

ORDINANCE NO. 11-02

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, ADOPTING THE "PLANNED AREA DEVELOPMENT, CRESTVIEW AT FOUNTAIN HILLS" BY REFERENCE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR PENALTIES.

WHEREAS, the Mayor and the Council of the Town of Fountain Hills (the "Town Council") approved Ordinance No. 93-22, which adopted the Zoning Ordinance for the Town of Fountain Hills (the "Zoning Ordinance"); and

WHEREAS, the Mayor and the Council of the Town Council approved Ordinance No. 11-01, which adopted the Planned Area Development (P.A.D.) District Zoning Ordinance for the Town of Fountain Hills; and

WHEREAS, the Town Council desires to adopt the P.A.D. district entitled "Planned Area Development, Crestview at Fountain Hills" covering the existing residential subdivision known as Crestview to memorialize development standards previously approved by a development agreement for the subdivision; and

WHEREAS, in accordance with the Zoning Ordinance and pursuant to ARIZ. REV. STAT. § 9-462.04, as amended, public hearings regarding the subject matter of this ordinance were advertised in the April 13, 2011 and April 20, 2011, editions of the Fountain Hills Times; and

WHEREAS, public hearings were held by the Fountain Hills Planning and Zoning Commission on April 28, 2011, and by the Town Council on May 19, 2011.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS as follows:

SECTION 1. That certain document known as the "Planned Area Development, Crestview at Fountain Hills, General Development Standards adopted May 19, 2011" (the "Crestview PAD"), three copies of which are on file in the office of the Town Clerk of the Town of Fountain Hills, Arizona, which document was made a public record by Resolution No. 2011-16 of the Town of Fountain Hills, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

SECTION 2. The Town Zoning map is hereby amended to reflect the adoption of the Crestview PAD.

SECTION 3. Any person found guilty of violating any provision of the Crestview PAD Regulations shall be guilty of a class one misdemeanor. Each day that a violation continues shall be a separate offense punishable as described above.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Crestview PAD Ordinance or Regulations is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Crestview PAD Ordinance or Regulations.

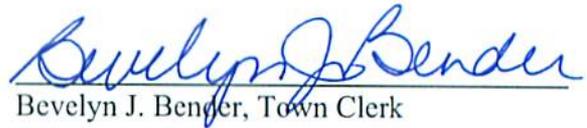
PASSED AND ADOPTED BY the Mayor and Council of the Town of Fountain Hills, May 19, 2011.

FOR THE TOWN OF FOUNTAIN HILLS:

ATTESTED TO:



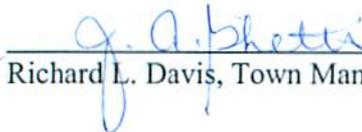
Jay T. Schlum, Mayor



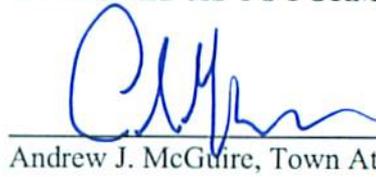
Bevelyn J. Bender, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:



for Richard L. Davis, Town Manager



Andrew J. McGuire, Town Attorney