

ORDINANCE NO. 799

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING THE TOWN ZONING MAP (ZMC14-007) BY CHANGING THE ZONING CLASSIFICATION OF AN APPROXIMATELY 1.5 ACRE PARCEL LOCATED ON THE NORTH SIDE OF PRONGHORN RANCH PKWY (APPROXIMATELY 400' EAST OF VIEWPOINT DRIVE...BEING A PORTION OF APN 103-01-160L) FROM RCU-70 (RESIDENTIAL; SINGLE-FAMILY RURAL) ZONING TO RS (RESIDENTIAL AND SERVICES) ZONING; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE 30 DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, on Aug 26, 1999, the Town of Prescott Valley annexed by Ord No. 774 approximately 155 acres lying in Section 35, T.15 N., R. 1 W., G&SRB&M, north of SR89A (classifying the property as RCU-70 consistent with the County Zoning of RCU-2A); and

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

WHEREAS, on Sep 9, 2014, an application was submitted by Garrett-Walker Homes for a Zoning Map Change from RCU-70 (Residential; Single-Family Rural) zoning to RS (Residential and Services) zoning on an approximately 1.5 acre parcel located on the north side of Pronghorn Ranch Pkwy (approximately 400' east of Viewpoint Drive...being a portion of APN 103-01-160L) as shown in Exhibit "A" attached hereto and expressly made a part hereof (for purposes of re-establishing a sales office thereon) (ZMC14-007); and

WHEREAS, said re-zoning is consistent with the present *Prescott Valley General Plan 2025* designation; and

WHEREAS, the Prescott Valley Planning and Zoning Commission held a public hearing on ZMC14-007 at its regular meeting on Oct 13, 2014, and recommended approval by the Town Council (subject to conditions); and

WHEREAS, the Town Council has now held a public hearing on Nov 6, 2014 and has considered this recommendation at its regular meetings held Nov 6, 2014, and Nov 20, 2014, 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 RCU-70 zoning to RS zoning for the following-described real property:

An approximately 1.5 acre parcel located on the north side of Pronghorn Ranch Pkwy (approximately 400' east of Viewpoint Drive...being a portion of APN 103-01-160L) as shown in Exhibit "A".

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

1. Approval of a Use Permit for the intended use by the Board of Adjustment in accordance with Town Code Article 13-29.
2. Use of the property only for promotion of real estate sales in Pronghorn Ranch.

In the event of non-compliance with any of the above conditions, the zoning designation for the described property shall revert from RS back to the original designations of RCU-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 20th day of November, 2014.

HARVEY C. SKOOG, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney