

ORDINANCE NO. 1479

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-5-19, A CITY-INITIATED REZONING, FROM MEDIUM DENSITY SINGLE-FAMILY DETACHED RESIDENTIAL ("RS-20M") TO GENERAL RURAL LOW DENSITY SINGLE-FAMILY DETACHED RESIDENTIAL ("RS-GR"); REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City of Apache Junction (the "City") was incorporated in November of 1978 and the zoning that was applied to the four parcels on the south side of West Greasewood Street, between North Ironwood Drive and North Gold Drive, was General Rural ("GR"); and

WHEREAS, on May 6, 2014, pursuant to Ordinance No. 1402, the City adopted a new zoning ordinance and zoning district maps, and the subject properties were inadvertently given a new zoning designation of Medium Density Single-Family Detached Residential ("RS-20M"); and

WHEREAS, property owners then voiced concerns regarding the ability to develop their properties in accordance with RS-GR regulations versus the RS-20M zoning designation; and

WHEREAS, staff observed that the lot sizes of these four parcels are 1.25 gross acres (54,450 square feet), which is more than twice the minimum lot size requirement under the zoning designation of RS-20M and is considered appropriate under the RS-GR zoning designation; and

WHEREAS, on May 14, 2019, the Apache Junction Planning and Zoning Commission gave direction to planning staff to proceed with a city-initiated rezoning for the subject properties; and

WHEREAS, on August 13, 2019, the Apache Junction Planning and Zoning Commission recommended approval in a vote of 5:0 to rezoning case PZ-5-19, subject to the conditions prescribed herein.

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, City of Apache Junction, Arizona, for the parcels of land legally described as:

Parcel No. 100-30-030A:

The West half of the Northwest quarter of the Southwest quarter of the Southwest quarter of the Southwest quarter of Section 17, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Excepting therefrom, all coal, oil, gas, and other mineral deposits as reserved in Patent recorded as docket 848, page 322, of official records; and

Parcel No. 100-30-030E:

The East half of the West half of the North half of the Southwest quarter of the Southwest quarter of the Southwest quarter of Section 17, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Excepting therefrom, all coal, oil, gas, and other mineral deposits as reserved in the Patent recorded in Docket 848, Page 322, records of Pinal County, Arizona; and

Parcel No. 100-30-030D:

The West half of the East half of the North half of the Southwest quarter of the Southwest quarter of the Southwest quarter of Section 17, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Except therefrom, all coal, oil, gas, and other mineral deposits as reserved in the Patent recorded as Docket 848, Page 322; and

Parcel No. 100-30-030C:

The East half of the Northeast quarter of the Southwest quarter of the Southwest quarter of the Southwest quarter of Section 17, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Except therefrom, all coal, oil, gas, and mineral deposits as reserved in Patent recorded as Docket 848, Page 322;

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

- 1) The property owners shall dedicate necessary right-of-way to the City along the bordering street fronts (Greasewood Street, Ironwood Drive or Gold Drive), as applicable.

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 \_\_\_\_\_, 2019.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
JEFF SERDY  
Mayor

ATTEST:

\_\_\_\_\_  
KATHLEEN CONNELLY  
City Clerk

APPROVED AS TO FORM:

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RICHARD JOEL STERN  
City Attorney