



City of Apache Junction

Development Services Department



Date: March 1, 2016

To: Honorable Mayor and City Council Members

Through: Bryant Powell, City Manager
Larry Kirch, Development Services Director
Rudy Esquivias, Senior Planner/Zoning Admin.

From: Jesse Regnier, Planning Intern

Subject: March 15, 2016, City Council Public Hearing Item:
PZ-2-15 (Ordinance No. 1426) City-Initiated rezoning
request for the Pueblo RV Resort.

Background

This is a city initiated request to rezone the 228-space, +/- 20.0 acre property (Pinal County APNs 102-45-01 to -231) from RVP (Recreational Vehicle Park) to RVP/PD (Recreational Vehicle Park by Planned Development). Known as the Pueblo RV Resort, the property is located at 201 East Southern Avenue on the southeast corner of South Idaho Road and East Southern Avenue. The purpose of this rezoning request is to re-assign the appropriate zoning district to this long existing recreational vehicle subdivision, which was originally zoned as a planned development when it was constructed in 1985.

Planning and Zoning Commission Recommendation

On February 23, 2016, the Planning and Zoning Commission held a public hearing regarding this request (P&Z staff report and exhibits attached). The Commission voted to recommend approval of the rezoning by a vote of 7 to 0, subject to all of Staff's recommended conditions. One member of the public expressed a concern with the rezoning altering setbacks and taxes. Staff responded by referring the person to the Pinal County Assessor regarding the question on taxes and confirmed that the setbacks would remain the same.

Attachments:

- Ordinance No. 1426
- PZ Staff Report from February 16, 2016, with all attachments

ORDINANCE NO. 1426

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 PZ-2-15, A CITY-INITIATED REZONING ON BEHALF OF THE PUEBLO RV RESORT, FROM RECREATIONAL VEHICLE PARK (RVP) TO RECREATIONAL VEHICLE PARK BY PLANNED DEVELOPMENT (RVP/PD); REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Pueblo RV Resort ("property") has been used as a recreational vehicle subdivision since its development in 1985, pursuant to Ordinance Nos. 199 and 916; and

WHEREAS, under the city's previous zoning ordinance and zoning districts maps, the property had been zoned Trailer Homesite by Planned Development ("TH/PD") since its development; and

WHEREAS, on May 6, 2014, pursuant to Ordinance No. 1402, the City adopted a new zoning ordinance and zoning district map, which inadvertently assigned the property a zoning district of Recreational Vehicle Park (RVP) instead of Recreational Vehicle Park by Planned Development (RVP/PD); and

WHEREAS, on March 18, 2015, the Apache Junction Planning and Zoning Commission directed staff to initiate a corrective rezoning for the property from RVP to RVP/PD; and

WHEREAS, on February 23, 2016, the Planning and Zoning Commission recommended approval of Case No. PZ-2-16 by a 7 to 0 vote; and

WHEREAS, the Mayor and City Council finds that the proposed rezoning: 1) conforms to all of the applicable criteria as specified in the Apache Junction City Code, Volume II, Land Development Code, Chapter 1, Zoning Ordinance, Section 1-9-3, Standards for Manufactured Home Parks and/or Recreational Vehicle Parks; and 2) conforms to Ordinance Nos. 199 and 916, which are still in full force and effect.

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

SECTION I IN GENERAL

The zoning district classification on the Zoning District Map, City of Apache Junction, Arizona, for the parcel of land legally described as:

The Pueblo, An RV Resort Community, located in the North ½ of the Northwest ¼ of the Northwest ¼ of Section 33, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona,; as recorded in Cabinet A, Slide 147, Pinal County Records (Parcels 102-45-001 through 102-45-231 inclusive).

Be and hereby is amended from RVP (Recreational Vehicle Park) to RVP/PD (Recreational Vehicle Park by Planned Development), subject to the following stipulations:

- 1) The Pueblo RV Park be operated pursuant to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1 Zoning Ordinance, Articles 1-9-3 and 1-4-3, and Ordinance Numbers 199 and 916.

SECTION II REPEALING ANY CONFLICTING ORDINANCES

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.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS _____ DAY OF _____, 2016.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2016.

JOHN S. INSALACO
Mayor

ATTEST:

KATHLEEN CONNELLY
City Clerk

APPROVED AS TO FORM:

RICHARD JOEL STERN
City Attorney