

TOWN OF PINETOP-LAKESIDE

RESOLUTION NO. 23-1668

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, RESCINDING RESOLUTION 22-1634, A MAJOR PLAN AMENDMENT TO THE LAND USE ELEMENT OF THE 2015 GENERAL PLAN.

WHEREAS, the Planning and Zoning Commission has drafted a comprehensive, long-range General Plan for the development of the Town in accordance with the requirements of Title 9, Chapter 4, Article 6, Section 9-461 et seq.; and

WHEREAS, the Planning and Zoning Commission held a public hearing on August 25, 2022, and had reviewed the proposed Major Plan Amendment to the 2015 General Plan Land Use Element and the public comments related to the Major Plan Amendment to the Land Use Element of the 2015 General Plan; and recommended the adoption of the Major Plan Amendment to the Land Use Element of the 2015 General Plan to the Mayor and Town Council; and

WHEREAS, the Town Council held a Public Hearing on September 15, 2022, to hear public comments on the proposed Major Plan Amendment to the Land Use Element of the 2015 General Plan; and

WHEREAS, after reviewing the proposed Major Plan Amendment to the Land Use Element of the 2015 General Plan and considering public comments received by the Planning and Zoning Commission at its August 25, 2022, and the public comments offered at the Public Hearing before the Town Council on September 15, 2022; the Town Council believed that the adoption of the proposed Major Plan Amendment to the Land Use Element of the 2015 General Plan was in the best interests of the Town and would help promote the health, safety, and welfare of the Town and approved Resolution No. 22-1634 (Exhibit A) on October 6, 2022; and

WHEREAS, a sufficient number of qualified electors of the Town of Pinetop-Lakeside timely submitted petitions to refer Resolution No. 22-1634 to a vote of the Town of Pinetop-Lakeside electors; and

WHEREAS, the referendum petition, Referendum No. 2022-01, stipulated that the voters should get a chance to weigh in on the Major Amendment to the 2015 Pinetop-Lakeside General Plan Land Use Element filed in the Office of the Town Clerk regarding Resolution No. 22-1634, and

WHEREAS, the cost of a Special Referendum Election is approximately \$20,000, and

WHEREAS, rescinding Resolution 22-1634 will allow the voters to weigh in on amendments to the entire General Plan in 2024 during the 2025 General Plan Update.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Pinetop-Lakeside as follows:

Section 1: Resolution No. 22-1634 is hereby repealed.

Section 2: This Resolution No. 23-1668 is hereby enacted and shall become effective upon the execution hereof.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, this 20th day of April, 2023, by a vote of 7 ayes, 0 nays.



ATTEST:

Kristi Salskov
Kristi Salskov
Town Clerk

Stephanie Irwin
Stephanie Irwin
Mayor

APPROVED AS TO FORM:

William Sims
William J. Sims, III
Town Attorney

EXHIBIT A

Resolution No. 22-1634

TOWN OF PINETOP-LAKESIDE

RESOLUTION NO. 22-1634

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, ADOPTING A MAJOR PLAN AMENDMENT TO THE LAND USE ELEMENT OF THE 2015 GENERAL PLAN.

WHEREAS, the Town Council has established the Planning and Zoning Commission as the planning agency, and

WHEREAS, the Town Council adopted Resolution No. 13-1284 declaring a public participation plan, and

WHEREAS, the Planning and Zoning Commission has drafted a comprehensive, long-range General Plan for the development of the Town in accordance with the requirements of Title 9, Chapter 4, Article 6, Section 9-461 et seq.; and

WHEREAS, the Planning and Zoning Commission held a public hearing on August 25, 2022, and has reviewed the proposed Major Plan Amendment to the 2015 General Plan Land Use Element and the public comments related to the Major Plan Amendment to the Land Use Element of the 2015 General Plan; and has recommended with a 3-2 vote, the adoption of the Major Plan Amendment to the Land Use Element of the 2015 General Plan to the Mayor and Town Council; and

WHEREAS, the Town Council held a public hearing on October 6, 2022, to hear public comments on the proposed Major Plan Amendment to the Land Use Element of the 2015 General Plan; and

WHEREAS, after reviewing the proposed Major Plan Amendment to the Land Use Element of the 2015 General Plan and considering the public comments received by the Planning and Zoning Commission at its August 25, 2022 public hearing and the public meeting and the public comments offered at the public hearing before the Town Council on October 6, 2022; the Town Council believes that the adoption of the proposed Major Plan Amendment to the Land Use Element of the 2015 General Plan is in the best interests of the Town and will help promote the health, safety and welfare of the Town; and

WHEREAS, the Town Council has reviewed the scope of the proposed Major Plan Amendment to the Land Use Element of the 2015 General Plan and finds that the Major Plan Amendment to the Land Use Element of the 2015 General Plan fulfills the requirements of ARS 9-461.05.C.1; and

WHEREAS, The 2015 voter approved General Plan requires that a Major Plan Amendment is any proposal(s) that substantially alters the mixture or balance of these land uses, which is fifty gross acres, OR that alters the land use designation for 25 percent or more of a total area of an approved development, OR that may significantly impact levels of safety or service as determined by the Planning and Zoning Commission, OR that conflicts with or alters the goals and/ or objectives of

any General Plan Element. After a staff review, a Planning and Zoning Commission public hearing and recommendation, and a public hearing by Town Council a major amendment will require a two-thirds vote; and

WHEREAS, the Major Amendment to the 2015 Pinetop-Lakeside General Plan Land Use Element is designated a public record, three (3) copies of which shall be filed in the office of the Town Clerk for public review and inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Pinetop-Lakeside;

Section 1: That Document known as the "Major Plan Amendment to the 2015 Pinetop-Lakeside General Plan Land Use Element" as prepared and reviewed by the citizens of the Town of Pinetop-Lakeside and the Planning and Zoning Commission, and as recommended for adoption by the Planning and Zoning Commission is adopted by the Town Council.

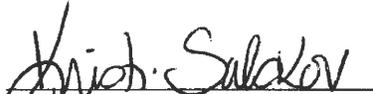
Section 2: The "Major Plan Amendment to the 2015 Pinetop-Lakeside General Plan Land Use Element" is designated as a public record, three (3) copies of which shall be filed in the office of the Town Clerk for public review and inspection.

Section 3: In accordance with Arizona Revised Statutes Section 9-461.06 H, L and the 2015 voter approved General Plan:

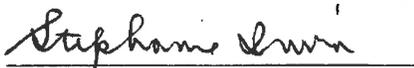
PASSED AND ADOPTED at a regular meeting by the Mayor and Town Council of the Town of Pinetop-Lakeside this 6th day of October 2022.



ATTEST:


Kristi Salskov
Town Clerk

TOWN OF PINETOP-LAKESIDE


Stephanie Irwin
Mayor

APPROVED AS TO FORM:


William J. Sims, III
Town Attorney