through text:

- (3) *Lot coverage.* The maximum lot coverage in the Medium Density Residential (R-2) District shall be ~~35~~ **55**% of the lot area. ~~The first 600 square feet of covered parking shall be permitted in addition to the maximum lot coverage percentage listed above.~~

SECTION 14: Yuma City Code, Title 15, Chapter 154, Article 7, Section 1 Medium Density Residential District, Subsection F (4), is amended to insert the bolded text and delete the strike through text:

- (b) *Minimum side yard setback.* **Seven Five** feet;

SECTION 15: Yuma City Code, Title 15, Chapter 154, Article 7, Section 1 Medium Density Residential District, Subsection F (5), is amended to insert the bolded text and delete the strike through text:

- (5) *Building heights.* The maximum building height in the Medium Density Residential (R-2) District shall be 40 feet. The building height for multi-family structures shall be reduced to 20 feet (one story maximum) when located within ~~60~~ **40** feet of adjacent parcels zoned Agriculture, Suburban Ranch, Residential Estate or Low Density Residential, **and whose use is residential**. Single-family structures are exempt from the 20-foot height limit.

SECTION 16: Yuma City Code, Title 15, Chapter 154, Article 7, Section 1 Medium Density Residential District, Subsection F, is amended to insert the bolded text:

- (8) *Open space.* **The following is the minimum amount of open space required for multi-family developments:**
- (a) *Private open space.* **Multi-family projects with three or more units, shall provide a minimum of 60 square feet of private outdoor open space for each unit. No dimension of the private outdoor open space shall be less than five feet.**
- (b) *Common open space.* **Multi-family projects with ten or more units, shall designate a minimum of 10% of lot area for the use of common open space, of which, 50% of the common open space must be contiguous and contain shared amenities. Common open space can also serve as required on-site retention.**

SECTION 17: Yuma City Code, Title 15, Chapter 154, Article 7, Section 2 Medium Density Single-Family Residential District, Subsection F (4), is amended to insert the bolded text and delete the strike through text:

- (4) *Lot coverage.* The maximum lot coverage in the Medium Density Single-Family Residential (R-2-5) District shall be ~~45~~ **55%** of the lot area. ~~The required 400 square feet of enclosed garage shall not count against the maximum lot coverage percentage listed above.~~

SECTION 18: Yuma City Code, Title 15, Chapter 154, Article 7, Section 2 Medium Density Single-Family Residential District, Subsection F (5), is amended to insert the bolded text and delete the strike through text:

- (b) *Minimum side yard setbacks.* Five feet ~~clear of equipment and any other structures and/or appurtenances on one side; nine feet on the other side;~~

SECTION 19: Yuma City Code, Title 15, Chapter 154, Article 7, Section 3 High Density Residential District, Subsection F (3), is amended to insert the bolded text and delete the strike through text:

- (4) *Lot coverage.* The maximum lot coverage in the High Density Residential (R-3) District shall be **35 60%** of the lot area. ~~An additional 5% lot coverage is permitted for common recreation buildings. The covered parking provided shall be permitted in addition to the maximum lot coverage percentages listed above, provided that the total coverage does not exceed 50% of the lot area.~~

SECTION 20: Yuma City Code, Title 15, Chapter 154, Article 7, Section 3 High Density Residential District, Subsection F (4), is amended to insert the bolded text and delete the strike through text:

- (b) *Minimum side yard setbacks.* ~~Seven~~ **Five** feet;

SECTION 21: Yuma City Code, Title 15, Chapter 154, Article 7, Section 3 High Density Residential District, Subsection F (5), is amended to insert the bolded text and delete the strike through text:

- (5) *Building heights.* Except as provided in 154-15.03, the maximum building height shall be ~~40~~ **50** feet. The maximum building height **for multi-family structures** shall be reduced to 20 feet (one story maximum) ~~for all land~~ **when** located within ~~60~~ **40** feet of ~~a lot in an~~ **adjacent parcels zoned Agriculture, Suburban Ranch, Residential Estate or Low Density Residential District, and whose use is residential. Single-family structures are exempt from the 20-foot height limit.**

SECTION 22: Yuma City Code, Title 15, Chapter 154, Article 7, Section 3 High Density Residential District, Subsection F, is amended to insert the bolded text:

- (8) *Open space.* **The following is the minimum amount of open space required for multi-family developments:**
- (a) *Private open space.* **Multi-family projects with three or more units, shall provide a minimum of 60 square feet of private outdoor open space for each unit. No dimension of the private outdoor open space shall be less than five feet.**
- (b) *Common open space.* **Multi-family projects with ten or more units, shall designate a minimum of 10% of lot area for the use of common open space, of which, 50% of the common open space must be contiguous and contain shared amenities. Common open space can also serve as required on-site retention.**

SECTION 23: It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of this ordinance. Any person, firm or corporation violating any of the provisions in this ordinance shall be guilty of a class 1 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$1,000 or by imprisonment for not more than ten days or both fine and imprisonment.

Each separate day or part thereof during which any violation of said sections occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

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