

ORDINANCE NO. 1560

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AMENDING THE APACHE JUNCTION, ARIZONA, ZONING ORDINANCE, BY AMENDING THE ZONING DISTRICT MAP, CITY OF APACHE JUNCTION, ARIZONA, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PROPERTY DESCRIBED IN REZONING CASE P-24-64-PZ, A REQUEST BY TIM AND KRISTI SHEAHAN, FROM HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL ("RM-2") TO GENERAL RURAL LOW DENSITY SINGLE-FAMILY DETACHED RESIDENTIAL ("RS-GR"); REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the subject property is generally located at the southwest corner of Colt Road and 2nd Avenue in Section 21; and

WHEREAS, on November 12, 2024, the Apache Junction planning and zoning commission recommended in a vote of 4:2 to deny rezoning case No. P-24-64-PZ to city council; and

WHEREAS, pursuant to A.R.S. § 9-462.01(J), the city council, before adopting any zoning ordinance or text amendment of general applicability, shall consider the probable impact the proposed zoning ordinance or text amendment would have on the cost to construct housing for sale or rent; and

WHEREAS, the city council has determined the adoption of this ordinance or text amendment will have no negative impact on the cost to construct housing for sale or rent as delineated under A.R.S. § 9-462.01(J).

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF APACHE JUNCTION, ARIZONA, AS FOLLOWS:

SECTION I IN GENERAL

The zoning district classification on the zoning district map for the land legally described as:

The North half of the East half of the Southwest quarter of the Northeast quarter of the Southwest quarter of Section 21, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Except the North and East 33 Feet as conveyed to the City of Apache Junction in instrument recorded in Docket 1233, Page 292.

be and hereby is amended from High Density Multiple-Family Residential ("RM-2") to General Rural Low Density Single-Family Detached Residential ("RS-GR"), subject to the following conditions of approval:

- 1) The project shall be developed in accordance with the plans approved and associated with case P-24-64-PZ and all provisions of the zoning ordinance and city codes applicable to this case.
- 2) All applicable permits shall be applied for, and plans shall be designed to current city codes prior to construction.
- 3) Parcel 101-20-008A shall be split through the Pinal County minor land division process. The land split process must be completed within 12 months of rezoning approval or the rezoning may be subject to reversion by city council legislative action pursuant to Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-16: Administration, Section 1-16-6(H) (1) (b).
- 4) A 20 foot by 20 foot triangular corner cut-off visibility triangle shall be dedicated as public right-of-way at the intersection of E. 2nd Avenue Street and S. Colt Road.

SECTION II REPEALING ANY CONFLICTING PROVISIONS

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III PROVIDING FOR SEVERABILITY

If any section, subsection, sentence, phrase, clause or portion of this ordinance, or any part of the code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS _____ DAY OF _____, 2024.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2024.

WALTER "CHIP" WILSON
Mayor

ATTEST:

EVIE MCKINNEY
Acting City Clerk

APPROVED AS TO FORM:

 12.12.24

RICHARD JOEL STERN
City Attorney