

ORDINANCE NO. 17-828

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 2.0 ACRES OF REAL PROPERTY GENERALLY LOCATED NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF GRANITE CREEK LANE AND HAYWARD DRIVE, FROM SR-2 (SINGLE FAMILY RESIDENTIAL; 2 ACRE MINIMUM) ZONING DISTRICT TO SR-1 (SINGLE FAMILY RESIDENTIAL, 1 ACRE MINIMUM) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

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 unanimous vote 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 real property consisting of approximately 2.0 acres, generally located at the southwest corner of the intersection of Granite Creek Lane and Hayward Lane, and legally described in Exhibit A and shown on the Zoning Exhibit (map) in Exhibit B, both of which are attached hereto and incorporated herein by this reference, from SR-2 (Single Family Residential, 2 acre minimum) Zoning District to SR-1 (Single Family Residential, 1 acre minimum) 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. Development of the Property shall also be subject to the following conditions:

- a. Dedication to Chino Valley for Granite Creek Lane right-of-way that is adjacent to the Property shall be completed within thirty days of the effective date of this ordinance or sooner as required by the Town Engineer. Dedication of Granite Creek Lane shall extend 25 feet south from the common boundary of the subject parcel and parcel number 800-13-041L. Failure to dedicate within the timeframe required herein may result in reversion of the zoning to the prior zoning classification.

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 28th day of February, 2017 by the following vote:

AYES: 7
NAYS: 0

ABSENT: 0
ABSTAINED: 0

APPROVED this 28th day of February, 2017.



Darryl L. Croft, Mayor

ATTEST:



Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:



Phyllis L. N. Smiley, Town Attorney
Gust Rosenfeld, PLC

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 18-828 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 28TH DAY OF FEBRUARY 2017, WAS POSTED IN THREE PLACES ON THE 9TH DAY OF March, 2017.



Jami C. Lewis, Town Clerk

The following exhibits are attached hereto and incorporated herein:

- A. Legal Descriptions
- B. Vicinity Map
- C. Location Map

EXHIBIT A1: LEGAL DESCRIPTION

EMPIRE SURVEYING, INC.
P.O. BOX 67, PAULDEN, AZ 86334-0067
PHONE (928)-636-6992

Property Description
PARCEL "3A"
1.064 ACRES



January 5, 2017

All that portion of GOVERNMENT TRACT 39, according to the plats recorded in Book 34 of Land Surveys, Pages 1 and Book 51 of Land Surveys, Page 85, Yavapai County Recorder's Office, all in Section 11, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the Southwest corner of "Parcel B" as shown on Book 34 of Land Surveys, Page 1, marked with a one-half inch rebar;

Thence North 00° 13' 09" West 764.74 feet to a one-half inch rebar on the Southerly right-of-way of Granite Creek Lane;

Thence North 89° 50' 53" East 276.08 feet along said right-of-way to a one-half inch rebar and **THE TRUE POINT OF BEGINNING**;

Thence continuing North 89° 50' 53" East 125.54 feet along said right-of-way to a one-half inch rebar;

Thence South 00° 13' 09" East 369.33 feet to a one-half inch rebar;

Thence South 89° 50' 53" West 125.54 feet to a one-half inch rebar;

Thence North 00° 13' 09" West 369.33 feet to **THE TRUE POINT OF BEGINNING**.

Containing 1.064 acres.

EXHIBIT A2: LEGAL DESCRIPTION

EMPIRE SURVEYING, INC.
P.O. BOX 67, PAULDEN, AZ 86334-0067
PHONE (928)-636-6992



Property Description
PARCEL "3B"
1.064 ACRES

January 5, 2017

All that portion of GOVERNMENT TRACT 39, according to the plats recorded in Book 34 of Land Surveys, Pages 1; and Book 51 of Land Surveys, Page 85, Yavapai County Recorder's Office, all in Section 11, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the Southwest corner of "Parcel B" as shown on Book 34 of Land Surveys, Page 1, marked with a one-half inch rebar;

Thence North 00° 13' 09" West 764.74 feet to a one-half inch rebar on the Southerly right-of-way of Granite Creek Lane;

Thence North 89° 50' 53" East 401.62 feet along said right-of-way to a one-half inch rebar and **THE TRUE POINT OF BEGINNING**;

Thence continuing North 89° 50' 53" East 125.54 feet along said right-of-way to a one-half inch rebar;

Thence South 00° 13' 09" East 369.33 feet to a one-half inch rebar;

Thence South 89° 50' 53" West 125.54 feet to a one-half inch rebar;

Thence North 00° 13' 09" West 369.33 feet to **THE TRUE POINT OF BEGINNING**.

Containing 1.064 acres.

EXHIBIT B: ZONING MAP

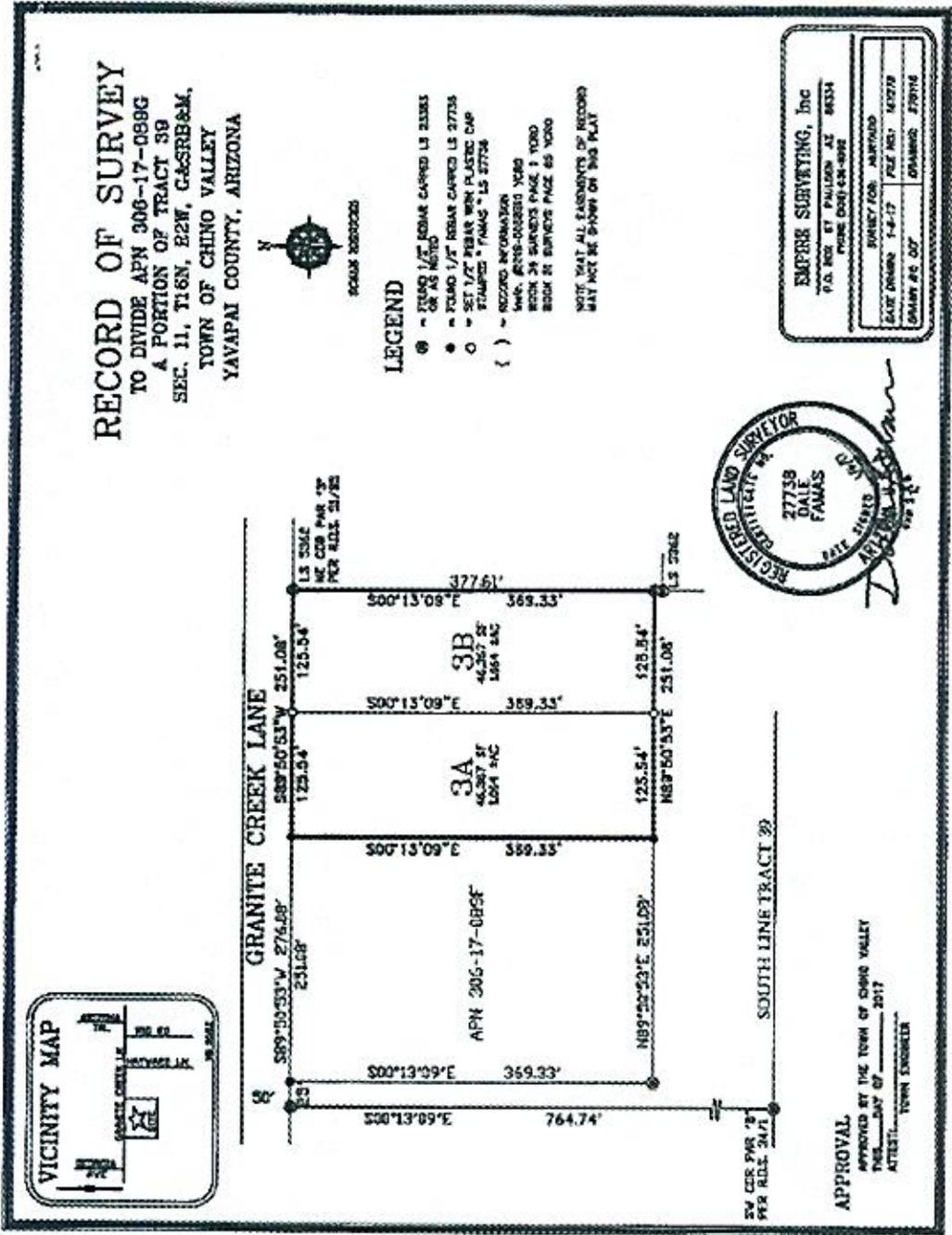


EXHIBIT C: LOCATION MAP

