

ORDINANCE NO. 24-209

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, AMENDING THE CODE OF THE TOWN OF DEWEY-HUMBOLDT BY ADOPTING A NEW SECTION 153.025 RELATING TO THE APPROVAL OF RESIDENTIAL ZONING APPLICATIONS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS the Arizona Legislature adopted S.B. 1162, initially codified as Ariz. Rev. Stat. § 9-462.10, but renumbered as Ariz. Rev. Stat. § 9-462.11, which mandates that cities and towns adopt zoning code amendments on or before January 1, 2025, related to the approval of residential zoning applications

WHEREAS this Ordinance is being adopted by the Town of Dewey-Humboldt Council to comply with S.B. 1162;

WHEREAS, the Planning and Zoning Commission held a public hearing on this proposed amendment to the Zoning Code to codify the requirements of S.B. 1162 on November 7, 2024,

WHEREAS, the Planning and Zoning Commission has, by official action, made a recommendation for approval of the proposed amendment to the Zoning Code to the Town Council, and

WHEREAS, the Town Council held a public hearing on November 19, 2024, and has considered comments regarding this proposed amendment.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Dewey-Humboldt, as follows:

Section I. Adoption by Reference.

Pursuant to A.R.S. § 9-802, the Town hereby adopts a new Section 153.025 “Approval of Residential Zoning Applications” of Town Code Chapter 153 “Zoning Regulations” as set forth on Exhibit A, a copy of which is on file with the Office of the Town Clerk of the Town of Dewey-Humboldt, Arizona, located at 2735 S Highway 69, Humboldt, AZ 86329

Section II. Effective Date.

This Ordinance is to be effective upon the expiration of thirty (30) following the adoption of this Ordinance and when publication and posting pursuant to A.R.S. § 9-812 is accomplished.

Section III. Severability.

All ordinances, or parts of ordinances, adopted by the Town of Dewey-Humboldt in conflict with the provisions of this Ordinance or any part of the Town Code adopted herein by reference, are hereby repealed, effective as of the day this ordinance is effective.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 3rd day of December 2024, by the following vote:

AYES: 7 NAYS: 0 ABSENT: 0 EXCUSED: 0 ABSTAINED: 0


APPROVED this 3rd day of December, 2024.


Matthew Fenn, Mayor

ATTEST:


Beth Evans, Town Clerk

APPROVED AS TO FORM:


Sims Mackin, Ltd
Town Attorney
By: William J. Sims III

I, BETH EVANS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 24-209 ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA ON THE 3rd DAY OF December, 2024, WAS POSTED IN THREE PLACES ON THE 4th DAY OF December, 2024.


Beth Evans, Town Clerk

Exhibit A

Approval of Residential Zoning Applications

Section 153.025 APPROVAL OF RESIDENTIAL ZONING APPLICATION

(A) Administrative completeness review time frame. For each residential zoning application, the zoning administrator shall review the application. The zoning administrator shall determine whether the application is administratively complete within thirty (30) days after receiving the application. If the application is deemed administratively incomplete, the zoning administrator will provide the applicant with a written notice that includes a comprehensive list of the specific deficiencies. Upon issuance of the written notice, the administrative completeness review time frame and overall time frame contained in this Section 153.025 are suspended until the zoning administrator receives the resubmitted application. The zoning administrator shall have fifteen (15) days to review the resubmitted application and determine whether every deficiency has been resolved for administrative completeness.

(B) Approval or Denial of Residential Zoning Applications. After determining that a residential zoning application is administratively complete, the Town of Dewey-Humboldt Council shall approve or deny the application within one hundred eighty (180) days. The Town of Dewey-Humboldt may extend the time frame to approve or deny beyond one hundred eighty (180) days as follows:

- (1) the zoning administrator may grant a one-time extension of not more than thirty (30) days for extenuating circumstances; or
- (2) zoning administrator may grant extensions in thirty (30) days increments at the request of the applicant.

(C) Exceptions. Section 153.025 does not apply to:

- (1) Land that is designated as a district of historical significance pursuant to Ariz. Rev. Stat. § 9-462.01(a);
- (2) An area that is designated as historic on the national register of historic places; and
- (3) Land that is already zoned as a planned area development (PAD).

(D) Definitions.

“Residential zoning application” means an application to rezone to any of the following zoning districts R1L, RMM, R1, RCU, R2.