

## **ORDINANCE NO. 19-14**

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 25,620 SQUARE FEET, LOCATED AT 11117 W. CALIFORNIA AVENUE AND 11135 W. CALIFORNIA AVENUE, YOUNGTOWN, ARIZONA 85363, IN ZONING CASE Z19-10, FROM TOWN OF YOUNGTOWN C-1 COMMERCIAL ZONING DISTRICT TO C-2 COMMERCIAL ZONING DISTRICT; 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 property within the Town of Youngtown to rezone from C-1 Commercial Zoning District to C-2 Commercial Zoning District; 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 25,620 square feet 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 C-1 Commercial Zoning District to Town of Youngtown C-2 Commercial Zoning District.

2. The Property shall be used and developed in accordance with the Zoning Code of the Town of Youngtown.

### **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in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.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 19<sup>th</sup> day of December, 2019, by the following vote:

AYES: 17


NAYES: 0 ABSENT: 0

EXCUSED: 0 ABSTAINED: 0


APPROVED this 19 day of December, 2019.

  
Michael E. LeVault, Mayor

ATTEST:

  
Nicole Smart, Deputy Town Clerk

APPROVED AS TO FORM:

  
Trish Stuhan, Gust Rosenfeld, PLC, Town Attorney

I, NICOLE SMART, DEPUTY TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 19-14 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN ON THE 19 DAY OF December, 2019, WAS POSTED IN FOUR PLACES ON THE 23 DAY OF December, 2019.

  
Nicole Smart, Deputy Town Clerk

The following exhibits are attached hereto and incorporated herein:

1. Legal Description
2. Zoning Exhibit (map)

**Exhibit 1:  
Legal Description**

**YOUNGTOWN PARK**

**A Subdivision under the name YOUNGTOWN PARK a part of Youngtown Manor  
A Plat of record in, Book 92 of Maps at Page-38 in the Office of the County  
Records, Maricopa County, Arizona.**

**Lot 13 and 14, of YOUNGTOWN PARK, according to the plat of record in the  
office of the County Recorder of Maricopa County, Arizona, recorded in Book 100  
of Maps, Page 12.**

Exhibit 2:  
Zoning Exhibit (Map)

# **ZONING MAP OF THE TOWN OF YOUNGTOWN**

## **LEGEND**

 TOWN LIMITS

 PARCEL

## **Zoning Code**

 C-1

 C-2

R

 R-1

 R-2

 R-3

 PAD

 O/S

 RIGHT-OF-WAY

