

ORDINANCE NO. 18-03

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF YOUNGTOWN BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY CONSISTING OF APPROXIMATELY 0.18 ACRES, LOCATED AT 11101 WEST JERSEY AVENUE, YOUNGTOWN, ARIZONA 85363, IN ZONING CASE Z18-000001 FROM TOWN OF YOUNGTOWN SINGLE FAMILY DWELLING (R-3) ZONING DISTRICT TO RESIDENTIAL WITH A NEIGHBORHOOD COMMERCIAL OVERLAY (RNC OVERLAY); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR NON-SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, by adoption of this Ordinance, the Town Council desires to permit mixed use development to further economic development opportunities; and

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Youngtown General Plan; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws;

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Youngtown, Arizona, as follows:

Section I. In General.

1. The Official Zoning Map of the Town of Youngtown, Arizona, is hereby amended by changing the zoning classification of property consisting of approximately 0.18 acres described in the legal description, Exhibit 1 and shown on the Zoning Exhibit (map) in Exhibit 2 (the "Property"), both attached hereto and incorporated herein by this reference, from Town of Youngtown single family dwelling (R-3) zoning district to Town of Youngtown residential with a neighborhood commercial overlay (RNC Overlay).

2. The Property shall be used and developed in accordance with the Zoning Code of the Town of Youngtown and development of the Property shall be in conformance with the Residential Districts with Neighborhood Commercial Overlay Design Guidelines. One paper copy and one electronic copy, which are on file with the Town Clerk are declared a public record.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Non-Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and shall have no force or effect.

Section IV. Providing for Penalties.

Any person found in violation of any provision of this Ordinance shall be responsible under Section 17.04.110 of the Town Zoning Code for a class one misdemeanor punishable by a fine of no more than two thousand five hundred dollars (\$2,500.00) or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

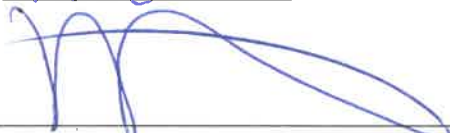
PASSED AND ADOPTED by the Common Council of the Town of Youngtown, Arizona, this 1 day of March, 2018, by the following vote:

AYES: 7

NAYES: _____ ABSENT: _____

EXCUSED: _____ ABSTAINED: _____

APPROVED this 1 day of March, 2018.




Michael E. LeVault, Mayor

ATTEST:



Mary Reynolds, Town Clerk

APPROVED AS TO FORM:



Trish Stuhan, Gust Rosenfeld, PLC, Town Attorney

I, MARY REYNOLDS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 18-03 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN ON THE 1 DAY OF March, 2018, WAS POSTED IN FOUR PLACES ON THE 2 DAY OF March, 2018.



Mary Reynolds, Town Clerk

The following exhibits are attached hereto and incorporated herein:

- 1. Legal Description
- 2. Zoning Exhibit (map)

Exhibit 1:
Legal Description

Lot 106, of YOUNGTOWN 5A REPLATTED, according to Book 97 of Maps, Page 25, record of Maricopa County, Arizona.

Exhibit 2:
Zoning Exhibit (Map)

