

ORDINANCE NO. 1563

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AMENDING APACHE JUNCTION CITY CODE, VOLUME II, LAND DEVELOPMENT CODE, CHAPTER 1: ZONING ORDINANCE, ARTICLE 1-5: ZONING BULK AND USE REGULATIONS; AND BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT 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; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

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 at least 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 determined that for administrative efficiency and to reduce the publication costs, it is more appropriate to update the city code by adopting the affected text by reference; 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; after consideration, the council finds no such impact.

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

SECTION I            IN GENERAL

1. That the existing Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-5: Zoning Bulk and Use Regulations, be amended as referenced in the document noted in #2 below.
2. That certain document known as 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](http://www.apachejunctionaz.gov)), and which document was made a public record by Resolution No. 25-01, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, pursuant to A.R.S. § 9-802.

SECTION II            REPEALING ANY CONFLICTING PROVISIONS

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the codes adopted herein by reference 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 codes or regulations 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.

SECTION IV            PROVIDING FOR PENALTIES

Unless noted otherwise, any violation of any provisions adopted herein, shall be punishable as a class 1 misdemeanor consistent with Apache Junction City Code, Volume II, Chapter 1: Zoning Ordinance, Article 1-16: Administration, § 1-16-16 Violations, Penalties and Enforcement.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION 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:

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RICHARD J. STERN  
City Attorney