

ORDINANCE NUMBER 571

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING MAP OF THE CITY OF COTTONWOOD, ARIZONA, FOR A PARCEL OF LAND TOTALING APPROXIMATELY 1.19 ACRES, LOCATED ALONG THE WEST SIDE OF QUAIL TRAIL, 200 FEET NORTH OF EAST MINGUS AVENUE, APN 406-42-012B; SO AS TO CHANGE CERTAIN DISTRICT BOUNDARIES AND CLASSIFICATIONS THEREOF FROM THE PRESENT ZONING OF C-1 (LIGHT COMMERCIAL) TO PAD (PLANNED AREA DEVELOPMENT).

WHEREAS, the Planning & Zoning Commission held a public hearing on January 24, 2011, concerning the rezoning of property owned by Taylor Living Trust, Tom Taylor, Agent and has recommended approval of this request and the requirements of A.R.S. § 9-462.04 have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

**Section 1:** That the following described parcel of land (APN 406-42-012B) lying within the City of Cottonwood, Yavapai County, Arizona, shall be and is hereby reclassified from C-1 (Light Commercial) to PAD (Planned Area Development), subject to the applicant's compliance with the conditions and stipulations set forth below under Section 2.

A parcel of ground lying in the Northwest Quarter of Section 34, Township 16 North, Range 3 East, G.&S.R.M., City of Cottonwood, Yavapai County, Arizona, being a portion of that parcel as described in Book 3721 of Official Records, Page 671, this parcel now being described as follows:

Commencing at the center of Section 34;

THENCE South 89° 23' 52" West along the east-west mid-section line a distance of 1020.74 feet to the Southeast Corner of the above referenced parcel;

THENCE North 00° 04' 28" East along the east line of the above referenced parcel a distance of 237.39 feet to the True Point of Beginning;

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THENCE North 00° 04' 28" East 152.68 feet to the Northeast Corner of the above referenced parcel;

THENCE South 89° 24' 50" West 339.02 feet to the Northwest Corner of the above referenced parcel;

THENCE South 00° 14' 35" West 152.64 feet to a point on the west line of the above referenced parcel;

THENCE North 89° 25' 23" East 339.47 feet to the True Point of Beginning containing 1.19 acres, more or less.

**Section 2:** That the Planning and Zoning Commission and City Council have determined the following items necessary as conditions of the zoning approval to protect the public health, safety and general welfare:

1. That the use comply with the Master Development Plan dated 11/9/10.
2. That a shared access and parking agreement be submitted for staff review and approval.
3. That sidewalks adjacent to head-in parking areas either be widened to 7 foot (per the Landscape Code) or an alternative means be provided for preventing encroachment of sidewalks by car bumpers, subject to staff review and approval.
4. That the rainwater cistern contamination prevention system be approved the by the Engineering Department.
5. That administrative sign permits be obtained for all signs.
6. That the applicant address all other Code Review comments from the meeting dated 2/26/10.

**Section 3:** The zoning map shall be amended to reflect this zone change only upon compliance with all zoning conditions set forth herein.

**Section 4:** That at least three (3) copies of the zoning map of the City of Cottonwood, Arizona, as hereby amended be kept in the office of the City Clerk for public use and inspection.

**Section 5:** Severability: That if any section, subsection, sentence, clause, phrase or portion of this ordinance adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions thereof.

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PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE  
MAYOR OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, THIS 15TH DAY OF  
MARCH 2011.

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Diane Joens, Mayor

ATTEST:

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Marianne Jiménez, City Clerk

APPROVED AS TO FORM:

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Steve Horton, Esq.  
City Attorney