ORDINANCE NO. 711

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE OFFICIAL ZONING MAP FOR THE TOWN OF PAYSON, AMENDING ORDINANCE NO. 466 AND AMENDING THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 1002 WEST AIRPORT ROAD, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBER 302-23-055, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R1-175 TO M-2 (TOWN'S MAINTENANCE FACILITY).

WHEREAS, the Town of Payson from time to time amends its Official Zoning Map and Official Zoning Code for the purpose of accommodating zoning changes; and

WHEREAS, Application No. P-316-05 to amend the Official Zoning Map and Official Zoning Code has been made by Town of Payson, property owner (LaRon Garrett, representative) to the Planning and Zoning Commission and the Town Council; and

WHEREAS, the Planning and Zoning Commission held a public hearing on March 12, 2007, considered the issues, and made recommendation on Application No. P-316-05 to the Town Council; and

WHEREAS, the Town Council held a public hearing on April 5, 2007, in regard to said Application No. P-316-05 and has considered the issues relating thereto,

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AS FOLLOWS:

Section 1. Ordinance No. 466 of the Town of Payson, the Official Zoning Map for the Town of Payson and the Zoning Code for the Town of Payson be and each is hereby amended to establish a zoning district of M-2 for that portion of the certain real property located at 1002 West Airport Road, Gila County Assessor's Parcel Number 302-23-055, more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference (the "Property").

Section 2. That the requested rezoning and the use and density of the Property as proposed by Application No. P-316-05 are hereby made contingent upon those conditions set forth in Section 3 below, and are found to be consistent with the General Plan of the Town of Payson, as required by A.R.S. § 9-462.01(F).

Section 3. The foregoing changes in zoning shall be and are hereby specifically made contingent upon and conditional upon each of the following:

Any future improvements and/or uses shall be subject to all development standards, codes and ordinances in effect at the time improvements are constructed.

1st Reading & Pub. Hrg. APR 05 2007 G.13
2nd Reading & Public Hearing APR 19 2007 G.10

Section 4. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2007, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

_____
F. Robert Edwards, Mayor

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Samuel I. Streichman, Town Attorney

Prepared by Town of Payson Legal Department, March 21, 2007 (3:13pm)
C:\Documents and Settings\twright\My Documents\aa Tim Wright\Tim Wright Word Perfect Documents\ORDINANCES\711 rezoning 1002 West Airport Road.wpd

LEGAL DESCRIPTION
1002 W. Airport Road

POR OF GOVT LOTS 11 & 19 SEC 33 T11N R10E; BEG AT THE W1/4 CORNER COR SEC 33 G&SRB&M TH N0D11'46 E 387.50'; TH N75D59'05 E 2731.44'; TH S0D01'52 E 82.44'; TH S75D59'05 W 505.81'; TH ALG A LEFT CURV R=460' L=320.08 TH S36D'02'00" W 826.92'; TH N 89D56'02 W 87.55'; TH S89D57'37 W 1325.59' TO POB; = 25.11 AC M/L; (OUT OF STATE TRUST LAND)

EXHIBIT A TO ORDINANCE 711

SUMMARY OF AGENDA ITEM

DATE: **March 19, 2007**

TO: **Mayor and Council**

FROM: **Jerry Owen**
Community Development Director

SUBJECT: **Ordinance #711 1002 W. Airport Road – P-316-05**
Rezone from R1-175 to M-2

PURPOSE:

A request from Town staff to amend the zoning map from R1-175 to M-2 at 1002 W. Airport Road to accommodate current and future use of this site as a General Industry district.

SUMMARY:

This case is a request by the Town of Payson for a zone change from R1-175 to M-2 to accommodate the current and future land uses at the Town's Maintenance Facility. The site is bordered by the Payson Airport to the north, R1-175 National Forest land to the west, R1-175 state land to the to the east. Airport Road separates the site from the R1-8 property, proposed single-family residential subdivision to be called Falcon Lookout on the south. The existing Town owned site is approximately 25.11 acres.

The Land Use Element (Chapter 3) of the Town of Payson General Plan designates this property as Employment area. The proposed M-2 zoning designation meets the intent of the Land Use Element.

No infrastructure improvements are planned for the site as it abuts the recently improved section of W. Airport Road. There are no current plans for further improvements on the site. Any future development would be subject to applicable codes and ordinances in effect at the time improvements are to be constructed.

Public sanitary facilities are currently being utilized.

The Planning & Zoning Commission recommended approval to the Town Council of the rezoning (P-316-07) for 1002 W. Airport Road, from R1-175 to M-2, at a public hearing on March 12, 2007 on a 7-0 vote subject to the following condition:

* Any future improvements and/or uses shall be subject to all development standards, codes and ordinances in effect at the time improvements are constructed.

APR 0 5 2007 G.13

MEMO

TO: Planning and Zoning Commission

FROM: Jerry Owen, Community Development Director

DATE: March 12, 2007

SUBJECT: 1002 W. Airport Road – Rezone R1-175 to M-2 **P-316-05**

Analysis
This case is a request by the Town of Payson for a zone change from R1-175 to M-2 to accommodate the current and future land uses at the Town's Maintenance Facility. The site is bordered by the Payson Airport to the north, R1-175 National Forest land to the west, R1-175 state land to the to the east. Airport Road separates the site from the R1-8 property, proposed single-family residential subdivision to be called Falcon Lookout on the south. The existing Town owned site is approximately 25.11 acres.

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Public sanitary facilities are currently being utilized.

Staff Recommendation:

Approval with conditions listed below;

1. Any future improvements and/or uses shall be subject to all development standards, codes and ordinances in effect at the time improvements are constructed.
2. Any other condition deemed necessary by the Commission.

Suggested Motion to recommend Approval:

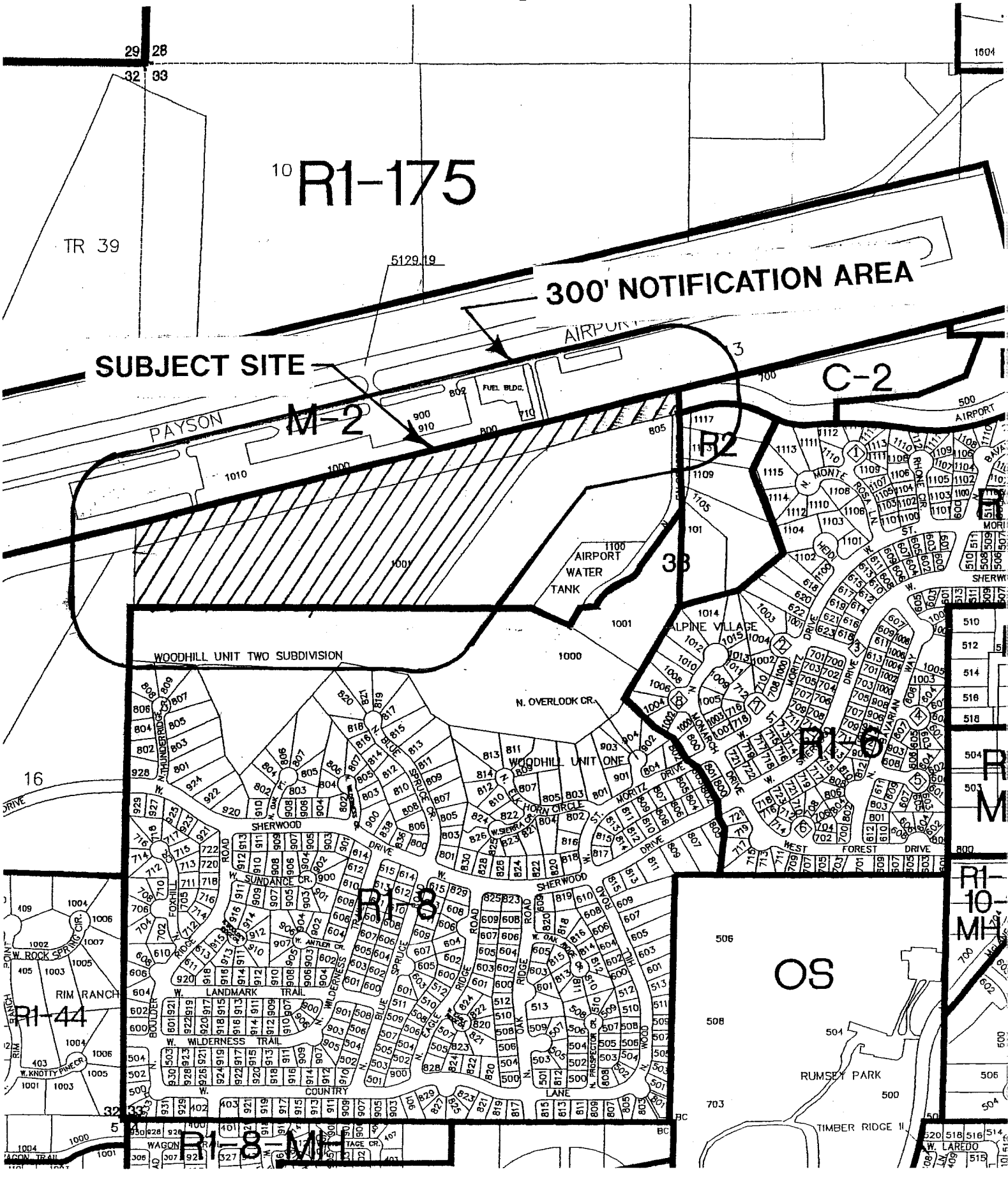
"I move the Planning & Zoning Commission recommend to the Town Council approval of P-316-05, a request to rezone a 25.11 acre property located at 1002 W. Airport Road from R1-175 to M-2 to accommodate current and future industrial uses subject to the conditions recommended by staff."

MAR 1 2 2007 C.3

Neighborhood Involvement

A Citizens Participation Meeting was held on February 14, 2007. No citizens attended the meeting. No subsequent comments have been received by the Community Development Department.

Map Depicting the Subject Site, 300' Radius & Notification Area for 1002 W. Airport Road



CASE NUMBER P-316-05

TOWN OF PAYSON
PLANNING AND ZONING COMMISSION or
BOARD OF ADJUSTMENTS APPLICATION

The undersigned Applicant(s) hereby applies for:

- ☐ Abandonment Request
- ☐ Administrative Appeal
- ☐ Code Amendment
- ☐ Conditional Use Permit
- ☐ Development Master Plan
- ☐ Devel. Agreement, PAD & SPD
- ☐ Final Subdivision Plat
- ☐ General Plan or Land Use Plan Amendment
- ☐ Minor Land Division
- ☐ P & Z Commission Appeals
- ☐ Preliminary Subdivision Plat
- ☐ Temporary Use Permit
- ☐ Variance
- ☒ Zone Change

Project Address: 1002 W. Airport Road Tax Parcel Number: 302-23-055
Subdivision: N/A Lot Number: N/A
Name of Applicant(s): Town of Payson Phone #: 928-474-5242
Mailing Address: 303 N. Beeline Hwy Town: Payson St: AZ Zip: 85541
Name of Property Owner(s): Town of Payson
Mailing Address: 303 N. Beeline Hwy Town: Payson St: AZ Zip: 85541
Contact Person: LaRon Garrett Phone #: 928-474-5242 Fax #: 928-472-7490
Payson Business License # N/A Sales Tax # N/A

Detailed Description of Request: Rezone from RI-175 to M-2 to accomodate current and future uses.

(Note: Additional Description area can be included in an attachment)

Certification: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address, or that for the purpose of obtaining this approval I am an authorized agent on the owners behalf.

LaRon G Garrett — Print Name
LaRon G Garrett — Signature
1-31-07 — Date

STAFF USE ONLY - PERTINENT DATA			
APPLICATION	DATE	INITIALS	APPLICATION FEE: $ N/A
DATE FILED	1/31/07	SLd	
COMPLETED APPLICATION	2/15/07	SLd	
NEWSPAPER PUBLICATION	2/23/07	SLd	
300' NOTIFICATION MAILOUT	2/20/07	SLd	
POSTING DATE	2/23/07	SLd	CHECK NUMBER: N/A DATE: N/A

RECOMMENDATION		DECISIONS	
By:	Date:	By:	Date:

Mar 2005

710
[All/Center/Dynamic/Extents/Previous/Scale/Window] <real time>:
Specify opposite corner:
Command: