

ORDINANCE NO. 814

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING THE TOWN ZONING MAP (ZMC15-006) BY CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY TWENTY (20) VARIOUS VACANT PARCELS LOCATED BETWEEN SAUTER DR. E AND PARENT RD. ON SPOUSE DR. AND LOOS DR. IN PORTIONS OF SECTION 4 & 5, TOWNSHIP 14 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA, FROM C-1 (COMMERCIAL; NEIGHBORHOOD SALES AND SERVICES) TO RS-3 PAD (RESIDENTIAL AND SERVICES – PLANNED AREA DEVELOPMENT) ZONING; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Prescott Valley Town Council first adopted a "Comprehensive Plan" for the Town by Resolution No. 69 on September 25, 1980; and

WHEREAS, the Council adopted a new "Prescott Valley General Plan and Implementation Guide" by Resolution No. 529 on January 27, 1994; and

WHEREAS, through adoption of the "Growing Smarter Act" (1998 Ariz. Sess. Laws, Chap. 204, §21) as amended by 1999 Ariz. Sess. Laws, Chap. 222, §2, the Arizona Legislature required the Town to amend its General Plan in accordance with the Act (as amended by "Growing Smarter Plus", 2000 Ariz. Sess. Laws Chap. 1) by December 31, 2002; and

WHEREAS, after an extensive public process, a draft Prescott Valley "*General Plan 2020*" was considered by the Prescott Valley Planning and Zoning Commission at public hearings held December 10, 2001 at the Prescott Valley Civic Center, and December 11, 2001 at the Glassford Hill Middle School, resulting in a vote by the Commission to recommend adoption of the same by the Town Council; and

WHEREAS, the Town Council considered the Prescott Valley "*General Plan 2020*" at a public hearing held January 17, 2002, and adopted the same by Resolution No. 1066 [subject to ratification by the voters per ARS §9-461.06(L)]; and

WHEREAS, on March 12, 2002, the Prescott Valley *General Plan 2020* was ratified by the voters; and

WHEREAS, ARS §9-461.08, and §9-461.09 provide for the authority, scope and for the procedures for the adoption of specific plans based on the general plan and drafts of such regulations, programs and legislation as may in the judgment of the planning agency and legislative body be required for the systematic execution of the general plan; and

WHEREAS, The adopted *General Plan 2020* identifies the Robert Road, Loos Drive and Spouse Drive locations as areas "that may benefit from planning studies to provide guidance on

appropriate land uses and that might stimulate new growth and revitalize existing commercial and residential properties”; and

WHEREAS, *General Plan 2020* GOAL GA-A1(Section 3.4) is to “Encourage infill development and revitalization in Tier I”, and POLICY GA-A1.1 is to “Prepare and support redevelopment, revitalization, and specific plans for existing residential neighborhoods, redevelopment districts, and commercial corridors”; and

WHEREAS, the need for such a specific plan was identified at a December 9, 2004 Joint Session of the Planning and Zoning Commission and Town Council; and

WHEREAS, the Robert Road, Loos Drive and Spouse Drive Area Specific Plan was developed over the course of many months, with citizen involvement playing a central role in the Area Specific Redevelopment Plan preparation and the planning process sought to involve citizens interested in Robert Road Corridor revitalization; and

WHEREAS, the Robert Road, Loos Drive and Spouse Drive Area Specific Redevelopment Plan (GPA05-002) was presented as a public hearing item as a minor amendment to the *General Plan 2020* at the April 11, 2005 Planning and Zoning Commission meeting and was recommended for approval and was presented at the May 5, 2005 work-study session of the Town Council, and

WHEREAS, in accordance with the requirements for adoption of a specific plan, the Town Council subsequently held a public hearing on the application at its regular meeting on June 9, 2005; and

WHEREAS, the Town Council adopted the Robert Road, Loos Drive and Spouse Drive Area Specific Redevelopment Plan on the 9th day of June, 2005, as a Minor Amendment to the *General Plan 2020* to help insure the execution of the general plan; and

WHEREAS, until recently, State law required that towns update a community plan every ten (10) years and on this basis, the Town’s *General Plan 2020* would have needed to be updated by March of 2012; and

WHEREAS, in 2010, the Arizona Legislature approved HB 2145, amending Section 11-804 of Arizona Revised Statutes, allowing that a city or town is not required to readopt an existing general plan or adopt a new general plan until July 1, 2015; and

WHEREAS, during the strategic budget planning retreat in January 2011 the Mayor and Town Council identified the updating of the Town’s *General Plan 2020* as a priority and determined to be a strategic goal in order to prepare the community for future economic development opportunities; and

WHEREAS, on this basis, staff concluded that updating *General Plan 2020* was timely, rather than waiting until 2015, as is now provided under the law; and

WHEREAS, on January 20, 2011 the Town Council approved timelines for updating Prescott Valley's *General Plan 2020* to be known as *Prescott Valley General Plan 2025* that included necessary review and approval dates in order that the matter may be formally considered by Town residents in March of 2013 as part of the scheduled General election; and

WHEREAS, based on direction provided by Council, each existing Planning Elements were updated by Town Staff and a new Housing Element was added to reflect changes in the community that have taken place over the ten (10) year period of time that the plan has been administered since adoption in March 2002; and

WHEREAS, following approval of the participation plan, the Project Team became "immersed" in the Town of Prescott Valley – collecting information, meeting with stakeholders, identifying key values and issues, and providing information to Town residents about the upcoming *General Plan 2025* process; and

WHEREAS, drafts of the updated chapters of the *General Plan 2025* were presented to the Planning and Zoning Commission for review in work-study sessions from August to November 2011 and copies were also posted on the Town web site for public comment; and

WHEREAS, all meeting were noticed in the newspaper and via numerous alternate media outlets including a web portal on the Town's web site to enable citizen participants to view plan related materials and make comment on same; and

WHEREAS, the required Public Hearings before the Planning and Zoning Commission were held July 9, 2012 at 3:00 p.m. in the Civic Center Courtroom and July 9, 2012 at 5:30 p.m. in the Library Auditorium and the complete draft of *General Plan 2025* (GPA12-001) as submitted was unanimously approved by roll call vote of those members present; and

WHEREAS, the Town Council considered the "*Prescott Valley General Plan 2025*" at a public hearing held August 9, 2012, and adopted the same by this Resolution No. 1802 [subject to ratification' by the voters per ARS §9-461.06(L)]; and

WHEREAS, the Land Use Element, Chapter 4 of the General Plan 2025 Section 4.2.4.6, includes the complete Robert Road/Loos Drive/Spouse Drive Redevelopment Plan in the General Plan 2025 by reference; and

WHEREAS, the Robert Road/Loos Drive/Spouse Drive Area Specific Plan policies serve as the core components of the Plan's Implementation Strategy and serve as a response to the Prescott Valley General Plan's designation of the Corridor as a Focus Revitalization Area; and

WHEREAS, both prior to and since the great recession, the subject area has suffered near blighted conditions with property owners along the corridors unable to sell or lease their properties for many years; and

WHEREAS, after being contacted by property owners in the redevelopment area along Spouse Dr. and Loos Dr., Town staff contacted property owners of vacant parcels along these corridors to ascertain whether there was interest to rezone various vacant properties on Spouse

Dr. and Loos Dr. between Robert Rd. and Parent Dr. from C1 (Commercial: Neighborhood Sales and Services) to RS-3 PAD (Residential and Services, Density District 3, Planned Area Development) to provide additional flexibility to those current and future occupants wanting to develop their properties from the current commercial zoning to a zoning classification which would allow multi-family residential development as well as office type development; and

WHEREAS, the RS-3 PAD (Residential and Services, Density District 3, Planned Area Development) zoning district was found to be compatible to the C1 Commercial: Neighborhood Sales and Services) zoning district; and

WHEREAS, the purpose of the zoning district is to provide for orderly and compatible development in transitional areas between residential and non-residential districts and to establish and preserve areas for those commercial facilities which are especially useful in close proximity to residential areas, while minimizing the undesirable impact of such uses on the neighborhoods which they service; and

WHEREAS, eleven (11) property owners who own twenty (20) vacant lots on Spouse Dr. and Loos Dr. zoned C1 (Commercial: Neighborhood Sales and Services) expressed an interest to participate in rezoning their properties and as the rezoning action was an optional action, some property owners chose to keep their C1 (Commercial: Neighborhood Sales and Services); and

WHEREAS, in compliance with Article 13-30-012 of Town Code, staff from the Community Development Department held an informative Neighborhood Meeting on December 15, 2015 at Town Hall and received generally favorable support from the neighbors and adjacent property owners; and

WHEREAS, on November 9, 2015, the Planning Commission requested initiation of a Public Hearing to review Zoning Map Changes necessary to rezone various vacant properties on Spouse Dr. and Loos Dr. between Robert Rd. and Parent Dr. from C1 (Commercial: Neighborhood Sales and Services) to RS-3 PAD (Residential and Services, Density District 3, Planned Area Development); and

WHEREAS, the Prescott Valley Planning and Zoning Commission held a public hearing on said re-zoning application (ZMC15-006) at its regular meeting on February 8, 2016, and recommended approval to the Town Council; and

WHEREAS, the Council has now held a public hearing on February 25, 2016, and has then considered this Ordinance on February 25, 2016 and March 10, 2016, and has determined that re-zoning ZMC15-006 will be beneficial to the community and is in conformity with the Prescott Valley *General Plan 2025*; and

WHEREAS, the Town Council finds that the procedures required by ARS §§9-462.03 and 9-462.04 (and by Article 13-30 of the Prescott Valley Town Code) have been complied with in connection with this zoning action;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, as follows:

SECTION 1. That the Zoning Map of the Town of Prescott Valley be hereby amended from C1 zoning to RS-3 PAD zoning for the following-described real property:

20 parcels between Sauter Dr. E and Parent Rd. on Spouse Dr. and Loos Dr. in portions of Section 4 & 5, Township 14 North, Range 1 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona as shown in Exhibit "A" (being attached hereto and expressly made a part hereof).

SECTION 2. That this amendment is hereby expressly conditioned as follows:

1. Use of the property shall be in conformance with all other applicable Town Code requirements.

In the event of non-compliance with any of the above conditions, the zoning designation for the described property shall revert from RS-3 PAD back to the original designations of C1 in accordance with the procedures set forth in ARS §9-462.01(E).

SECTION 3. 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 10th day of March, 2016.




HARVEY C. SKOOG, Mayor


Diane Russell, Town Clerk

APPROVED AS TO FORM:


Ivan Legler, Town Attorney

EXHIBIT "A"

Property Description

Lot 1509 Prescott Valley Unit Four, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 12 of Maps, Page 73

Lot 1510 Prescott Valley Unit Four, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 12 of Maps, Page 73

Lot 1511 Prescott Valley Unit Four, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 12 of Maps, Page 73

Lot 1512 Prescott Valley Unit Four, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 12 of Maps, Page 73

Lot 1636 & 1637 Prescott Valley Unit Four, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 12 of Maps, Page 73

Lot 1638 Prescott Valley Unit Four, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 12 of Maps, Page 73

Lot 1732 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 1733 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 1734 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 1742 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 1750 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 1751 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 1752 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 1753 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 1754 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 1755 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 2202 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 2203 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 2206 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

Lot 2207 Prescott Valley Unit Five, according to the plat of record in the Office of the County Recorder of Yavapai County, Arizona, recorded in Book 13 of Maps, Page 11

C1-3

SPOUSE DR

RAVEN D

TRACY DR

RAVEN C

KATIE CIR

BEAVER DR

R1MH-10

ROMERO CIR W

MOBILE CIR W

HOFFMAN R

MOBILE CIR E

ROMERO CIR E

PARENT R

OUTRIDER C

ACKLAND DR

LOOS C

NANAJ

Legend

Sp