

ORDINANCE NO. 1427

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-1-16, A CITY-INITIATED REZONING ON BEHALF OF IRONWOOD HOLDINGS LLC, FROM RECREATIONAL VEHICLE PARK ("RVP") TO GENERAL COMMERCIAL ("B-1"); REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the subject site has been undeveloped since the adoption of the city's first zoning ordinance in March 1985, pursuant to Ordinance No. 350; and

WHEREAS, under the city's previous zoning ordinance and zoning districts maps, the property had been zoned Trailer Homesite and General Business ("TH" and "CB-2"); and

WHEREAS, on May 6, 2014, pursuant to Ordinance No. 1402, the City adopted a new zoning ordinance and zoning district map, which inadvertently rezoned part of the property RVP; and

WHEREAS, on January 12, 2016, the Apache Junction Planning and Zoning Commission directed staff to initiate a corrective rezoning for the property from "RVP" to "B-1"; and

WHEREAS, on February 23, 2016, the Planning and Zoning Commission recommended approval of Case No. PZ-1-16 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 1-5-3, Non-Residential Use Regulations.

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 east 156.33 feet of the following described parcel:

That part of the west half of the west half of the west half of the southwest quarter of Section 20, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, being more particularly described as follows:

Commencing at the southwest corner of said Section 20, said point also being the centerline intersection of Ironwood Drive and Broadway Avenue; thence north $0^{\circ}01'20''$ east along the west line of said section 20 and the centerline of Ironwood Drive, a distance of 980.53 feet; thence south $89^{\circ}58'40''$ east, a distance of 50.00 feet to a point on the east right-of-way line of said Ironwood Drive, said point being the true point of beginning; thence south $89^{\circ}52'34''$ east, a distance of 123.67 feet; thence south $00^{\circ}01'20''$ west, a distance of 631.41 feet; thence south $89^{\circ}52'34''$ east, a distance of 156.33 feet to a point on the east line of said west half of the west half of the west half of said Section 20; thence south $00^{\circ}01'25''$ west along said east line, a distance of 299.21 feet to a point on the north right-of-way line of Broadway Avenue; thence north $89^{\circ}52'34''$ west along said north right-of-way line, a distance of 260.00 feet; thence north $44^{\circ}55'37''$ west, a distance of 28.31 feet to a point on the east right-of-way line of Ironwood Drive; thence north $00^{\circ}01'20''$ east along said east right-of-way, a distance of 910.62 feet to the true point of beginning. Also known as, (Pinal County Assessor parcel 101-16-013C);

be and hereby amended from Recreational Vehicle Park ("RVP") to General Commercial ("B-1"), subject to the following stipulations:

- 1) At such time, as the vacant lot is developed, it must be developed pursuant to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1 Zoning Ordinance,

Section 1-5-3 for uses permitted in the B-1 General Commercial Zoning District.

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 15TH DAY OF March, 2016.

SIGNED AND ATTESTED TO THIS 15TH DAY OF March, 2016.


JOHN S. INSALACO
Mayor

ATTEST:


KATHLEEN CONNELLY
City Clerk

APPROVED AS TO FORM:

 **3-10-16**
RICHARD JOEL STERN
City Attorney

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