

RESOLUTION NO. 25-01

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "2025 AMENDMENTS TO THE APACHE JUNCTION CITY CODE, VOLUME II, LAND DEVELOPMENT CODE, CHAPTER 1: ZONING ORDINANCE, ARTICLE 1-5: ZONING BULK AND USE REGULATIONS"; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, on January 16, 2024, the city council gave direction to staff to prepare a text amendment to integrate city council review and consideration into the land use approval process of certain high-impact, permanent land uses decisions; and

WHEREAS, the planning and zoning commission met on January 14, 2025, with a city council discussion on February 3, 2025 on the proposed amendment; and

WHEREAS, the planning and zoning commission also recommended to the city council on January 14, 2025, in a vote of 7:0, to approve the amendment; and

WHEREAS, the city council further discussed the issue at the February 18, 2025 public hearing; and

WHEREAS, Arizona Revised Statutes Annotated (hereinafter "A.R.S.") § 9-802 permits municipalities to enact the provisions of a code or public record in existence without setting forth such provisions in full text as long as the adopting ordinance is published in full text, and one paper copy is filed with the city clerk and an electronic copy is accessible on the city's website, with both made available for public use and inspection; and

WHEREAS, city staff has identified such provisions herein, and it is the intent of the city to declare such documents and compilations as public records, on file in the office of the city clerk.

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

SECTION I IN GENERAL

1. That certain document entitled the "2025 Amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-5: Zoning Bulk And Use Regulations", of which at least one paper copy is on file with the city clerk and one electronic copy of which is accessible on the city's website(www.apachejunctionaz.gov), is hereby declared to be a public record, and shall be made available for public use and inspection.

SECTION II REPEALING ANY CONFLICTING PROVISIONS

All resolutions and parts of resolutions in conflict with the provisions of this resolution or any part of the codes adopted herein, are hereby repealed.

SECTION III PROVIDING FOR SEVERABILITY

If any section, subsection, sentence, phrase, clause or portion of this resolution or any part of the codes or regulations adopted herein 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 _____, 2025.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2025.

WALTER "CHIP" WILSON
Mayor

ATTEST:

EVIE MCKINNEY
City Clerk

APPROVED AS TO FORM:

RICHARD JOEL STERN
City Attorney

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