

1
2 When recorded, return to:
3 Paradise Valley Town Attorney
4 6401 East Lincoln Drive
5 Paradise Valley, Arizona 85253

6
7 **RESOLUTION NUMBER 2018-xx**

8
9 **A RESOLUTION OF THE MAYOR AND COUNCIL OF**
10 **THE TOWN OF PARADISE VALLEY, ARIZONA**
11 **ADOPTING THE WALK & BIKE PLAN OF THE**
12 **TOWN OF PARADISE VALLEY**
13
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15 WHEREAS, Arizona Revised Statutes §9-461.08 provides a municipality the
16 authority to prepare specific plans based on its general plan; and

17 WHEREAS, the Town Council retained Coffman Studio, PLLC, on May 26,
18 2016, to work with the community and Town of Paradise Valley (the “Town”) on a
19 specific plan for bicycles and pedestrian facilities (the “Walk & Bike Plan”); and

20 WHEREAS, the Walk & Bike Plan fulfills one of the Town Council’s Quality
21 of Life Initiatives and an implementation measure the Town residents ratified as part
22 of the 2012 General Plan Update; and

23 WHEREAS, the Town from July 2016 through April 2018 has held many
24 public events and meetings to seek participation in developing the Walk & Bike Plan;
25 and

26 WHEREAS, on February 20, 2018 the Paradise Valley Planning Commission
27 held a public hearing, as required by law, and voted ___ to ___ , forwarding the Walk
28 & Bike Plan to the Town Council with a recommendation of [approval/denial]; and
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30

1 WHEREAS, the Town Council voluntarily applied the requirements of Section
2 2-5-2.F, Citizen Review Process, by holding a Citizen Review Session for the Walk
3 & Bike Plan on _____, 2018 to provide a reasonable opportunity for the
4 Town residents and other potentially affected citizens to discuss issues or concerns
5 they may have with the plan; and

6 WHEREAS, the Town Council has reviewed and received public comment on
7 the Walk & Bike Plan, and believes the adoption of this plan is in the best interest of
8 the Town.

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11 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND**
12 **COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA AS**
13 **FOLLOWS:**

14 SECTION 1. The Town of Paradise Valley hereby accepts the Walk & Bike
15 Plan prepared by Coffman Studio, PLLC, dated _____, 2018, as shown in Exhibit
16 ‘A’, attached hereto.

17 SECTION 2. The Town Council of Paradise Valley directs Town staff to
18 engage in the activities aimed at implementing the Walk & Bike Plan.

19 SECTION 3. Effective Date. This Resolution shall take effect immediately
20 upon adoption.

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1 PASSED AND ADOPTED by the Mayor and Town Council of the Town of
2 Paradise Valley, Arizona, this ____th day of _____, 2018.

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Michael Collins, Mayor

ATTEST:

Duncan Miller, Town Clerk

APPROVED AS TO FORM

Andrew M. Miller, Town Attorney

CERTIFICATION

I, Duncan Miller, Town Clerk, certify that this is a correct copy of Resolution Number _____duly adopted by the Town Council of Paradise Valley at a meeting held on the this ____th day of _____, 2018. This Ordinance appears in the minutes of the meeting, and has not been rescinded or modified and is now in effect. I further certify that the municipal corporation is duly organized and existing, *and* has the power to take the action called for by the foregoing ordinance.

Duncan Miller, Town Clerk

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2 When recorded, return to:
3 Paradise Valley Town Attorney
4 6401 East Lincoln Drive
5 Paradise Valley, Arizona 85253

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7 **RESOLUTION NUMBER 2018-xx**

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9 **A RESOLUTION OF THE MAYOR AND COUNCIL OF**
10 **THE TOWN OF PARADISE VALLEY, ARIZONA FOR**
11 **A MINOR AMENDMENT TO THE TOWN OF**
12 **PARADISE VALLEY 2012 GENERAL PLAN AS IT**
13 **PERTAINS TO THE WALK & BIKE PLAN**

14
15 WHEREAS, Arizona Revised Statutes §9-461.06 provides for the adoption and
16 amendment of a general plan; and

17 WHEREAS, the 2012 General Plan for the Town of Paradise Valley was adopted
18 by the Paradise Valley Town Council (“Town Council”) via Resolution 1243 on
19 November 10, 2011 and was ratified by the Paradise Valley voters on March 13, 2012;
20 and

21 WHEREAS, Arizona Revised Statutes §9-461.06 and Section 1.3, Purpose of
22 the General Plan, of the 2012 General Plan recognize general plans will change over
23 time, as the 2012 General Plan is a statement of Town of Paradise Valley policy and a
24 guide of long-term perspectives; and

25 WHEREAS, the specific plan for bicycles and pedestrian facilities (the “Walk
26 & Bike Plan”) fulfills one of the Town Council’s Quality of Life Initiatives and an
27 implementation measure the Town residents ratified as part of the 2012 General Plan
28 Update; and

29 WHEREAS, the 2012 General Plan includes goals, policies, maps, and
30 implementation measures related to walking and biking that through the public
31 engagement process the Walk & Bike Plan seeks to revise and expand upon; and

1 WHEREAS, the Walk & Bike Plan is not subject to the higher standard of
2 procedural review and public scrutiny of a major amendment to the 2012 General Plan,
3 as Section 9.4 of the 2012 General Plan defines a major amendment being either a
4 change in the land use designation on the General Plan Land Use Map or a change in
5 the functional classification of a roadway to a higher capacity classification, which
6 neither any land use change nor roadway classification is changed by the Walk & Bike
7 Plan; and

8 WHEREAS, the amendments to the 2012 General Plan with the acceptance of
9 the Walk & Bike Plan by Resolution 2018-xx are deemed to be a minor amendment to
10 the 2012 General Plan; and

11 WHEREAS, the Town has exceeded the required public engagement, noticing,
12 and public meeting requirements for a specific plan as described in Arizona Revised
13 Statutes §9-461.09; and

14 WHEREAS, the Town Council voluntarily applied the requirements of Section
15 2-5-2.F, Citizen Review Process, by holding a Citizen Review Session for the Walk
16 & Bike Plan on _____, 2018 to provide a reasonable opportunity for the
17 Town residents and other potentially affected citizens to discuss issues or concerns
18 they may have with this plan and the amendment to the 2012 General Plan; and

19 WHEREAS, on February 20, 2018 the Paradise Valley Planning Commission
20 held a public hearing, as required by law, and voted ___ to ___, to forward the Walk &
21 Bike Plan to the Town Council with a recommendation of [approval/denial] and
22 voted ___ to ___, to forward to the Town Council a recommendation of [approval/denial]
23 for the minor amendment to the General Plan; and

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1 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND**
2 **COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA AS**
3 **FOLLOWS:**

4 SECTION 1. The Town of Paradise Valley hereby amends the 2012 General Plan
5 with the entire Walk & Bike Plan adopted by Resolution 2018-xx to be a supplement
6 to the 2012 General Plan.

7 SECTION 2. By the adoption of the Walk & Bike Plan, and to be transparent in
8 how this Plan amends the existing text and visuals of the 2012 General Plan, the Walk
9 & Bike Plan is the guiding policy instead of the 2012 General Plan, with the 2012
10 General Plan amended as shown in Exhibit ‘A’, attached hereto, as described below:

- 11 1) The deletion of the goals and policies of Section 4.2, Non-Motorized
12 Circulation, replaced by the goals and policies of the Walk & Bike Plan;
- 13 2) The deletion of the Implementation Measures 1, 2, 5, 6, 7, 9, 11, 12, and 14
14 of Section 4.5, Implementation Measures, of the 2012 General Plan, replaced
15 by the implementation measures of the Walk & Bike Plan; and
- 16 3) The deletion of Section 4.6, Map and Standards, of the 2012 General Plan
17 that includes the maps, facility definitions, and typical street cross-sections,
18 replaced by the maps and standards of the Walk & Bike Plan.

19 SECTION 4. Effective Date. This Resolution shall take effect immediately
20 upon adoption.

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1 PASSED AND ADOPTED by the Mayor and Town Council of the Town of Paradise
2 Valley, Arizona, this ____th day of _____, 2018.

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Michael Collins, Mayor

ATTEST:

Duncan Miller, Town Clerk

APPROVED AS TO FORM

Andrew M. Miller, Town Attorney

CERTIFICATION

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Duncan Miller, Town Clerk