

ORDINANCE NO. 755

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING THE TOWN ZONING MAP (ZMC10-004) TO CHANGE THE ZONING CLASSIFICATION FROM C2-PAD (COMMERCIAL; GENERAL SALES AND SERVICES - PLANNED AREA DEVELOPMENT) ZONING TO C3-PAD (COMMERCIAL; MINOR INDUSTRIAL – PLANNED AREA DEVELOPMNET) ON APPROXIMATELY FIVE (5) ACRES LOCATED NORTH OF CIVIC CIRCLE AND EAST OF VIEWPOINT DRIVE; 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 (93-B) approximately one hundred and forty five (145) acres of certain real properties into the Town as a result of the passage of Ordinance No. 14 on January 6, 2004; and

WHEREAS, Ordinance No. 314 gave the annexed property a zoning classification of RCU-70, being the zoning classification most comparable to its former Yavapai County zoning classification of RCU-2A; and

WHEREAS, in June 2007 Withey Morris, PLC, Agent, applied for a Zoning Map (ZMC07-007) from RCU-70 (Residential; Conditional Use Permits) to C2-PAD (Commercial; General Sales and Services – Planned Area Development) on approximately fifty-two (52) acres located at the northeast intersection of Glassford Hill Road and Lakeshore Drive; and

WHEREAS, the Prescott Valley Planning and Zoning Commission held a public hearing on said application (ZMC07-007) at a meeting on August 13, 2007, and voted to forward the application to the Town Council with a recommendation of approval, with conditions (inasmuch as the application complies with the Prescott Valley *General Plan 2020*); and

WHEREAS, on September 27, 2007, after public hearing, the Mayor and Council adopted Ordinance No. 697 approving said re-zoning; and

WHEREAS, in January of 2011 DLR Group, Agent for the Arizona Agribusiness and Equine Center applied for a Zoning Map Change (ZMC10-004) from C2-PAD (Commercial, General Sales and Service; Planned Area Development) to C3-PAD (Commercial; Light Industrial, Planned Area Development) on an approximately five (5) acre parcel located north of Civic Circle, east of Viewpoint Drive, south of Long Look, and west of Civic Drive.

WHEREAS, the Prescott Valley Planning and Zoning Commission held a public hearing on said application (ZMC10-004) at a meeting on January 10, 2011, and voted to forward the application to the Town Council with a recommendation of approval, with conditions (inasmuch as the application complies with the Prescott Valley *General Plan 2020*); and

WHEREAS, the Town Council considered the rezoning request (ZMC10-004) at its regular meetings held February 10, 2011, and February 24, 2011, and determined that such re-

zoning (as conditioned) will be beneficial to the community and is in conformity with the Prescott Valley *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-PAD to C3-PAD zoning on the following real property:

[See “Exhibits A” attached hereto and expressly made a part hereof.]

The above-described parcel containing an area of approximately five (5) acres, more or less.

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

1. All uses permitted in Section 13-15-010 are prohibited except the use of large animals for educational purposes directly related to the Arizona Agribusiness and Equine Center per Section 13-15-010(A)(1)(b).

In the event of non-compliance with any of the above conditions, the zoning designation for the described property shall revert from C3-PAD back to the original designation of C2-PAD 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