

ORDINANCE NO. 2020-03

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, AMENDING THE CODE OF YOUNGTOWN, ARIZONA, TITLE 17 ZONING, CHAPTER 17.08 ZONING HEARING OFFICER, BY AMENDING SECTION 17.08.070 DUTIES OF THE ZONING HEARING OFFICER; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Town Council desires to update its Zoning Code to establish a design review process and authorize its Zoning Hearing Officer to conduct such reviews in accordance with adopted design standards;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Youngtown, Arizona, as follows:

Section I. In General.

The Code of Youngtown, Arizona, Title 17 Zoning, Chapter 17.08 Zoning Hearing Officer, Section 17.08.070 Duties of the Zoning Hearing Officer is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

17.08.070 - Duties of the zoning hearing officer.

The zoning hearing officer shall hold public hearings when necessary and make recommendations to the town council on all matters concerning the creation of zoning districts, the boundaries thereof and appropriate regulations to be enforced therein, the determination of nonconforming uses, the amendment of the zoning ordinances, DESIGN REVIEW IN COMPLIANCE WITH ADOPTED DESIGN STANDARDS, and any other matter within the scope of the zoning power. The zoning hearing officer shall fix a reasonable time for hearing on the application and give notice as required by A.R.S. Section 9-462.04.

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in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.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 Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, 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 thereof.


PASSED AND ADOPTED by the Common Council of the Town of Youngtown, Arizona, this 5th day of November, 2020, by the following vote:

AYES: 7

NAYES: 0 ABSENT: 0

EXCUSED: 0 ABSTAINED: 0

APPROVED this 5th day of November, 2020.




Michael E. LeVault, Mayor

ATTEST:



Nicole Smart, Town Clerk

APPROVED AS TO FORM:



Gust Rosenfeld, P.L.C.
Town Attorneys
By Trish Stuhan

I, NICOLE SMART, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2020-03 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN ON THE 5th DAY OF November, 2020, WAS POSTED IN THREE PLACES ON THE 9th DAY OF November, 2020.



Nicole Smart, Town Clerk