

FEE# 2018017696

OFFICIAL RECORDS
OF MOHAVE COUNTY
KRISTI BLAIR,
COUNTY RECORDER



04/10/2018 01:56 PM Fee: \$0.00

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RESOLUTION NO. 2018-041

A RESOLUTION SETTING FORTH A REZONE OF A PORTION OF ASSESSOR'S PARCEL NO. 221-35-024 FROM AN R-E/10A (RESIDENTIAL RECREATION / TEN ACRE MINIMUM LOT SIZE) ZONE TO AN M-X (HEAVY MANUFACTURING) ZONE, TO ALLOW FOR A MINERAL RECLAMATION PLANT, IN THE FORT MOHAVE VICINITY, SOUTH MOHAVE VALLEY AREA, MOHAVE COUNTY, ARIZONA.

WHEREAS, at the regular meeting of the Mohave County Board of Supervisors held on Monday, April 2, 2018, a public hearing was conducted to determine whether approval should be granted to Rezone the above-described property as requested by Jim Palmer of Niceville, Florida, representing B & R Land Development of Mohave County of Fort Mohave, Arizona, and

WHEREAS, a portion of Assessor's Parcel No. 221-35-024 is described in Figure A (attached), and is in Section 31, Township 19 North, Range 21 West, and

WHEREAS, the portion of the property to be rezoned is approximately 15 acres in size and is located south of Joy Lane and west of Ashley Street. The site is accessed from State Highway 95, then east on Boundary Cone Road, then north on Ashley Street approximately .94 miles, then west on an unnamed easement approximately .36 miles to the site. The property is vacant. The terrain is relatively flat. The surrounding land uses consist of vacant land and a large solar field. Several washes run east to west through the site with the entire site covered by a flood plain, and

WHEREAS, the applicant is seeking to rezone the southern portion of the parcel, and is requesting this zone change to allow for a mineral reclamation plant. The Mohave County General Plan designates this area as Alternative Energy, and the South Mohave Valley Area Plan designates this area as Manufacturing. The related item would amend the land use designations to Heavy Industrial, and

WHEREAS, the Arizona Game and Fish Department recommends that the applicant incorporate the Desert Tortoise guidelines and the Western Burrowing Owl guidelines into their construction plan, and

WHEREAS, the site is within the Fort Mohave Mesa Fire District. The site does not appear to be served by a water or sewer system. Electrical power appears to be available. There are no roads that are paved or maintained adjacent to the parcel, and

WHEREAS, a review of FEMA FIRM Panel #04015C-5056H indicates the parcel described to be partly in Zone AO, in the Special Flood Hazard Area, and partly in Zone X, not in the Special Flood Hazard Area, and

WHEREAS, the following described Findings of Fact are for the above-captioned item:

- a. All notices have been advertised and posted according to regulations.
- b. The proposed action and effect does comply with the Mohave County General Plan and the South Mohave Valley Area Plan as amended by the related item.
- c. The site is adequate for the action intended.
- d. The neighboring area does not contain other uses similar to the above-proposed action.
- e. The site appears to have legal access.
- f. The noted flood plain and washes are significant environmental features effecting the site.

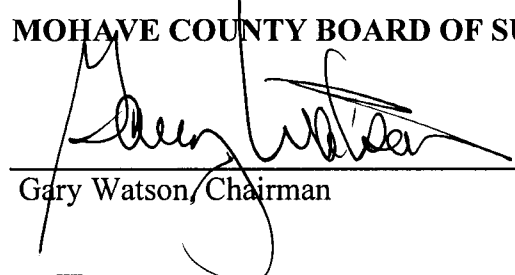
WHEREAS, at the public hearing before the Mohave County Planning and Zoning Commission on March 14, 2018, the Commission recommended APPROVAL of this Rezone subject to the following:

1. The southern portion of the property as defined by Figure A will be rezoned to M-X (Heavy Manufacturing) for a mineral reclamation plant, enclosed in a building, only.
2. The submittal and recordation of a Parcel Plat prepared in accordance with Chapter 7, Minor Land Divisions, of the Mohave County Land Division Regulations, and 102.01-03 of the Standard Specifications and Details is required.
3. The applicant shall comply with all the applicable provisions of the Mohave County Zoning Ordinance. A site plan, prepared in accordance with Section 37.N (Site Plan Requirements), must be completed and approved prior to approval of permits and before establishing the use. In addition, the applicant may be required to provide a view-obscuring fence, if required by Section 37.E.4 of the Mohave County Zoning Ordinance, prior to establishing the use.
4. The appropriate permits and licenses will be obtained prior to construction.
5. If these conditions are not met within two (2) years of this approval, and if at the expiration of this period the property has not been improved to meet the use for which it was conditionally approved, the Board of Supervisors (after notification by registered mail to the owner and the applicant who requested the rezoning) shall schedule a public hearing to grant an extension, determine compliance with the schedule for development, or cause the property to revert to its former zoning classification. This action is in accordance with Arizona Revised Statutes Annotated, Title 11, Chapter 6, 11-814.I.
6. The Rezone shall not become effective until at least 30 days after final approval of the change in classification by the Board of Supervisors, as per A.R.S. 11-814K.

WHEREAS, the notice of hearing was published in the Kingman Daily Miner, a newspaper of general circulation in Kingman, Mohave County, Arizona, on March 18, 2018, and was published in Mohave Valley Daily News, a newspaper of general circulation in South Mohave Valley, Mohave County, Arizona, on March 18, 2018, and was posted on March 16, 2018, as required by Arizona Revised Statutes and the Mohave County Zoning Regulations.


NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors, at their regular meeting on Monday, April 2, 2018, APPROVED this Rezone as recommended by, subject to, and conditioned upon compliance with the Mohave County Planning and Zoning Commission's recommendations outlined herein.

MOHAVE COUNTY BOARD OF SUPERVISORS



Gary Watson, Chairman

ATTEST



Ginny Anderson, Clerk of the Board

