



Yuma County, Arizona
DEPARTMENT OF DEVELOPMENT SERVICES

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Director

MEMORANDUM

TO: Interpretation File
CC: Maggie Carrasco, Community Planning Manager
DDS Division Heads
Cathy Gardner, Records/Admin. Manager
FROM: Paul Melcher, Planning Director
SUBJECT: Lot Ties/Combinations and Setbacks
DATE: April 7, 2009

Prior to a section being considered or inserted into the Yuma County Zoning Ordinance (Ordinance) relating to lot ties and lot combinations, the following determination shall prevail in relation to setbacks as defined in Section 1104.00 of the Ordinance for parcels created by such an action. The purpose of a lot tie/combination is to increase the buildable area for a lot. For purposes of this interpretation, Section 201.00(M) of the Ordinance does state the following: The word "lot" includes the words "plot", "parcel", or "tract".

The terms lot tie or lot combination are not defined in the Ordinance, nor are the terms defined in the Webster's Collegiate Dictionary, Eleventh Edition. For the purposes of this determination, a lot tie/combination is defined as: 1) Combining two or more lots, parcels, or tracts into a single lot, and no other property boundary changes are proposed, and 2) Combining one fraction of a lot, parcel, or tract with another legal parcel whereby a new parcel and parcel identification number are created. This definition was derived in part from language contained in several existing ordinances published at www.codepublishing.com and from Yuma County's current recognition of the action at the Assessor's Office and Planning Division.

The examples below depict an example of each type of action listed in the above definition. The symbol in the figures below represents the location of the lot ties.

Scenario 1. Tying Two or More Lots

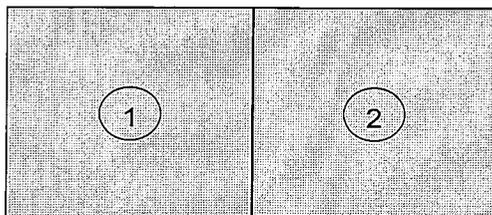


Fig. 1 Lots prior to the tie

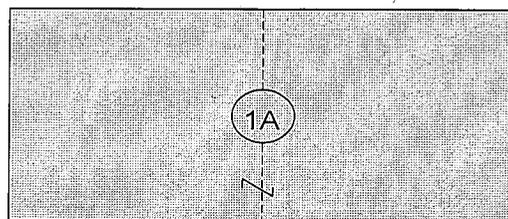


Fig. 2 Lot Resulting from the tie

(Fig. 1) depicts the status of Lots 1 and 2 prior to the action to tie them and the new lot 1A that is created as a result of the tie (Fig. 2). The dashed line in Fig. 2 shows the previous lot boundaries.

Scenario 2. Tying Partial Parcels with a Whole Parcel

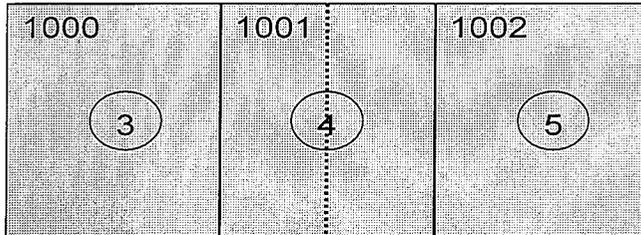


Fig. 3 Lot configuration prior to the partial split and tie

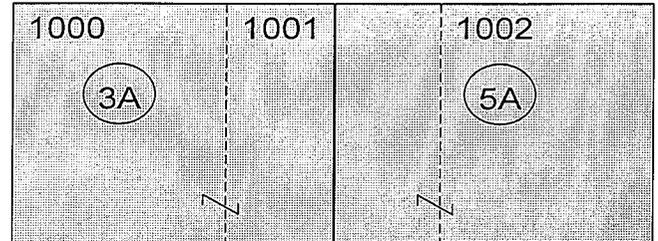


Fig. 4 Lots resulting from the tie

Fig. 3 depicts the status of parcels 3, 4, and 5 that represent parcels in a platted subdivision during the action to split parcel 4 at the dashed line and tie those two resulting portions to parcels 3 and 5. Fig. 4 depicts parcels 3A and 5A that were created as a result of the tie. The dashed lines remain on the County Assessor's map to show the original lot boundaries, and the numbers in the upper left hand corner of each lot in both figures show how the lot numbers even after the new parcels are created.

The Planning Division may review a permit application for development or construction on a parcel created as a result of a lot tie or combination under the following conditions.

Conditions:

- 1) The Planning Division will only recognize a lot tie/combination that is recorded with the Yuma County Recorder's Office and recognized as legitimate by the Yuma County Assessor's Office.
- 2) The lot tie/combination does not create a parcel not meeting all dimension and area requirements of all applicable Yuma County subdivision, land use, and environmental health regulations.
- 3) The lot tie or combination does not create a noncompliant use as defined in Section 1114.00 of the Ordinance.
- 4) The lot line adjustment does not increase the nonconformity of any lot or structure which does not currently meet the requirements of any Yuma County land use or environmental health regulation, including, but not limited to, setbacks to structures in accordance with Section 1104.00 from property lines, the area outside a flood hazard area, and the minimum area of parcel required for a specific zoning district as per Section 1001.00 of the Ordinance.
- 5) The lot line adjustment does not create a boundary realignment that creates directional changes in the orientation of lot(s), such as changing front yards into side yards or rear yards, which result in nonconforming setbacks.
- 6) Developed lots where encroachments have been established shall not alter lot access points unless approved by the Planning Division. The access or encroachment for all lots shall be determined as per Yuma County land development regulations and standards.
- 7) That any application for development or construction that occurs on a lot created as a result of the lot tie/combination will not have a specific, detrimental impact on the public health, safety, or welfare of the community or undermine the intent of Section 102.00 of the Ordinance.

Once Planning Division staff has verified that the proposed development or construction application meets the conditions listed above, the lot created as a result of the lot tie/combination shall be recognized as the entire lot for the purposes of establishing setbacks.