

ORDINANCE NO. 1558

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-24-23-PZ, A PROPOSED REZONING FROM SPLIT ZONED GENERAL COMMERCIAL ("B-1") AND MEDIUM DENSITY SINGLE-FAMILY DETACHED RESIDENTIAL ("RS-20M") TO GENERAL COMMERCIAL ("B-1"); REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the proposed rezoning does not conflict with the surrounding general plan designations found in the immediate neighborhood; and

WHEREAS, on October 8, 2024, the Apache Junction planning and zoning commission recommended in a vote of 6:0, one member being absent, to approve rezoning case NO. P-24-23-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 parcel of land legally described as:

LOTS 23 AND 24, BLOCK 3, NEWTOWN, ACCORDING TO BOOK 5 OF MAPS, PAGE 23 AND AMENDED IN BOOK 5 OF MAPS, PAGE 23A, RECORDS OF PINAL COUNTY, ARIZONA.

EXCEPT THE EAST 17 FEET OF LOTS 23 AND 24, NEWTOWN, ACCORDING TO BOOK 5 OF MAPS, PAGE 23 AND AMENDED IN BOOK 5 OF MAPS, PAGE 23A, RECORDS OF PINAL COUNTY, ARIZONA AS CONVEYED TO THE CITY OF APACHE JUNCTION IN RECORDING NO. 1999-010465.

APN: 101-02-078

be and hereby is amended from General Commercial ("B-1") and Medium Density Single-Family Detached Residential ("RS-20M") to General Commercial ("B-1"), subject to the following condition of approval:

- 1) The property shall be developed in accordance with the plans associated with the case on file with the development services department as well as all applicable City zoning ordinances and other city codes.

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:

JENNIFER PENA
City Clerk

APPROVED AS TO FORM:

RICHARD JOEL STERN
City Attorney