

ORDINANCE NUMBER 732

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 PARCELS OF LAND, APNS 406-42-169 AND 406-42-170A, SO AS TO CHANGE CERTAIN DISTRICT BOUNDARIES AND CLASSIFICATIONS THEREOF FROM THE PRESENT ZONING DESIGNATION OF R-2 (SINGLE-FAMILY/MULTI-FAMILY); TO R-3 (MULTIPLE-FAMILY RESIDENTIAL.)

WHEREAS, at a public meeting held on February 27, 2023, the Planning & Zoning Commission unanimously voted in support of a proposal to rezone parcels of land located at 185 and 195 South 7th Street (APNS 406-42-169 and 406-42-170A), from R-2 to R-3;

WHEREAS, the requirements of A.R.S. § 9-462.04 have been met; and

WHEREAS, in accordance with Article II, Sections 1 and 2, Constitution of Arizona, and the laws of the State of Arizona, the City Council has considered the individual property rights and personal liberties of the residents of the City and the probable impact of the proposed ordinance on the cost to construct housing for sale or rent before adopting this ordinance.

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 parcels of land, APNs 406-42-169 and 406-42-170A, lying within the City of Cottonwood, Yavapai County, Arizona, shall be and are hereby reclassified from R-2 (Single-Family/Multi-Family) to R-3 (Multiple-Family Residential):

Legal Description

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 16 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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COMMENCING AT THE COTTON PICKER SPINDLE MARKING THE SOUTHWEST CORNER OF SAID SECTION 34 FROM WHICH A CITY OF COTTONWOOD BRASS CAP IN HANDHOLE (0.50' DOWN) MARKING THE WEST QUARTER CORNER OF SAID SECTION 34 BEARS NORTH 01 DEGREES 28 MINUTES 16 SECONDS WEST 2636.82 FEET. SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE NORTH 01 DEGREES 28 MINUTES 16 SECONDS WEST 1318.41 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE WESTERLY PROLONGATION OF THE ESTABLISHED NORTH LINE OF EAST ASPEN STREET AS SHOWN IN BOOK 176, PAGE 30, YAVAPAI COUNTY RECORDS;

THENCE SOUTH 89 DEGREES 51 MINUTES 16 SECONDS EAST 2009.36 FEET ALONG SAID NORTH LINE TO THE ESTABLISHED EAST LINE OF SOUTH SEVENTH STREET PER BOOK 1542, PAGE 614, YAVAPAI COUNTY RECORDS AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET AND A CHORD BEARING OF NORTH 44 DEGREES 54 MINUTES 35 SECONDS WEST 35.39 FEET AND THE POINT OF BEGINNING;

THENCE NORTHERLY ALONG SAID EAST LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 06 MINUTES 39 SECONDS, AN ARC LENGTH OF 39.32 FEET;

THENCE NORTH 00 DEGREES 02 MINUTES 05 SECONDS EAST 376.94 FEET CONTINUING ALONG SAID EAST LINE TO THE ESTABLISHED SOUTH LINE OF PARCEL B AS SHOWN IN BOOK 176, PAGE 30, YAVAPAI COUNTY RECORDS;

THENCE SOUTH 89 DEGREES 49 MINUTES 44 SECONDS EAST 485.03 FEET ALONG SAID SOUTH LINE TO THE ESTABLISHED WEST LINE OF SOUTH EIGHT STREET AS SHOWN IN BOOK 2654, PAGE 7, YAVAPAI COUNTY RECORDS;

THENCE SOUTH 00 DEGREES 05 MINUTES 35 SECONDS WEST 376.72 FEET ALONG SAID WEST LINE TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET;

THENCE SOUTHERLY CONTINUING ALONG SAID WEST LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89 DEGREES 56 MINUTES 51 SECONDS, AN ARC LENGTH OF 39.25 FEET TO SAID ESTABLISHED NORTH LINE OF EAST ASPEN STREET;

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THENCE NORTH 89 DEGREES 51 MINUTES 16 SECONDS WEST 434.62 FEET
ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. COMPRISING OF
194,548 SQUARE FEET MORE OR LESS.

Section 2: 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 3: 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.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE
MAYOR OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, THIS 4TH DAY OF
APRIL 2023.


Tim Elinski, Mayor

APPROVED AS TO FORM:

ATTEST:


Christina Estes-Werther, Esq.
Pierce Coleman, PLLC
Marianne Jiménez, City Clerk

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