

Ordinance No. 882

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, ADOPTING BY REFERENCE A DOCUMENT ENTITLED "AMENDMENTS TO CHAPTER 13 – DENSITY REGULATIONS " (DECLARED BY RESOLUTION NO. 2172 TO BE A PUBLIC RECORD), AMENDING DENSITY REGULATIONS IN SECTIONS 13-02-010, 13-13-030, 13-14-030, 13-15-030, 13-20-010 AND 13-25-020 IN CHAPTER 13 "ZONING" OF THE TOWN CODE; PROVIDING THAT ALL OTHER CHAPTERS, ARTICLES, AND SECTIONS OF THE TOWN CODE NOT HEREIN AMENDED SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT, IF ANY PROVISION IN THIS ORDINANCE IS HELD INVALID BY A COURT OF COMPETENT JURISDICTION, THE REMAINING PROVISIONS SHALL NOT BE AFFECTED BUT SHALL CONTINUE IN FULL FORCE AND EFFECT; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, areas of Prescott Valley have been divided into Density Districts for the purpose of regulating (among other things) the maximum percent of lot coverage available for placement of buildings upon each lot ("lot coverage"); and

WHEREAS, the Town Code regulates the D18 lot size and area minimums to preserve the aesthetics of the community; and

WHEREAS, the Town Code regulates lot coverage and the D18 lot size and area minimums to preserve the aesthetics of the community and to help control stormwater run-off and decrease downstream effects of stormwater runoff; and

WHEREAS, staff was asked to review the Town's current lot coverage regulations and D18 lot size and area minimums to determine if the maximum lot coverages could be increased and the minimum D18 lot width could be decreased without negatively impacting community aesthetics and stormwater drainage; and

WHEREAS, staff surveyed other communities in Arizona to compare their lot coverage and D18 lot width allotments and consulted with other Town departments to confirm that proposed increases in lot coverage percentages and decrease in the D18 lot width requirement would not adversely affect the community in any way;

WHEREAS, staff proposes that the Town Code be amended to increase the maximum lot coverages in the Town's Density Districts between 5% - 15%, depending on each Density District's defined lot size; and

WHEREAS, staff proposes that the Town Code be amended to decrease the D18 minimum lot width in the Town's Density Districts from one-hundred thirty feet (130') to one-hundred fifteen feet (115'); and

WHEREAS, the Prescott Valley Planning and Zoning Commission held a public hearing on the proposed amendments to Chapter 13 "ZONING" at its regular meeting held January 11, 2021, and voted thereafter to forward the same to the Town Council with a recommendation of approval; and

WHEREAS, the Town Council now finds that the proposed amendments to Chapter 13 "ZONING" are in the best interests of the community and meet the health, safety and welfare needs thereof; and

WHEREAS, ARS §9-801 et seq. provides for adoption by reference of particularly lengthy or complex ordinances when they are declared to be "public records"; and

WHEREAS, the document amending Chapter 13 "ZONING" has been declared by Resolution No. 2172 to be a "public record";

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, ARIZONA, AS FOLLOWS:

SECTION ONE. That that certain document known as "Amendments to Chapter 13 – Density Regulations", declared to be a public record by Resolution No. 2172 (and available for public inspection in the Office of the Town Clerk, 7501 East Skoog Blvd., Prescott Valley, Arizona, 86314), be hereby referred to, adopted and made a part hereof as if fully set forth herein.


SECTION TWO. That all other Articles, Sections and Subsections of Chapter 13 "ZONING" of the Town Code, not herein amended, shall remain in full force and effect.

SECTION THREE. That, if any provision in this Ordinance is held invalid by a Court of competent jurisdiction, the remaining provisions shall not be affected but shall continue in full force and effect.

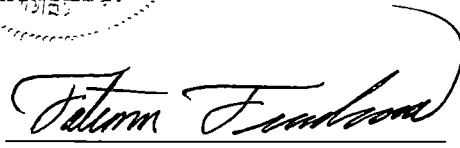
SECTION FOUR. That this Ordinance shall be effective thirty (30) days after its passage and approval according to law.

PASSED AND APPROVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 11th day of February 2021.





Kell Palgata, Mayor



Fatima Fernandez, Town Clerk

APPROVED AS TO FORM:



Ivan Legler, Town Attorney