

ORDINANCE NO. 864

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING THE TOWN ZONING MAP (ZMC19-005) BY CHANGING THE ZONING CLASSIFICATION OF LOT 6456, UNIT 16, FROM R2-3 (RESIDENTIAL; MULTIPLE DWELLING UNITS) TO P1 (PARKING); AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, in May of 2018 Northern Arizona Heating and Air LLC applied for a Zoning Map Change (ZMC19-005) from R2-4 (Residential; Multiple Dwelling Units) to P1 (Parking) on Lot 6456 in Unit 16 in order to develop a parking lot in conjunction with the adjacent commercial use on Lots 6457 & 6456; and

WHEREAS, in May of 2019 Northern Arizona Heating and Air LLC also requested a Minor General Plan Amendment (GPA19-001) from Medium-High Density Residential to Regional-Commercial on Lot 6456 in Unit 16 in order to adopt the zoning district designation of P1 (Parking) to develop a parking lot in conjunction with the adjacent commercial use on Lots 6457 & 6458; and

WHEREAS, on June 10, 2019 the Prescott Valley Planning and Zoning Commission held a public hearing on said Minor General Plan Amendment GPA19-001 and Zoning Map Change ZMC19-005 and recommended approval of both requests in that the zoning change (subject to conditions) would be consistent with the approved *General Plan 2025*; and

WHEREAS, the Town Council first considered these recommendations at its regular meeting held June 27, 2019 and approved Resolution No. 2099 for GPA 19-001 and approved the first reading of Ordinance No. 864 for ZMC19-005, then approved the second reading of Ordinance No. 864 at the July 11, 2019 in that such re-zoning (as conditioned) will be beneficial to the community and is in conformity with the Prescott Valley *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 to change the zoning on **Lot 6456 in Unit, 16 from R2-3 zoning to P1** zoning as shown in "Exhibit A" attached hereto and expressly made a part hereof.

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

1. Development shall be in conformance with the standards of Article 13-12 (P1) and all other applicable Town Code requirements.

In the event of non-compliance with any of the above conditions, the zoning designation for the described property shall revert from P1 back to the original designation of R2-3 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 11th day of July, 2019.



A handwritten signature in black ink, which appears to read "Kell Palguta", is written above a horizontal line.

Kell Palguta, Mayor

ATTEST:

A handwritten signature in black ink, which appears to read "Diane Russell", is written above a horizontal line.

Diane Russell, Town Clerk

APPROVED AS TO FORM:

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Ivan Legler, Town Attorney

Exhibit "A"

