

ORDINANCE NO. 702-23

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA, AMENDING THE ZONING CLASSIFICATION OF THE FOLLOWING EIGHTEEN (18) PARCELS FROM THEIR CURRENT ZONING DISTRICT CLASSIFICATION TO THE COMMUNITY COMMERCIAL (C-2) ZONING DISTRICT CLASSIFICATION, TO INCLUDE PARCEL NUMBERS 80216017, 80102019, 80102003C, 80102017, 80101009Y, 80101009W, 80101009V, 80101009Z, 80102011 AND 80102016 FROM PLANNED DEVELOPMENT (PD); AND, PARCEL NUMBERS 80112003Y, 80115008D, 80115006A, 80115002 AND 80115001 FROM PLANNED RECREATION DEVELOPMENT (PRD); AND PARCEL NUMBER 80216010 FROM FUTURE DEVELOPMENT (FD); AND, PARCEL NUMBERS 80101009N AND 80101016 FROM REGIONAL COMMERCIAL (C-3), AND WHERE TWO OF THESE PARCELS, 80216017 AND 80112003Y ARE ALSO REQUESTING A MIXED-USE OVERLAY DISTRICT ON TOP OF THE (C-2) ZONING.

WHEREAS, the City of Page Planning and Zoning Commission held a public hearing on Zoning Case No. ZON 23-001 on February 7, 2023, to consider amending the zoning classification of eighteen (18) total parcels, including ten (10) from the Planned Development (PD) Zoning District; five (5) from the Planned Recreation Development (PRD) Zoning District; one (1) from the Future Development (FD) Zoning District; and, two (2) from the Regional Commercial (C-3) Zoning District to the Community Commercial (C-2) Zoning District classification, and where two (2) of these parcels, 80216017 and 80112003Y are also requesting a Mixed-Use Overlay District on top of the (C-2) Zoning; and

WHEREAS, the property owners for all eighteen (18) parcels have agreed to the zoning changes to be conducted by City Staff on behalf of the owners; and

WHEREAS, due and proper notice of such public hearing before the City of Page Planning and Zoning Commission was given in the time, form, substance and manner provided by law; and

WHEREAS, the City of Page Planning and Zoning Commission has unanimously recommended the adoption of Zoning Case No. ZON 23-001 as aforesaid; and

WHEREAS, the Mayor and City Council have determined that the zoning classification amendments conform to the City of Page General Plan, and after considering the individual property rights and personal liberties of the residents of the City, and the probable impact and cost savings of the proposed zoning on the cost to construct housing for sale or rent, by changing the zoning of these eighteen (18) parcels to make them readily available for immediate development, desire to accept the recommendation of the City of Page Planning and Zoning Commission and rezone Parcel Numbers 80216017, 80102019, 80102003C, 80102017, 80101009Y, 80101009W, 80101009V, 80101009Z, 80102011, 80102016, 80112003Y, 80115008D, 80115006A, 80115002, 80115001, 80216010, 80101009N and 80101016 to the Community Commercial (C-2) Zoning District, which combined is approximately 111.50 acres(±), and also rezone Parcel Numbers 80216017 and 80112003Y to include a Mixed-Use Overlay District on top of the (C-2) Zoning, as more particularly described in Exhibits A, B, C and D.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA, as follows:

Section 1. The Planned Development (PD) Zoning District classification of Parcel Numbers 80216017, 80102019, 80102003C, 80102017, 80101009Y, 80101009W, 80101009V, 80101009Z, 80102011, and 80102016, which combined are approximately 42.18 acres (±), as more particularly described in Exhibit A, are hereby amended to the Community Commercial (C-2) Zoning District classification.

Section 2. The Planned Recreation Development (PRD) Zoning District classification of Parcel Numbers 80112003Y, 80115008D, 80115006A, 80115002 and 80115001, which combined are approximately 57.52 acres (±), as more particularly described in Exhibit B, are hereby amended to the Community Commercial (C-2) Zoning District classification.

Section 3. The Future Development (FD) Zoning District classification of Parcel Number 80216010, which is approximately 10.0 acres (±), as more particularly described in Exhibit C, is hereby amended to the Community Commercial (C-2) Zoning District classification.

Section 4. The Regional Commercial (C-3) Zoning District classification of Parcel Numbers 80101009N and 80101016, which combined are approximately 1.80 acres (±), as more particularly described in Exhibit D, are hereby amended to the Community Commercial (C-2) Zoning District classification.

Section 5. The Planned Development (PD) Parcel Number 80216017 and Planned Recreation Development (PRD) Parcel Number 80112003Y are hereby amended to the Community Commercial (C-2) Zoning District with a Mixed-Use Overlay District on top of the (C-2) Zoning District classification.

Section 6. All development shall be in accordance with all relevant City Zoning, Subdivision, Building, Fire and Life Safety and Development codes.

Section 7. That the City of Page Zoning Map is hereby amended to reflect the zoning classification change.

Section 8. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed, effective thirty (30) days from the adoption hereof.

Section 9. 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 a 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 PAGE, COCONINO COUNTY, ARIZONA this 20th day of February, 2023, by the following vote:

Ayes	<u>7</u>
Nays	<u>0</u>
Abstentions	<u>0</u>
Absent	<u>0</u>

CITY OF PAGE

By [Signature]
Vice Mayor

ATTEST:

[Signature]
CITY CLERK

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY



EXHIBIT A

Parcels going from Planned Development (PD) to Community Commercial (C-2)

Planned Development (PD) Properties subject to this Zone Change to (C-2):

(Parcel numbers on map correspond to parcel number Legal Descriptions that follow)

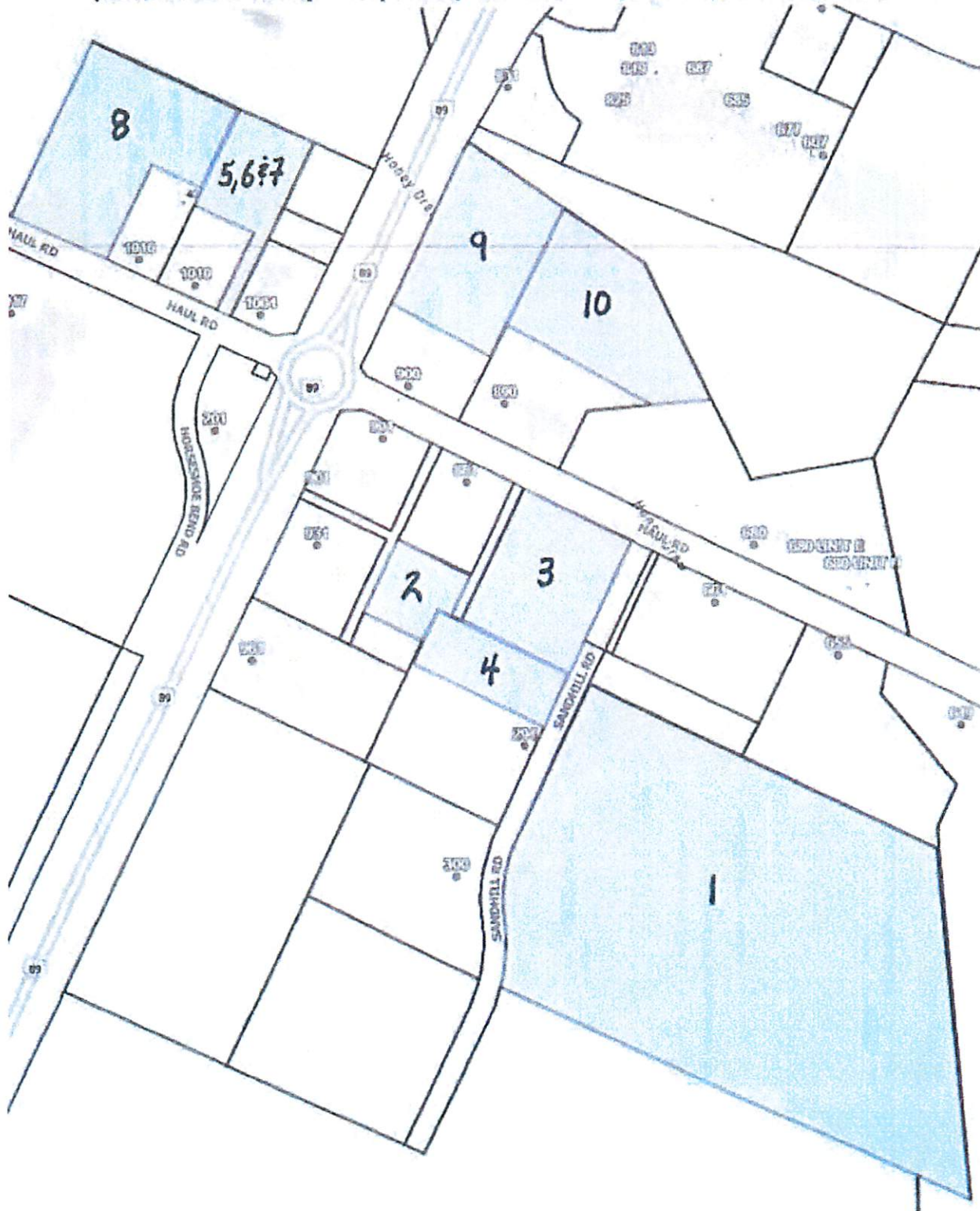


EXHIBIT A - CONTINUED

Legal Descriptions of the Planned Development (PD) Properties subject to this Zone Change Request to Community Commercial (C-2):

1. **PARCEL #80216017, 24.0 acres± - Undeveloped:** Lot 8, Block 276, of the City of Page Major Subdivision, as shown on the Plat thereof, recorded in Instrument No. 377023, records of Coconino County, Arizona.
2. **PARCEL #80102019, 43,436 Sq. Ft.± - Undeveloped:** Lot 3F-2, Plat of Division of Lot 3F-1, Block 275, City of Page, as set forth on plat recorded in Instrument No. 3745020, records of Coconino Co., Arizona, being a replat of Lot 3F-1, Block 275, as set forth on Amended Final Plat, City of Page, recorded in Case 7, Map 52, records of Coconino Co., Arizona.
3. **PARCEL #80102003C, 3.0 acres± - 751 Haul Road:** Lot 2, Block 275, of Final Plat of City of Page, according to the plat of record in the office of the Recorder of Coconino Co., Arizona, recorded in Case 6, Map 52.
4. **PARCEL #80102017, 64,113 Sq. Ft.± - Undeveloped:** Lot 3H-1, Plat of Division of Lot 3H, Block 275, City of Page, as set forth on plat recorded in Instrument No. 3745019, records of Coconino Co., Arizona, being a replat of Lot 3H, Block 275, as set forth on Final Plat, City of Page, recorded in Case 6, Map 98, records of Coconino Co., Arizona.
5. **PARCEL #80101009Y, 0.48 acres± - Undeveloped:** Subdivision: Page (Block 273 Lots 1F-1I 1D Amended) Inst. No. 3556269 Block 273 Lot: 1I FKA 3556269 Sixteenth: SE Quarter: SW Section: 36 Township: 41N Range: 08E: Sixteenth: SW Quarter: SE Section: 36 Township: 41N Range: 08E, records of Coconino Co., Arizona.
6. **PARCEL #80101009W, 34,757 Sq. Ft.± - Undeveloped:** Subdivision: Page (Block 273 Lots 1F-1I 1D Amended) Instrument No. 3556269 Block: 273 Lot: 1H FKA 3556269 Sixteenth: SE Quarter: SW Section: 36 Township: 41N Range: 08E, records of Coconino Co., Arizona.
7. **PARCEL #80101009V, 0.38 acres± - Undeveloped:** Subdivision: Page (Block 273 Lots 1F-1I 1D Amended) Instrument No. 3556269 Block: 273 Lot: 1G FKA 3556269 Sixteenth: SE Quarter: SW Section: 36 Township: 41N Range: 08E, records of Coconino Co., Arizona.
8. **PARCEL #80101009Z, 4.24 acres± - Undeveloped:** Subdivision: Page (Block 273 Lots 1D1, 1D2 Amended) Instrument No. 3862330 Block: 273 Lot: 1D1 FKA 3556269 Sixteenth: SE Quarter: SW Section: 36 Township: 41N Range: 08E Sixteenth: NE Quarter: SW Section: 36 Township: 41N Range: 08E, records of Coconino Co., Arizona.
9. **PARCEL #80102011, 3.34 acres± - Undeveloped:** A portion of Lot 6, Block 500 of Page Townsite, as recorded in Case 6, Map 19 of the Records of Coconino Co., Arizona, situated in Section 36, Township 41N, Range 8E, Coconino Co., Arizona, more particularly described as follows:
From the SW lot corner of said Lot 6, said point being a found ½" rebar w/cap 19829, thence N 24° 46' 13" E (basis of bearing (S lot line of Lot 6): N 63° 45' 12" W), along the W lot line of said Lot 6, for a distance of 211.53 feet to a set ½" rebar w/cap 14671, said point being the TRUE POINT OF BEGINNING: Thence continue N 24° 46' 34" E, along said W lot line, for a distance of 467.77 feet, to a found ½" rebar w/cap 19829; Thence N 29° 46' 05" E, along said W lot line, for a distance of 17.47 feet to a calculated point, said point being the NW corner of said Lot 6; Thence S 54° 59' 40" E, along the N lot line of said Lot 6, for a distance of 318.55 feet to a found ½" rebar w/cap 19829, said point being the NW corner of said Lot 6; Thence S 26° 06' 36" W, along the E lot line of said Lot 6, for a distance of 454.13 feet to a set ½" rebar w/cap 14671; Thence N 60° 27' 13" W for a distance of 305.49 feet to the TRUE POINT OF BEGINNING.
10. **PARCEL #80102016, 151,496 Sq. Ft.± - 880 Haul Road:** Lot 7B, Block 500, Page Townsite, as shown of the Survey recorded in Instrument No. 3718874, records of Coconino Co., Arizona.

EXHIBIT B

Parcels going from Planned Recreation Development (PRD) to Community Commercial (C-2)

Planned Recreation Development (PRD) Properties subject to this Zone Change to (C-2):
(Parcel numbers on map correspond to parcel number Legal Descriptions that follow)

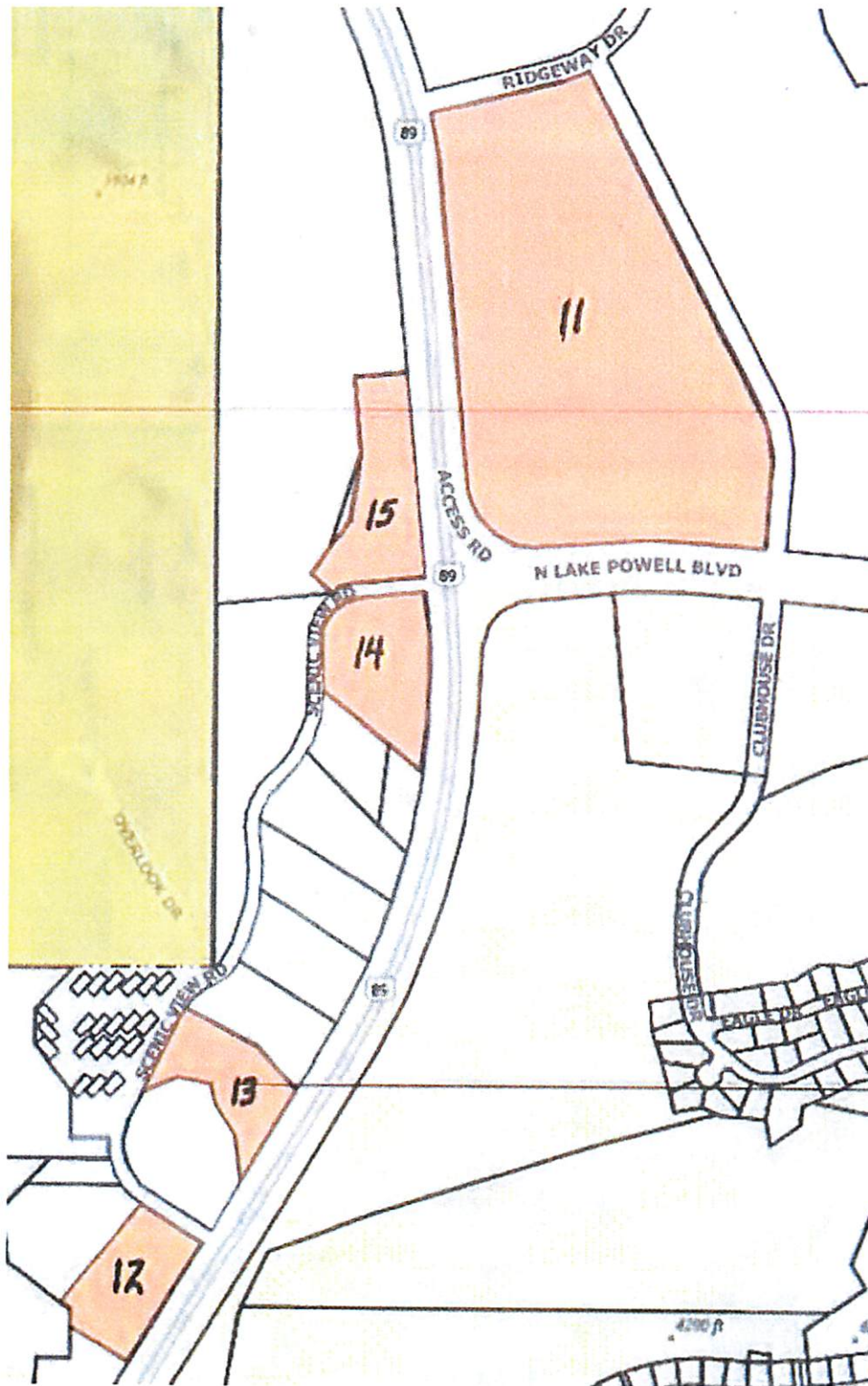


EXHIBIT B - CONTINUED

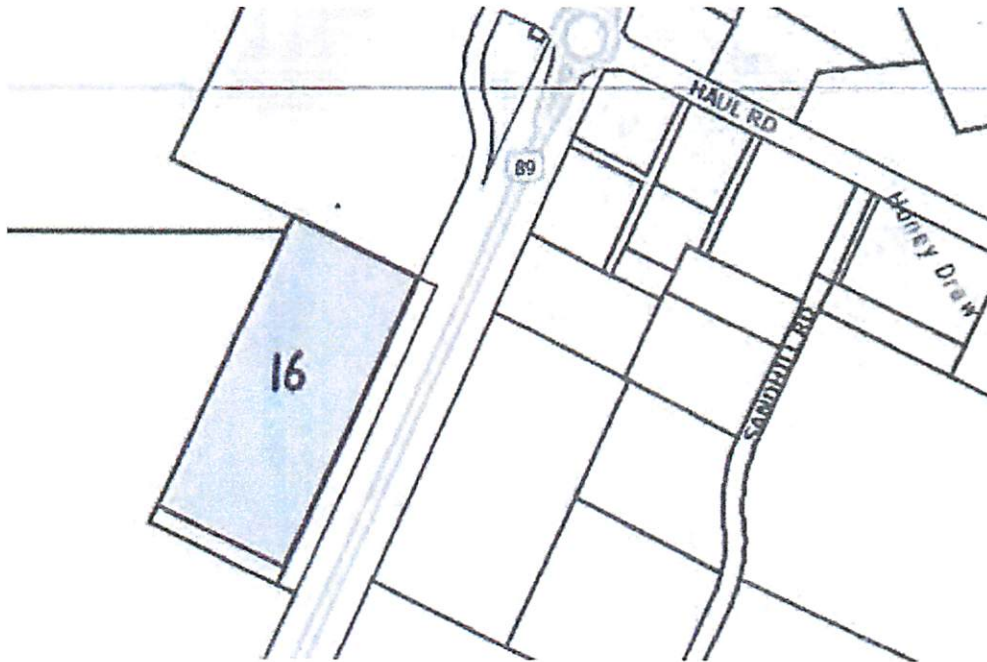
Legal Descriptions of the Planned Recreation Development (PRD) Properties subject to this Zone Change Request to Community Commercial (C-2):

- 11. PARCEL #80112003Y, 40.0 acres± - Undeveloped:** *Lot 1, Block 435, Amended Final Plat City of Page, A Major Subdivision according to the plat of record in the office of the Recorder of Coconino Co., Arizona, recorded in Case 7, Map 15.*
- 12. PARCEL #80115008D, 4.0 acres± - Undeveloped:** *Lot 1B-1, Block 429, of the City of Page, according to the plat of record in the office of the Recorder, Coconino Co., Arizona, recorded in Case 9, Map 91.*
- 13. PARCEL #80115006A, 3.54 acres± - Undeveloped:** *Lot 2A, Block 430, Scenic View Resorts Re-Subdivision Lot 2A, Block 430, of Final Plat, City of Page Re-Subdivision of Scenic View Resorts Lots 2, 3 and 4, Block 430 into Lots 2A and 2B, 3A, 4A and 4B, Block 430, Section 25, Township 41 North, Range 8 East and Section 30, Township 41 North, Range 9 East, as shown on the plat thereof and recorded as Case 6, Map 85, records of Coconino Co., Arizona.*
- 14. PARCEL #80115002, 4.96 acres± - Undeveloped:** *Lot 6, Block 430, Amended Plat of Scenic View Resorts, as shown on the plat thereof, recorded in Case 6, Map 8, records of Coconino Co., Arizona.*
- 15. PARCEL #80115001, 218,573 Sq. Ft.± - Undeveloped:** *Lot 1, Block 431, a portion of Section 30, Township 41 North, Range 9 East, Gila and Salt River Base and Meridian, Coconino Co., Page, Arizona.*

EXHIBIT C

Parcel going from Future Development (FD) to Community Commercial (C-2)

Future Development (FD) Property subject to this Zone Change to (C-2):
(Highlighted Parcel on map corresponds to the Legal Description that follows)



Legal Description of the Future Development (FD) Property subject to this Zone Change Request to Community Commercial (C-2):

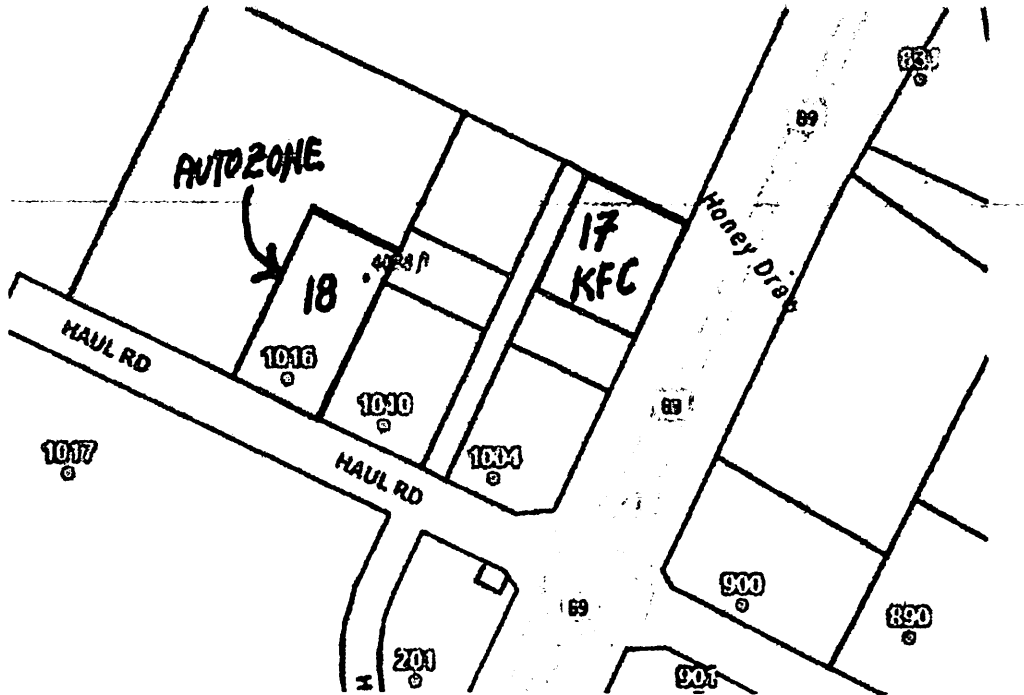
16. PARCEL #80216010, 10.0 acres± - Undeveloped: Lot 3, Block 274, of Major Subdivision, City of Page, according to the plat or record in the office of the recorder of Coconino Co., Arizona, recorded in Case 9, Map 90, and more particularly described as follows:

Beginning at the brass cap representing the N quarter corner of Section 1, Township 40N, Range 8E, with a backsight reference of N 89° 44' 21" E to the brass cap representing the North-Easterly corner of said Section 1, Township 40N, Range 8E; Thence N 68° 49' 08" E for a distance of 128.77 feet to the most North-Westerly corner of Lot 3, Block 274, which is the POINT OF BEGINNING; Thence S 65° 04' 50" E for a distance of 440.00 feet to a point common to Tract C, Block 274, a Public Easement; Thence along the westerly boundary of said Tract C, S 24° 55' 10" W (Paralleling the ROW of Hwy. 89, record S 24° 55' 00" W) for a distance of 999.00 feet to a point on the Westerly boundary of said Tract C and common to Tract D, Block 274; Thence along the Northerly boundary of said Tract D N 65° 04' 50" W for a distance of 440.00 feet; Thence N 24° 55' 10" E for a distance of 990.00, returning to the POINT OF BEGINNING.

EXHIBIT D

Parcels going from Regional Commercial (C-3) to Community Commercial (C-2)

Regional Commercial (C-3) Properties subject to this Zone Change to (C-2):
(Parcel numbers on map correspond to parcel number Legal Descriptions that follow)



Legal Descriptions of the Regional Commercial (C-3) Properties subject to this Zone Change Request to Community Commercial (C-2):

17. PARCEL #80101009N, 34,757 Sq. Ft.± - Kentucky Fried Chicken Restaurant Parcel - 1004A Haul Road:
Subdivision: Page (Block 273 Lots 1F-1I 1D Amended) Instrument No. 3556269 Block: 273 Lot: 1C FKA 3556269 Sixteenth: SW Quarter: SE Section: 36 Township: 41N Range: 08E Sixteenth: SE Quarter: SW Section: 36 Township: 41N Range: 08E, records of Coconino Co., Arizona.

18. PARCEL #80101016, 43,492 Sq. Ft.± - AutoZone Store - 1016 Haul Road: *Lot 1D1, Plat Revision of Amended Lot 1D of Block 273, City of Page, Split into Parcel 1 – Lot 1D1 and Parcel 2 – Lot 1D2, according to the plat of record in the office of the County Recorder of Coconino Co., Arizona, recorded January 7, 2020, in Instrument No. 3862330.*

END