

ORDINANCE NO. 754

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING THE TOWN ZONING MAP (ZMC10-002) BY CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY TEN (10) ACRES GENERALLY LOCATED AT THE NORTHWEST INTERSECTION OF STATE ROUTE 69 AND KACHINA DRIVE FROM C2 (COMMERCIAL; GENERAL SALES AND SERVICES) 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 were R1L-70, C2 and PAD which were the most similar to the existing Yavapai County zoning that existed at the time of annexation, 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 December of 2010, Tina Knoy submitted a request for a Zoning Map Change from C2 (Commercial; General Sales and Services) to C3 (Commercial; Minor Industrial.) on approximately ten (10) acres generally located at the northwest intersection of State Route 69 and Kachina Drive in the Dewey Area, being a portion of APN 402-02-052N; and

WHEREAS, the Planning and Zoning Commission held a public hearing on said application (ZMC10-002) at its regular meeting on January 10, 2010; and

WHEREAS, the Commission voted to recommend approval of the Zoning Map Change (ZMC10-002), inasmuch as the requested rezoning is in conformance with the *Prescott Valley General Plan 2020*; and

WHEREAS, the Town Council has now held a second public hearing and has considered this recommendation at its regular meetings on February 10, 2011 and February 24, 2011, and has determined that such re-zoning will be beneficial to the community and is in conformity with the *General Plan 2020*; 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 C2 (Commercial; General Sales and Services) to C3 (Commercial; Minor Industrial) on an approximately ten (10) acre parcel 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. Future development and uses shall comply with all Town Code requirements including required parking for customers of any retail use on the property.
2. Storage of all materials on the property shall be screened per Section 13-15-020(5), except for a display of sample items that may be offered for sale.

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 C2, 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 24th day of February, 2011.

Harvey C. Skoog, Mayor

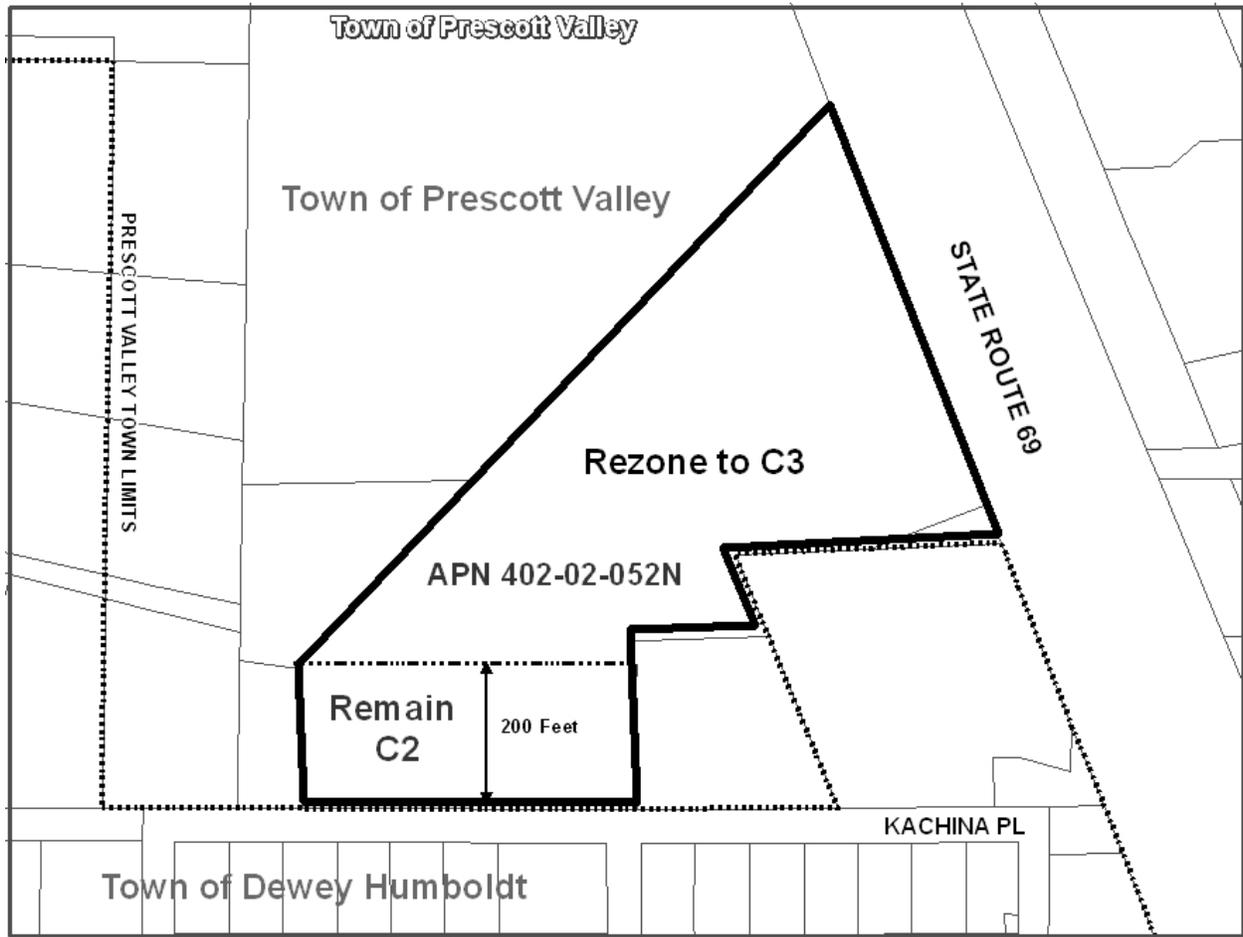
ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney

Exhibit "A"



**APN 402-02-052N
Excluding the southerly 200 feet.**