

RESOLUTION NO. 61-2006

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BENSON, ARIZONA, ADOPTING A MAJOR AMENDMENT TO THE CITY'S GENERAL DEVELOPMENT PLAN PURSUANT TO ARIZONA REVISED STATUTES §9-461.06, AMENDING THE LAND USE DESIGNATIONS AS SET FORTH IN SECTION I, "B", "PLAN ELEMENTS AND GOALS AND OBJECTIVES", ENTITLED "LAND USE", SUBSECTION V. "LAND USE DESIGNATIONS" TO CHANGE THE DESIGNATION OF AN APPROXIMATELY 305 ACRE PARCEL LOCATED WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF BENSON IN THE AREA SOUTH OF INTERSTATE 10 AND WEST OF HIGHWAY 90 WHICH IS DESIGNATED AS THE WESTERN GATEWAY AREA OF THE GENERAL DEVELOPMENT PLAN FROM "LOW DENSITY RESIDENTIAL" TO "HIGH DENSITY RESIDENTIAL"; AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, through the adoption of the "Growing Smarter/Plus Legislation" as set forth in Arizona Revised Statutes, §9-461.05 et seq., as may be amended from time to time, the Arizona Legislature required the City to adopt a General Plan providing for the development of the municipality in accordance with the Act; and

WHEREAS, after extensive public participation in the adoption process, a draft of the "City of Benson General Development Plan" was considered by the City of Benson Planning and Zoning Commission at a public meeting on August 27, 2002, resulting in a vote by the Commission to recommend adoption of the same by the City Council; and

WHEREAS, after a public hearing held October 7, 2002, the City Council adopted the "City of Benson General Development Plan" by Resolution No. 2002-24 on October 21, 2002, and the same was ratified by the voters on March 11, 2003; and

WHEREAS, in October of 2006, the City of Benson self-initiated a major amendment to the General Development Plan to change the designation of an approximately 305 acre parcel of property located within the municipal boundaries of the City of Benson in the area south of Interstate 10 and west of Highway 90 which is designated as the Western Gateway growth area to be reclassified from "Low Density Residential" to "High Density Residential" to allow for the development of the parcel owned by San Pedro Partners, a residential development which the City Council feels will further the Land Use Goals and Objectives of the General Development Plan; and,

WHEREAS, the criteria for determining whether a proposed amendment to the General Development Plan is a major or minor amendment is set forth in Section II of the General Development Plan, in accordance with ARS 9-461.06; and

WHEREAS, in accordance with the criteria set forth for determining a minor or major amendment in Section II of the General Plan document, the City Attorney has made the determination that the required amendment is a major amendment; and

WHEREAS, in accordance with the requirements of Arizona Revised Statutes, §9-461.06, the Planning and Zoning Commission held a public hearing on said amendment at a special meeting on December 21, 2006, and voted to forward the same to the City Council with a recommendation for approval, and the City Council held a public hearing on the amendment at a special meeting on December 28, 2006; and,

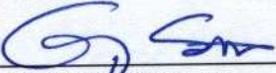
WHEREAS, the City Council finds that the major amendment to the General Development Plan is for the good of the entire community, enhances the land usage relationship with the surrounding properties, will result in an acceptable means of minimizing potential impact upon public infrastructure, and is consistent with the Vision, Guiding Principles, Goals and Policies of the General Development Plan;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Benson, Arizona, as follows:

The Land Use Designations as set forth in the General Development Plan starting at page 12, et seq., are hereby amended to remove the 305 acre parcel of real property located on the south side of Interstate 10 and on the west side of Highway 90 owned by San Pedro Partners from the "Low Density Residential" designation and include said property in the "High Density Residential" land use designation category as shown on Exhibit "A" attached hereto and by reference incorporated herein.

This Resolution shall be effective after its passage and approval according to law.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA, this 28th day of December, 2006.



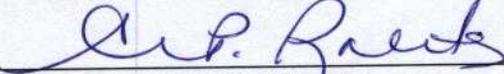
GEORGE SCOTT, Mayor

ATTEST:



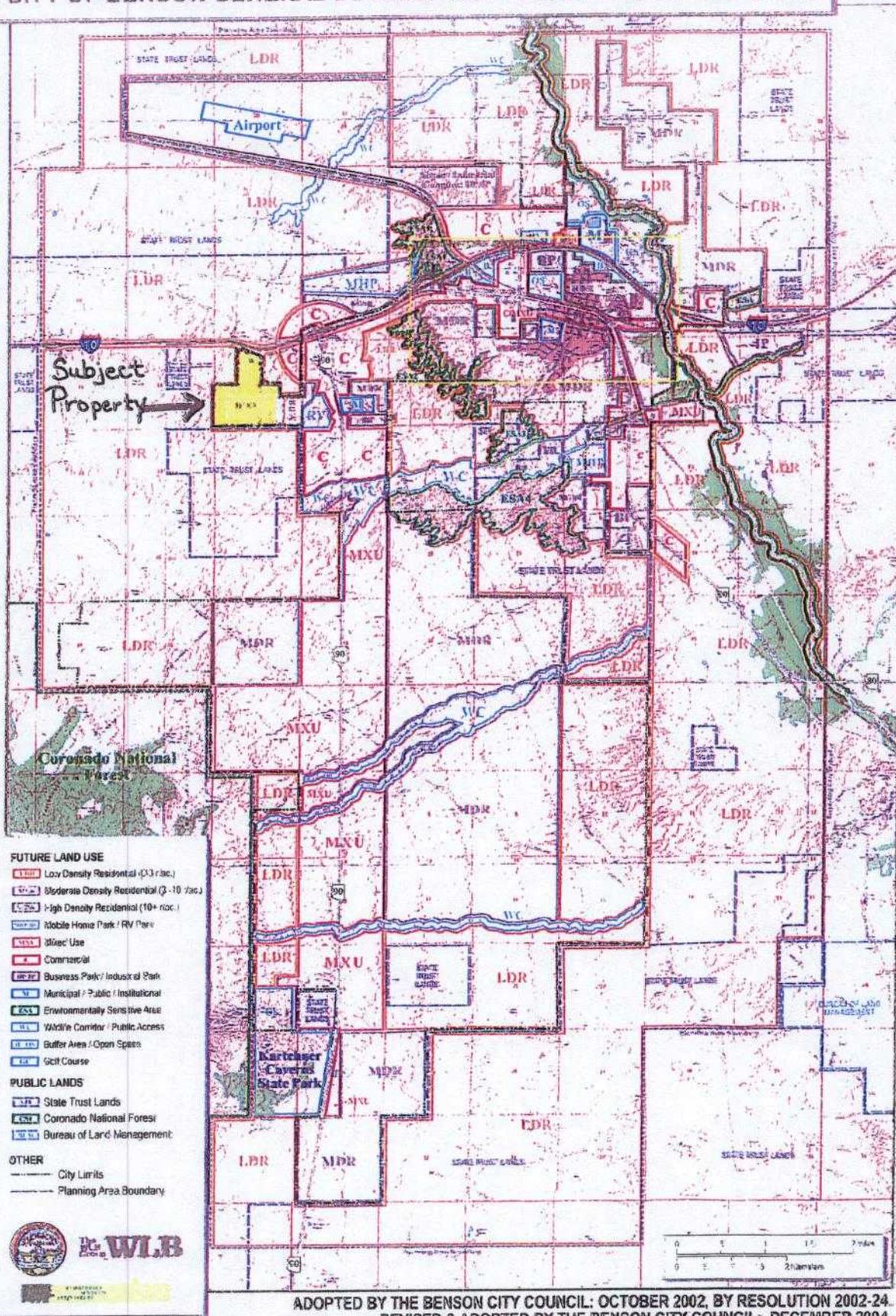
VICKI L. VIVIAN - City Clerk

APPROVED AS TO FORM:



ANN P. ROBERTS, City Attorney

CITY OF BENSON GENERAL DEVELOPMENT PLAN: FUTURE LAND USE



- FUTURE LAND USE**
- LDR Low Density Residential (3-7/ac.)
 - MDR Moderate Density Residential (2-10 /ac.)
 - MXU High Density Residential (10+ /ac.)
 - MHP Mobile Home Park / RV Park
 - C Office Use
 - BP Commercial
 - BP Business Park/ Industrial Park
 - M Municipal / Public / Institutional
 - ESA Environmentally Sensitive Area
 - WAC Wildlife Corridor / Public Access
 - BA Buffer Area / Open Space
 - GC Golf Course
- PUBLIC LANDS**
- STL State Trust Lands
 - CNF Coronado National Forest
 - BLM Bureau of Land Management
- OTHER**
- City Limits
 - Planning Area Boundary



ADOPTED BY THE BENSON CITY COUNCIL: OCTOBER 2002, BY RESOLUTION 2002-24.
 REVISED & ADOPTED BY THE BENSON CITY COUNCIL: DECEMBER 2004.
 PROPOSED REVISION: SEPTEMBER 2006.