



# *Ordinance*

NO. 443

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING THE CONDITIONS ON MEDIUM DENSITY RESIDENTIAL (R1-6) ZONING, AS APPROVED BY ORDINANCE NO. 400, ON PROPERTY LOCATED BETWEEN 6<sup>TH</sup> AVENUE AND 8<sup>TH</sup> AVENUE NORTH OF BIENESTAR ESTATES NO. 5 AND SOUTH OF THE EAST MAIN CANAL; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.**

**WHEREAS**, the Mayor and City Council of the City of San Luis approved Ordinance No. 400 to amend the City of San Luis Official Zoning District Map (the "Zoning Map") pursuant to A.R.S. §9-462.04 to change the zoning classification for 15.1 acres of real property located on Assessor Parcel ID No. 776-09-003; as attached hereto as "Exhibit A" and

**WHEREAS**, the owner of the property requested to amend the approval conditions of said rezoning; and

**WHEREAS**, the aforementioned change in zoning classification is consistent with the General Plan of the City of San Luis; and

**WHEREAS**, all due and proper notices of public hearings on the Zoning Map Amendment have been given and proper public hearings have been held, and a recommendation has been given regarding the Zoning Map Amendment by the Planning and Zoning Commission of the City of San Luis; and

**WHEREAS**, the Planning and Zoning Commission recommended approval of amending Ordinance No. 400; and

**WHEREAS**, A.R.S. § 9-462.01 grants power to a municipality to impose conditions upon a change of zoning; and

**BE IT ORDAINED** by the Mayor and Council of the City of San Luis, Arizona, as follows:

**SECTION 1.** That the above recitals are hereby incorporated as though fully set forth herein.

**SECTION 2.** That the approved Ordinance No. 400 conditions are hereby amended as follows:

1. Rezoning is condition upon development of the land in a manner similar to the tentative lot layout submitted for this application.
2. If the property is developed with public streets, the owner agrees that a full-length street shall be constructed between 6th Avenue and 8th Avenue as part of the development of this property. If developed as a private gated community, the owner agrees to provide a 10" water line and fire hydrants at least 300 feet and provide a 54-foot wide paved private street.
3. A traffic study is required and the construction of any and all improvements as recommended by the said study, including but not limited to, possible contributions to future roadway improvements such as traffic signals and/or canal crossings along 6th Avenue and 6th Avenue.
4. Owner agrees to sign necessary improvement district for the subdivisions of the rezoned parcel. Said districts to include a street lighting improvement district, a community facilities district, and a parkway district pursuant to A.R.S. § 48-572.
5. Grading and erosion control shall comply with the International Building Code standards for all aspects of the development including development of lots and building houses or other buildings.
6. Since this will be a private gated community and the developer will provide additional infrastructure for emergency vehicles, City agrees to the deviation of Subdivision Regulations Section 3.30 allowing a cul-de-sac to serve 30 dwellings units instead of the 20.
7. Owner agrees to provide a gravity system connection for sewer services.
8. A Development Agreement must be approved in accordance with A.R.S. §9-500.05, to include the previous conditions of the rezoning and the requested deviations from the Subdivision Regulations, prior to the approval of the subdivision final plat.

Property more fully described as:

THE PARCEL B OF THE BARKLEY LOT SPLIT NO. 3 AS RECORDED IN BOOK 27 OF PLATS, PAGE 66, YUMA COUNTY RECORDERS OFFICE, YUMA COUNTY, ARIZONA AND BEING A PORTION OF THE N1/2 OF THE SW 1/4 OF SECTION 6, T11S, R24W, G. & S. R. B. & M. YUMA COUNTY ARIZONA.

**SECTION 3.** In the event of a conflict between the provisions of this ordinance and any other ordinance, resolution, regulation, or policy within the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this ordinance shall govern.

**SECTION 4.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the final decision of

**PASSED AND ADOPTED** by the Mayor and Council of the City of San Luis,  
Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Luis E. Cabrera, Vice Mayor

**ATTEST:**

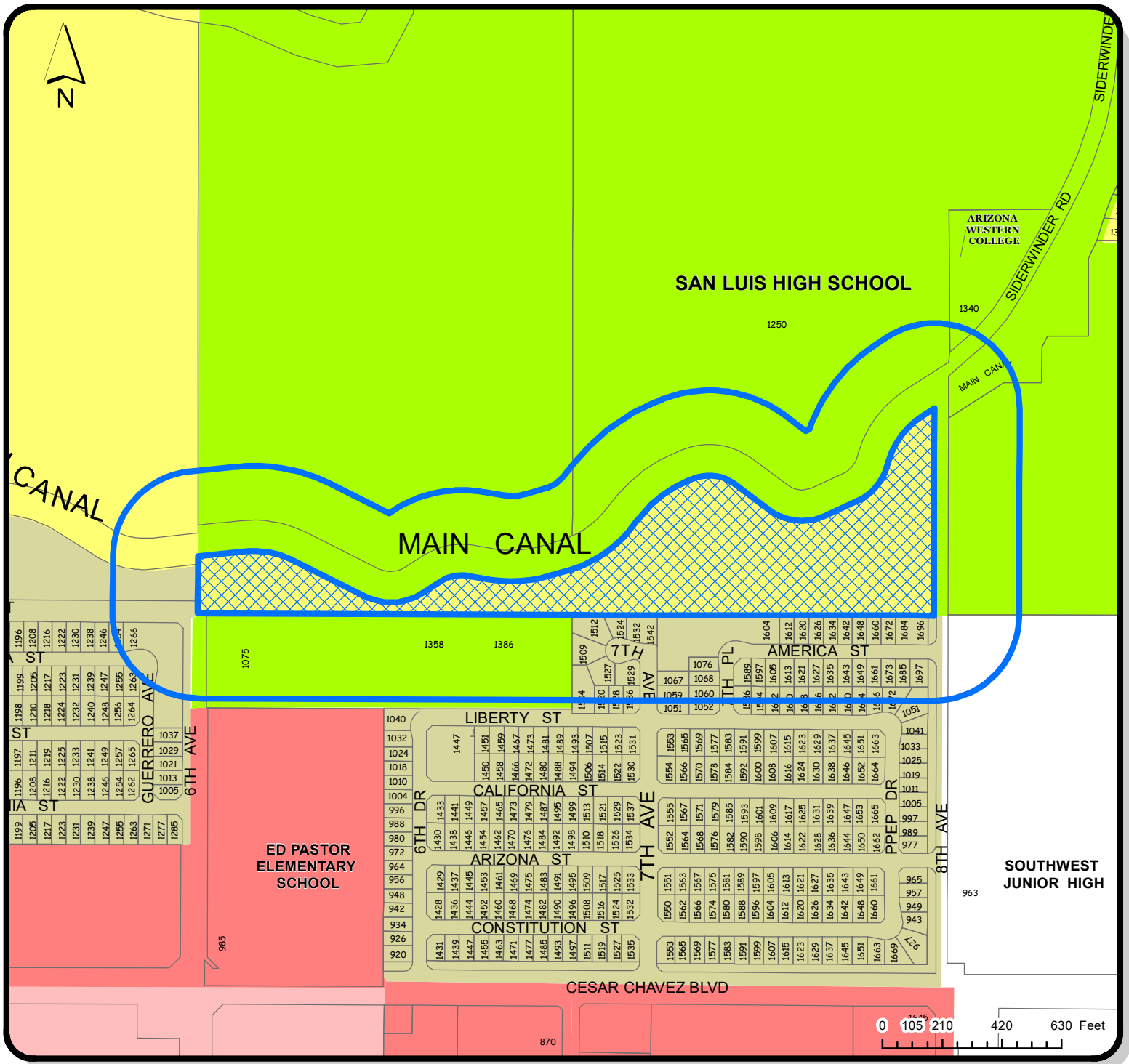
**APPROVED AS TO FORM:**

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Sonia Cornelio, City Clerk

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

Kay Marion Macuil, City Attorney



**LOCATION OF SUBJECT PROPERTY**

-  PID: 776-09-003
-  300ft Notification Area

**LOCATION MAP**

- Zoning**
- SINGLE RESIDENCE ZONING DISTRICTS**
  -  R1-8
  -  RA-10
  - MULTIPLE RESIDENCE ZONING DISTRICTS**
  -  R-2
  -  R-3
  - COMMERCIAL ZONING DISTRICTS**
  -  C-1
  -  C-2

**REZONING**

**CASE #**  
**2023-0214**

**DATE:**  
5/5/2023

**CHECKED BY:**  
JUAN TEJEDA

**PLANNING & ZONING**



**GIS**

**CREATED BY:**  
ISAAC GUTIERREZ

**APPROVED BY:**  
JOSE A. GUZMAN