

ORDINANCE NO. 16-827

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 61 ACRES OF REAL PROPERTY GENERALLY LOCATED ON TREE FARM LANE BETWEEN GRANITE CREEK LANE AND COLORADO WAY, ALSO KNOWN AS YAVAPAI COUNTY ASSESSOR'S PARCELS NO. 306-03-002P AND ~~306-03-022Q~~ 306-03-002Q*, FROM CL (COMMERCIAL LIGHT) ZONING DISTRICT TO I (INDUSTRIAL) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

*Pursuant to Town Code § 10.20, scrivener's error on Ordinance No 16-827 was corrected on Dec. 29, 2016 and reported to Council on Jan. 10, 2017.

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable Specific Area Plan, neighborhood, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission, by a vote of 5 ayes and 1 nay recommends approval of the rezoning;

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

Section 1. In General.

1. The Change of Zoning and amendment to the Official Zoning Map is hereby approved for property consisting of approximately 61 acres, described in Exhibit A and as shown on the Zoning Exhibit (map) in Exhibit B, both attached hereto and incorporated herein by this reference, from CL (Commercial Light) Zoning District to I (Industrial) Zoning District.

2. The Property described in Paragraph 1 of this Section shall be used and developed in accordance with the Town of Chino Valley Unified Development Ordinance

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Providing for Non-Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and this ordinance shall have no force or effect.

Section 4. Providing for Penalties.

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 1.10 and 1.11 of the Town of Chino Valley Unified Development Ordinance. Each day a violation continues, or the failure to perform any act or duty required by this zoning ordinance, the Unified Development Ordinance or by the Town of Chino Valley Town Code continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 13th day of December, 2016 by the following vote:

AYES: 7

ABSENT: 0

NAYS: 0

ABSTAINED: 0

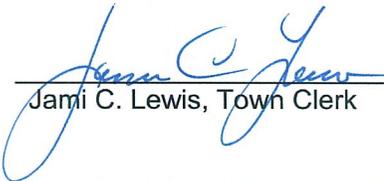
APPROVED this 13th day of December, 2016.



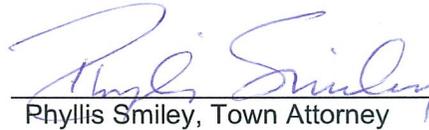
Darryl Croft, Mayor

ATTEST:

APPROVED AS TO FORM:



Jami C. Lewis, Town Clerk



Phyllis Smiley, Town Attorney

The following exhibits are attached hereto and incorporated herein:

- A. Legal Description
- B. Zoning Exhibit (map)

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 16-827 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 13th DAY OF DECEMBER, 2016, WAS POSTED IN THREE PLACES ON THE 14TH DAY OF DECEMBER, 2016



Jami C. Lewis, Town Clerk

Exhibit A: Legal Description

EXHIBIT "A"
LAND DESCRIPTION

THAT PORTION OF PARCEL 4 OF THE LAND DESCRIBED IN DEED TO CURT A. WELLS RECORDED IN BOOK 4275, PAGE 87, OFFICIAL RECORDS, LOCATED IN TRACT 38, TOWNSHIP 16 NORTH, RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN, IN THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, STATE OF ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS.....

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT 38;

THENCE ALONG THE NORTHERLY LINE OF THE LAND DESCRIBED AS PARCEL 1 IN DEDICATION OF PUBLIC ROADWAY TO THE TOWN OF CHINO VALLEY (50.00 FEET WIDE) RECORDED IN OF BOOK 4443, PAGE 165, OFFICIAL RECORDS OF SAID COUNTY, NORTH 89° 48' 15" WEST A DISTANCE OF 947.83 FEET TO THE EASTERLY LINE OF THE LAND DESCRIBED IN DEED TO THE TOWN OF CHINO VALLEY, RECORDED IN BOOK 3927, PAGE 137, AND THE LAND DESCRIBED IN DEED TO CURT AND NANCY WELLS, RECORDED IN BOOK 3312, PAGE 499, OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG SAID EASTERLY LINE NORTH 14° 05' 47" WEST A DISTANCE OF 1,362.08 FEET TO THE SOUTHERLY LINE OF TRACT 57 OF SAID TOWNSHIP AND RANGE;

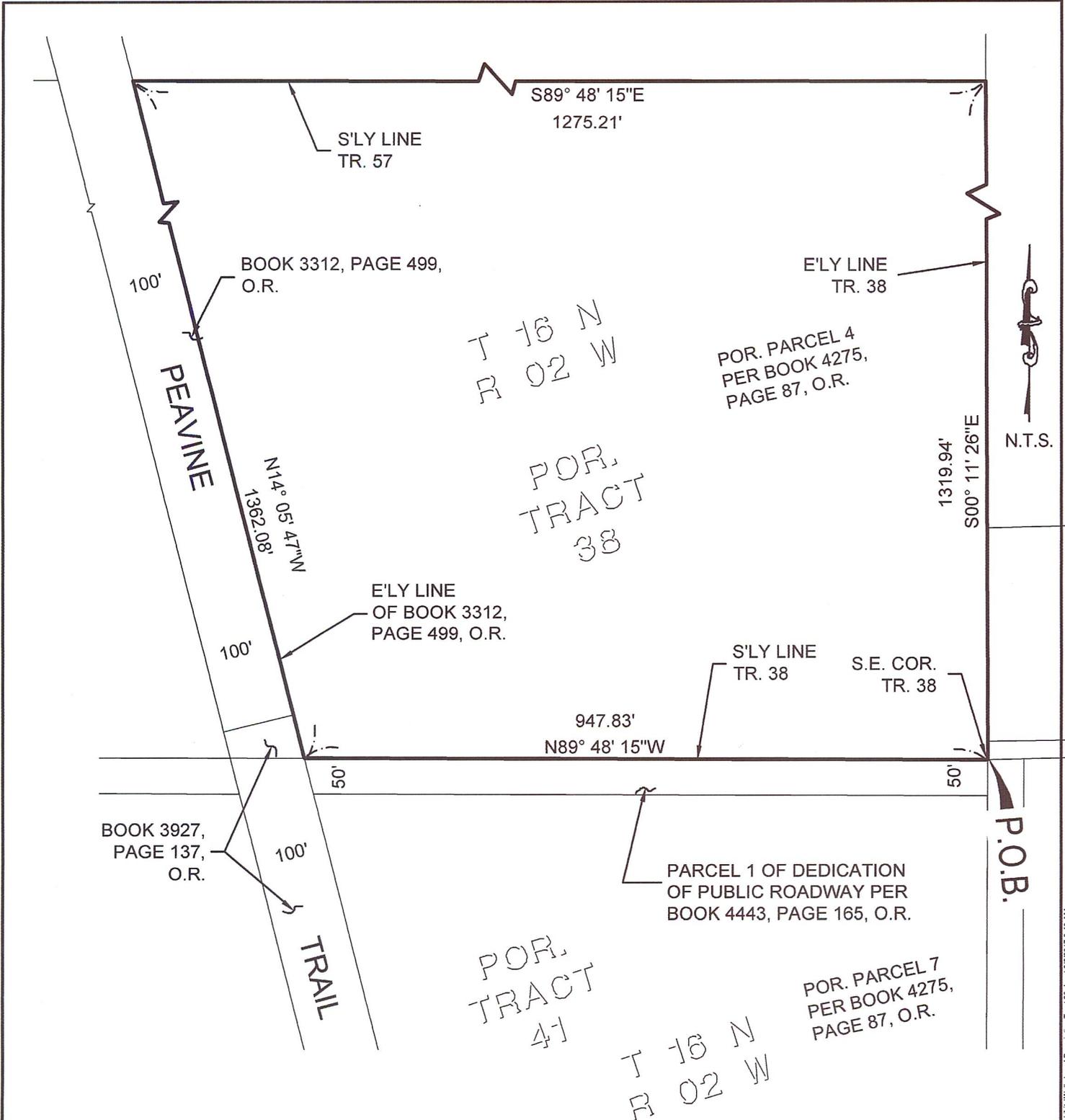
THENCE ALONG SAID SOUTHERLY LINE SOUTH 89° 48' 15" EAST A DISTANCE OF 1,275.21 FEET TO THE EASTERLY LINE OF SAID TRACT 38;

THENCE ALONG SAID EASTERLY LINE SOUTH 00° 11' 26" EAST A DISTANCE OF 1,319.94 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,467,119 SQUARE FEET, OR 33.680 ACRES, MORE OR LESS.



EXPIRES 09/30/2019



CHINO VALLEY, AZ
CURT A. WELLS
LAND DESCRIPTION
EXHIBIT B

DE: KR	CH: BT	DR: KR	JN: 2016405.01	SHEET 1 OF 1
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EXHIBIT "A"
LAND DESCRIPTION

THAT PORTION OF PARCEL 7 OF THE LAND DESCRIBED IN DEED TO CURT A. WELLS RECORDED IN BOOK 4275, PAGE 87, OFFICIAL RECORDS, LOCATED IN TRACT 41, TOWNSHIP 16 NORTH, RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN, IN THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, STATE OF ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS.....

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT 41;

THENCE ALONG THE EASTERLY LINE OF SAID TRACT 41 SOUTH 00° 10' 37" WEST A DISTANCE OF 50.00 FEET TO THE SOUTHEAST CORNER OF THE LAND DESCRIBED AS PARCEL 1 IN DEDICATION OF PUBLIC ROADWAY TO THE TOWN OF CHINO VALLEY (50.00 FEET WIDE) RECORDED IN OF BOOK 4443, PAGE 165, OFFICIAL RECORDS OF SAID COUNTY, SAID CORNER ALSO BEING THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID EASTERLY LINE SOUTH 00° 10' 37" WEST A DISTANCE OF 1,795.02 FEET TO THE NORTHEAST CORNER OF THE OF THE LAND DESCRIBED IN DEDICATION OF PUBLIC ROADWAY TO THE TOWN OF CHINO VALLEY (50.00 FEET WIDE) RECORDED IN OF BOOK 4443, PAGE 164, OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG THE NORTHERLY LINE OF SAID DEDICATION NORTH 89° 43' 22" WEST A DISTANCE OF 426.98 FEET TO THE EASTERLY LINE OF THE LAND DESCRIBED IN DEED TO THE TOWN OF CHINO VALLEY, RECORDED IN BOOK 3927, PAGE 137, OFFICIAL RECORDS OF SAID COUNTY;



EXPIRES 09/30/2019

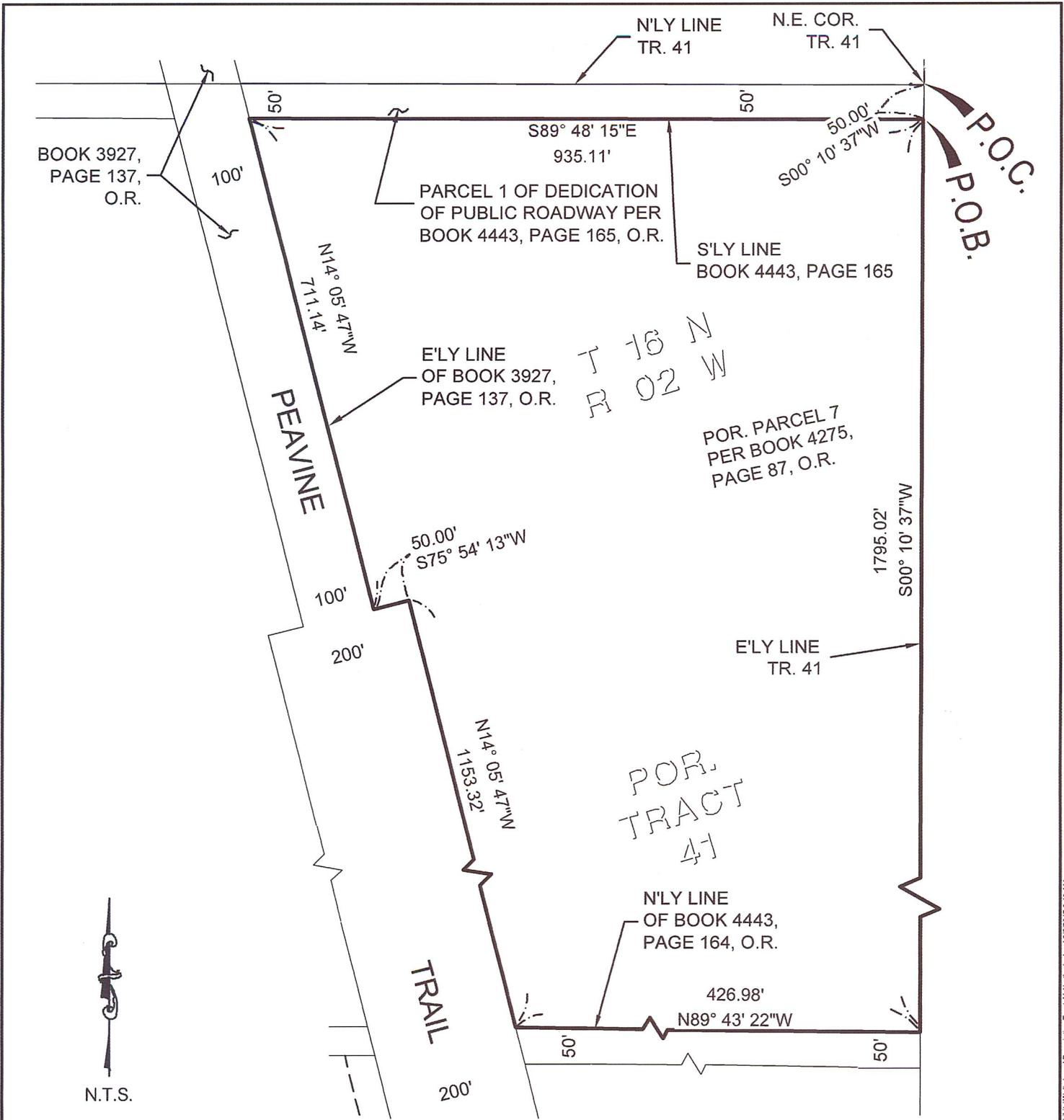
THENCE ALONG SAID EASTERLY LINE NORTH 14° 05' 47" WEST A DISTANCE OF 1,153.32 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE SOUTH 75° 54' 13" WEST A DISTANCE OF 50.00 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE NORTH 14° 05' 47" WEST A DISTANCE OF 711.14 FEET TO THE SOUTHERLY LINE OF SAID PARCEL 1;

THENCE ALONG SAID SOUTHERLY LINE SOUTH 89° 48' 15" EAST A DISTANCE OF 935.11 TO THE **POINT OF BEGINNING**.

CONTAINING 1,211,151 SQUARE FEET, OR 27.804 ACRES, MORE OR LESS.



REGISTERED LAND SURVEYOR
CERTIFICATE NO. 51524
KENNETH R. DAVIDSON
DATE SIGNED 3-3-17
ARIZONA U.S.A.

EXPIRES 09/30/2019

CIVILTEC
engineering inc.

Civil, Water, Wastewater, Drainage,
and Transportation Engineering
Construction Management • Surveying
California • Arizona

CHINO VALLEY, AZ

CURT A. WELLS
LAND DESCRIPTION
EXHIBIT B

DE: KR D	CH: BT	DR: KR D	JN: 2016405.01	SHEET 1 OF 1
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