

ORDINANCE NO. 06-30 FAILED 12-5-06

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, AMENDING THE TOWN OF DEWEY-HUMBOLDT ZONING MAP FOR APN 402-02-271E REZONING OF APPROXIMATELY 2 ACRES FROM R1L-25 (RESIDENTIAL, SINGLE FAMILY LIMITED) TO RS-25 (RESIDENTIAL AND SERVICES) FOR THE USE OF EXISTING STRUCTURE AND FUTURE CONSTRUCTION OF PERMITTED BUILDINGS.

WHEREAS, the Town of Dewey-Humboldt has adopted a Planning and Zoning Ordinance and Zoning Map to govern the development of property within the Town limits; and

WHEREAS, the Planning and Zoning Commission of the Town of Dewey-Humboldt has recommended adopting the requested Zoning Map change Z-06-08; and

WHEREAS, this requested amendment has been properly noticed for public hearing and the necessary hearing was completed on December 5, 2006; and

WHEREAS, the adopted Planning and Zoning Ordinance for the Town of Dewey-Humboldt, Arizona will enhance the health, safety, and welfare of the community; and

NOW THEREFORE, be it ordained by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona that:

Section 1: Adoption of an amendment to the Town of Dewey-Humboldt Zoning Map. The Town of Dewey-Humboldt Zoning Map, a copy of which is on file with the Town Clerk, is hereby amended with stipulations as listed in Exhibit "A".

Section 2: Authorization to Prepare Documents. The Town Manager, Town Clerk, Town Engineer, Town Attorney and any other necessary persons are hereby authorized to prepare the agreements, forms and instruments contemplated to be used by the Town in implementing the provisions of the Town Planning and Zoning Ordinance.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona, this 5th day of December, 2006.

Robert Greene, Mayor

ATTEST:

APPROVED AS TO FORM:

**Town Clerk
Debbie Gifford**

**Town Attorney
Kenton Jones**

ORDINANCE NO. 06-30**EXHIBIT "A"****The following stipulations accompany the approval of Z-06-08:**

1. This development shall comply with all applicable federal, state, and county requirements. This development shall comply with all applicable Town of Dewey-Humboldt codes and ordinances in effect at the time of any final plat or commercial site plan approval.
2. Any lot splits or subdivision of the property shall conform to the adopted Town of Dewey-Humboldt subdivision regulations.
3. This development shall be in general conformance with the site plan, dated July 17, 2006, and with the submittal letter dated July 28, 2006 that is included in the submittal booklet as Tab "2".
4. Future site plans, improvement plans and building elevations for any additional structures shall be submitted to the Town for review and recommendation by the Planning and Zoning Commission and review and action by the Town Council. These plans will be reviewed in accordance with the approved 'theme' contained in the application packet and public presentations for this rezoning
5. The applicant or subsequent property owners association shall be responsible for all improvements and maintenance.
6. Prior to the issuance of a certificate of occupancy for Phase II, the applicant or subsequent property owner shall provide a right-turn lane on Highway 69. This shall be designed and constructed to the specifications of the Arizona Department of Transportation and installed or bonded for or concurrent with the construction of Phase II.
7. Drainage facilities for Phase I shall be brought into conformance with the specifications of the Town of Dewey-Humboldt Drainage standards or the 2003 drainage plan approved by Yavapai County. Any material modification or deviation from the approved grading and drainage plan shall be submitted to the Town by an engineer licensed to practice in Arizona and shall be approved by the Town Engineer prior to construction. Phase II drainage improvements shall be compatible with Phase I drainage improvements, and drainage plans for both phases shall provide on-site retention.
8. Any parking lot and building illumination shall conform to the Dewey-Humboldt Zoning Ordinance Section 603, Lighting Control. No light source shall be visible from adjacent properties.

The lighting “glow” shall be buffered from off-site by property line, parking lot and other ground-plane landscaping and other screening devices. Landscaping shall be compatible with the Arizona Department of Water Resource Low Water Use and Drought Tolerant Plant List for the Prescott Active Management Area. All buffer trees shall be non-deciduous and/or semi-deciduous. A detailed landscape plan shall accompany any and all site plans submitted for approval and construction of Phase II.

9. All buildings will be limited to one story and be no more than 25 feet in height.
10. All utilities extended on-site from the perimeter of the site shall be underground.
11. Phase II and screening design will be generally consistent with the Concept Plan presented by Applicant on November 9, 2006. On-site signage for businesses will be subject to the Town’s sign ordinance requirements. Elevations facing State Route 69 will be subject to review by the Planning and Zoning Advisory Commission.