

RESOLUTION NO. 1894

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, ADOPTING A MINOR AMENDMENT TO THE TOWN'S *GENERAL PLAN 2025* (GPA14-005) PURSUANT TO ARS §9-461.06; AMENDING THE LAND USE PLAN (EXHIBIT LU-5) IN CHAPTER 4 "LAND USE ELEMENT" OF THE GENERAL PLAN TO CHANGE THE DESIGNATION OF AN APPROXIMATELY 9,200 SF PARCEL LOCATED ON THE WEST SIDE OF TAPADERO DRIVE 100-FEET NORTH OF PRESCOTT COUNTY CLUB BLVD FROM "LOW DENSITY RESIDENTIAL" TO "COMMUNITY COMMERCIAL" AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

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

WHEREAS, the Council adopted a new "Prescott Valley General Plan and Implementation Guide" by Res No. 529 on Jan 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 Dec 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 Dec 10, 2001 at the Prescott Valley Civic Center, and Dec 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 Jan 17, 2002, and adopted the same by Res No. 1066 (subject to ratification by the voters per ARS §9-461.06(L)); and

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

WHEREAS, in 2010 the Arizona Legislature approved HB 2145 to allow municipalities until Jul 1, 2015 to re-adopt existing general plans; and

WHEREAS, in Jan 2011 the Town Council identified updating of the *General Plan 2020* as a priority and strategic goal in order to prepare the community for future economic development opportunities; and

WHEREAS, on Jan 20, 2011, the Council approved timelines for adopting the *Prescott Valley General Plan 2025*, including a ratification vote by Town residents in March of 2013; and

WHEREAS, after an extensive public process, Public Hearings before the Planning and Zoning Commission for the *General Plan 2025* were held Jul 9, 2012 in the Civic Center Courtroom (and later that same day in the Library Auditorium), and GPA12-001 was subsequently approved unanimously by the Commission; and

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

WHEREAS, on Mar 12, 2013, the voters ratified *Prescott Valley General Plan 2025*; and

WHEREAS, on Feb 13, 2014, the Council adopted Ord No. 787 (ANX13-002) annexing approximately 135 acres in the Prescott County Club (including property in the Tapadero Wastewater Improvement District and adjacent portions of the Golf Course operated as the Prescott Golf & Country Club); and

WHEREAS, on Sep 2, 2014, an application was submitted by Desert Development & Design (Agent) for a Minor General Plan Amendment (GPA14-005) for a 9,200sf parcel located on the west side of Tapadero Drive, 100' north of Prescott Country Club Blvd (Exhibit "A" attached hereto and expressly made a part hereof); and

WHEREAS, the subject property was already contained in the *Prescott Valley General Plan 2025* as Low Density Residential on the Land Use Plan (Exhibit LU-5); and

WHEREAS, the proposal was to change the designation from Low Density Residential to Community Commercial; and

WHEREAS, in accordance with Arizona Revised Statutes, upon annexation the subject property had been given a zoning classifications of R2-PAD (and other property in the annexation area had been given a designation of C2-PAD), said designations being the most similar Town zoning designations to the Yavapai County designations at the time; and

WHEREAS, the new General Plan designation of Community Commercial for the subject property is required to change its zoning to C2-PAD so that a proposed parking facility for private golf carts (including lease of parking space for golf carts owned by persons other than the facility owner) may be built on the property; and

WHEREAS, the criteria for determining whether a proposed amendment to the *General Plan 2025* is "major" or "minor" is set forth in Sections 11.2.1 and 11.2.2 of the *General Plan 2025* (in accordance with ARS §9-461.06); and

WHEREAS, the Prescott Valley Community Development Department Director has made the determination that this requested amendment is a “minor” amendment in accordance with Section 11.2.1; and

WHEREAS, in accordance with the requirements for Minor General Plan amendments, the Planning and Zoning Commission held a public hearing on GPA14-005 at its regular meeting on Oct 13, 2014 and voted to forward the same to the Town Council with a recommendation of approval; and

WHEREAS, the Town Council held a public hearing on GPA14-005 at its regular meeting on Nov 6, 2014; and

WHEREAS, the Town Council finds that this minor General Plan Amendment will result in an acceptable means of mitigating impacts through a subsequent re-zoning action so as not to adversely impact the community as a whole or a portion of the community, and that the Amendment is otherwise consistent with the Vision, Guiding Principles, Goals and Policies of the *General Plan 2025*;

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

1. That the Prescott Valley *General Plan 2025* be hereby amended as follows:

The Land Use Plan (Exhibit LU-5) in Chapter 4 “LAND USE ELEMENT” shall be amended to change the designation from “Low Density Residential” to “Community Commercial” on the real property shown and described in Exhibit “A”.

2. That this Resolution shall be effective after its passage and approval according to law.

RESOLVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 6th day of November, 2014.

HARVEY C. SKOOG, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney

Exhibit "A"

The South 50 feet of PARCEL 1, FAIRWAY PATIO HOMES, parallel with the South Line thereof, according to the plat of record in Book 23 of Maps and Plats, Page 30, on file in the office of the Yavapai County Recorder, Yavapai County, Arizona.

