

ORDINANCE NO. 869

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING THE TOWN ZONING MAP (ZMC19-012) BY CHANGING THE ZONING CLASSIFICATION OF AN APPROXIMATELY TWO (2) ACRE PARCEL LOCATED ON THE EAST SIDE OF STATE ROUTE 69 APPROXIMATELY 500' NORTH OF KACHINA PL, FROM R1L-70 (RESIDENTIAL; SINGLE FAMILY LIMITED) TO C3 (COMMERCIAL; MINOR INDUSTRIAL) ZONING; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Town of Prescott Valley annexed by Ordinance No. 585, dated April 29, 2005, a total of two hundred twenty-four (224) acres of real property located in §34, T14N, R1E, and in §§2 and 3, T13N, R1E, G&SRM; and

WHEREAS, the Prescott Valley zoning classifications assigned at annexation was R1L-70 which were the most similar to the existing Yavapai County zoning for the subject property of R1L-70 and PAD (Yavapai County); and

WHEREAS, at its November 13, 2006 meeting, the Planning and Zoning Commission recommended approval of a Major General Plan Amendment (GPA06-001) that, among other things, included expansion of the Tier II boundary and the PAD 5II boundary to include all the annexed area along with other State Trust Lands, and GPA06-001 was subsequently approved by the Town Council at its December 7, 2006 meeting; and

WHEREAS, in October of 2019 Joshua Fowler, Agent, submitted a request for a Zoning Map Change from R1L-70 (Residential; Single Family Limited) to C3 (Commercial; Minor Industrial) on an approximately two (2) acre parcel located on the east side of State Route 69 approximately 500' north of Kachina in the Dewey area; and

WHEREAS, the Planning and Zoning Commission held a public hearing on said application (ZMC19-012) at its regular meeting on December 9, 2019 and voted to recommend approval of the Zoning Map Change (ZMC19-012), along with a preliminary site plan, inasmuch as the requested rezoning is in conformance with the *Prescott Valley General Plan 2025*; and

WHEREAS, the Town Council has now held a second public hearing and has considered this recommendation at its regular meetings on January 9, 2020 and January 23, 2020, and has determined that such re-zoning (as conditioned) will be beneficial to the community and is in conformity with the *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;

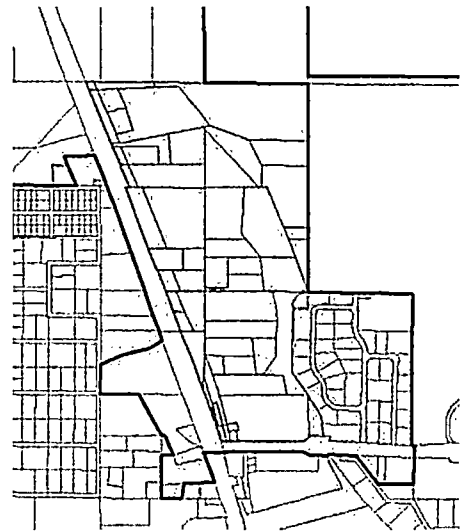
NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, as follows:

SECTION 1. That the Zoning Map of the Town of Prescott Valley be hereby amended from R1L-70 (Residential; Single-Family Limited) C3 (Commercial; Minor Industrial) on an approximately two (2) acre as shown on “Exhibit-A” (attached hereto and expressly made a part hereof):

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

1. Development shall be in substantial conformance with the attached Site Plan (“Exhibit-B”) and all C3 uses shall be limited to those shown on the plan for mini-storage and RV and boat storage.
2. Compliance with all Town Code standards for Building, Drainage and Zoning including all Site Development Standard of Article 13-26 and 13-26a.
3. Adherence to ADOT Requirements.
4. The developer shall participate in regional roadway and sewer improvement cost as determined by the Town Engineer in proportion to acreage for parcels subject to rezoning and development permits in the identified area in “Exhibit-A”

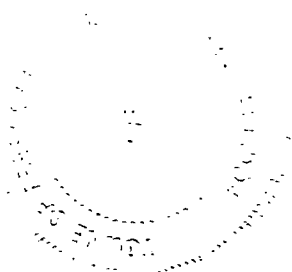
“Exhibit-A”



In the event of non-compliance with any of the above conditions, the zoning designation for the described property shall revert from C3 back to the original designations of R1L-70 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 23rd day of January, 2020.




Kell Palguta, Mayor

ATTEST:



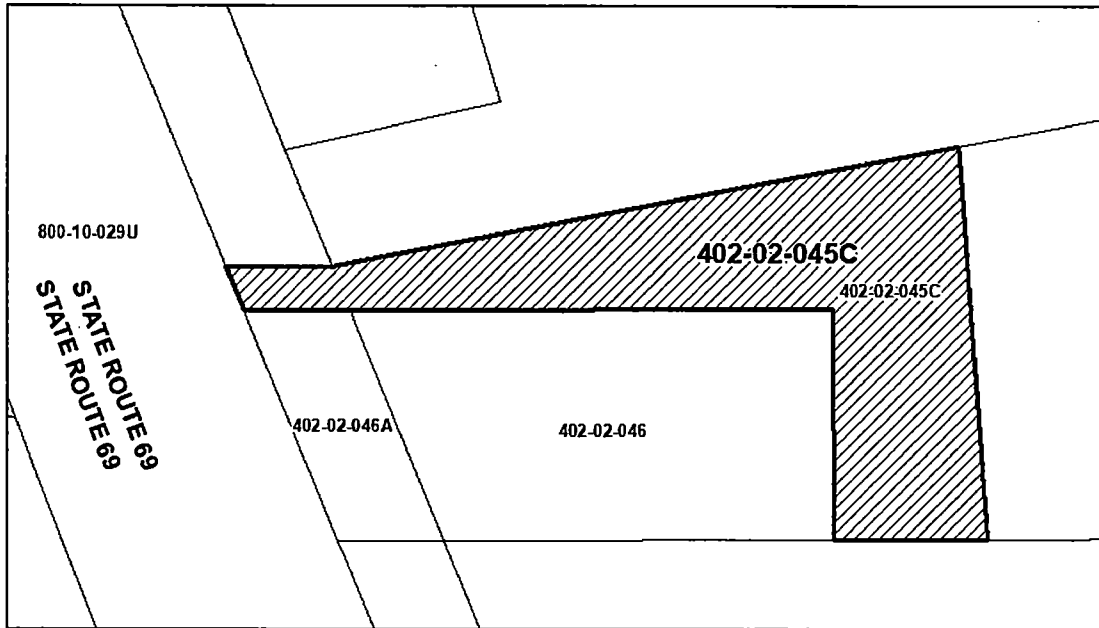
Diane Russell, Town Clerk -- Deputy

APPROVED AS TO FORM:



Ivan Legler, Town Attorney

“Exhibit-A”



“Exhibit-B”

