

RESOLUTION NO. 1909

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* (GPA15-001) 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 LOT 4243, PRESCOTT VALLEY UNIT 14 FROM "MEDIUM-HIGH 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 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, in March 2004 StoneRidge Prescott Valley, L.L.C. requested an amendment to the *Prescott Valley General Plan 2020* (GPA04-001) to in order to relocate various land use designations of "Low Density Residential", "Medium Density Residential", "Medium-High Density Residential", "Public/Quasi-Public", and "Community Commercial" within the StoneRidge project, located south of State Route 69 in Sections 26 & 27, Township 14 North, Range 1 West, G&SRM; and

WHEREAS, in accordance with the requirements for minor Plan amendments, the Planning and Zoning Commission held a public hearing on said application (GPA04-001) at its

regular meeting on April 12, 2004 and the Town Council subsequently held a public hearing on the application at its regular meeting on May 13, 2003 and approved Resolution No. 1274; 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 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, after an extensive public process, a draft "*Prescott Valley General Plan 2025*" 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, on March 12, 2013, the Prescott Valley *General Plan 2025* was ratified by the voters; and

WHEREAS, in March 2013 Robert W. Jones requested a General Plan Amendment (GPA15-001) from "Medium-High Density Residential" to "Community Commercial" on Lot 4243, Prescott Valley Unit 14, located at the southeast intersection of Florentine Road and Grizzly Bear Drive; and

WHEREAS, the criteria for determining whether a proposed amendment to the *General Plan 2025* is a major or minor amendment 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 Community Development 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 Plan amendments, the Planning and Zoning Commission held a public hearing on said application (GPA15-001) at its regular meeting on March 9, 2015 and voted to forward the same to the Town Council with a recommendation of approval, and the Council subsequently held a public hearing on the application at its regular meeting on March 26, 2015; 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 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 of Lot 4243, Prescott Valley Unit 14 from “Medium-High Density Residential” to “Community Commercial” as shown in “Exhibit A” attached hereto and expressly made a part hereof.

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 26th day of March, 2015.

HARVEY C. SKOOG, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney

Exhibit "A"

