

**TOWN OF PINETOP-LAKESIDE**

**ORDINANCE NO. 06-291**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, REPEALING ORDINANCE NO. 06-273.**

**WHEREAS**, the text of Chapter 17, Section 17.72 “(PUD) Planned Unit Development Zoning District ” of the Town Code has been revised and redrafted over a period of several months with input from the citizens, a consultant, the Planning and Zoning Commission and the Town Council; and

**WHEREAS**, the Town Council has considered and adopted two revisions to Town Code Chapter 17.72 “(PUD) Planned Unit Development Zoning Districts” in July and November, 2006 with corresponding changes to the Subdivision Code; and

**WHEREAS**, Ordinance 06-273 was passed and adopted by the Town Council on July 20, 2006 adopting certain corrections and changes to the Pinetop-Lakeside Subdivision Code; and

**WHEREAS**, the corrections and changes to the Subdivision Code were only necessary to ensure that the Subdivision Code would not conflict with the newly adopted Town Code Chapter 17.72 “(PUD) Planned Unit Development Zoning Districts;” and

**WHEREAS**, Referendum Petition Numbers 06-005 and 06-006 were taken out, circulated and filed with the Town Clerk requesting that the qualified voters consider the Changes and Corrections to the Town Code relating to Subdivisions as well as the revisions to Town Code Chapter 17.72 “(PUD) Planned Unit Development Zoning Districts,” which Referendum Petitions had the effect of staying the adoption of both ordinances; and

**WHEREAS**, citizens and Town staff have worked together to make additional changes to both the Subdivision Code and Town Code Chapter 17.72 “(PUD) Planned Unit Development Zoning Districts,” and the Town Council reviewed and adopted a new, revised version of the Subdivision Code changes to work with and eliminate the conflicts with newly revised Town Code Chapter 17.72 “(PUD) Planned Unit Development Zoning Districts,” (Ordinance Number 06-280) at its public meeting on November 16, 2006; and

**WHEREAS**, the Town believes that the new, revised version of Chapter 17.72 “(PUD) Planned Unit Development Zoning Districts” adopted by the Town Council on November 16, 2006 is more protective of the property to be developed within the Town and tracks the suggested development nodes outlined in the recent study by the Tejido Group, and that the corrections and changes made to the Subdivision Code should work with and not conflict with the new, revised version of Chapter 17.72 “(PUD) Planned Unit Development Zoning Districts.”

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

**Section 1.** Ordinance No. 06-273 adopted on July 20, 2006 is repealed in its entirety.

**PASSED AND ADOPTED** by the Town Council of the Town of Pinetop-Lakeside, Arizona, this 7<sup>th</sup> day of December 2006.

**TOWN OF PINETOP-LAKESIDE**

**/s/ CHUCK WALDO, Vice Mayor**

**ATTEST:**

**/s/ LU ANNE FROST, Town Clerk**

**APPROVED:**

**/s/ JACK BARKER, Town Attorney**