

**RESOLUTION NO. 1672**

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 2020* (GPA09-002) PURSUANT TO A.R.S. §9-461.06; AMENDING THE LAND USE PLAN (EXHIBIT LU-6) IN CHAPTER 4 "LAND USE ELEMENT" OF THE GENERAL PLAN TO CHANGE THE DESIGNATION OF APPROXIMATELY TWO (2) ACRES LYING IN SECTION 34, T.14 N., R.1 E., G&SRM FROM "LOW DENSITY RESIDENTIAL" TO "REGIONAL 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 on 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 on January 17, 2002, and adopted the same by Resolution No. 1066 [subject to ratification by the voters per A.R.S. §9-461.06(L)]; and

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

WHEREAS, the Town annexed by Ordinance No. 737 (ANX09-001) dated September 24, 2009, approximately two (2) acres of land located in §34, T.14 N., R.1 E., G&SRM; and

WHEREAS, in accordance with Arizona Revised Statutes, Ordinance No. 737 gave the annexed property zoning classifications of RCU-70 being the most similar zoning designation to that which existed when under Yavapai County jurisdiction; and

WHEREAS, at its September 14, 2009 meeting, the Planning and Zoning Commission held a public hearing and considered a request by the Polland Family Trust for a Minor Amendment to the *General Plan 2020* (GPA09-002) to change the land use designation of approximately 2 acres lying in §34, T.14 N., R.1 E., G&SRM from “Low Density Residential” to “Regional Commercial” in order provide for anticipated commercial land uses; and

WHEREAS, at the September 14, 2009 meeting, the Planning and Zoning Commission also considered a separate request by the Polland Family Trust for a zoning map change (ZMC09-004) from RCU-70 (Residential; Conditional Use Permits) to C3-PAD (Commercial; Minor Industrial - Planned Area Development) on the same 2 acres, plus an additional fourteen (14) acres under that same ownership (and already designated as “Regional Commercial” in the *General Plan 2020*; and

WHEREAS, the criteria for determining whether a proposed amendment to the *General Plan 2020* is a Major or Minor Amendment is set forth in Sections 10.2.1 and 10.2.2 of the *General Plan 2020*, in accordance with A.R.S. §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 10.2.1; and

WHEREAS, in accordance with the requirements for Minor Plan Amendments, the Planning and Zoning Commission held a public hearing on said amendment (GPA09-002) at its regular meeting on September 14, 2009, and voted to forward the same to the Town Council with a recommendation of approval; and

WHEREAS, at its regular session meeting on November 19, 2009, the Council subsequently held a public hearing on this requested Minor Amendment to the *General Pan 2020* (GPA04-002) as set forth in Sections 10.2.1 and 10.2.2 of the *General Plan 2020*, in accordance with A.R.S. §9-461.06; and

WHEREAS, the Town Council finds that this Minor Amendment to the *General Plan 2020* is appropriate in this location and will allow for future commercial land uses (with acceptable means of mitigating impacts through a subsequent re-zoning action so as not to adversely impact the community), and the Amendment is otherwise consistent with the Vision, Guiding Principles, Goals and Policies of the *General Plan 2020*;

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 2020* be hereby amended as follows:

The Land Use Plan (Exhibit LU-6) in Chapter 4 “LAND USE ELEMENT” shall be amended to change the designation of approximately 2 acres lying in Section 34, T.14 N., R.1 E., G&SRM from “Low Density Residential” to “Regional Commercial” as shown in “Exhibit A” and described in “Exhibit B” (both 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 19<sup>th</sup> day of November, 2009.

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Harvey C. Skoog, Mayor

ATTEST:

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Diane Russell, Town Clerk

APPROVED AS TO FORM:

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Ivan Legler, Town Attorney