

ORDINANCE NO. 17-831

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 TWO (2) ACRES OF REAL PROPERTY GENERALLY LOCATED 400 FEET WEST OF ROAD 1 EAST (ALSO KNOWN AS YAVAPAI COUNTY ASSESSOR'S PARCEL NUMBER 306-14-001N) FROM AR-5 (AGRICULTURAL/RESIDENTIAL, 5 ACRE MINIMUM) ZONING DISTRICT TO CL (COMMERCIAL LIGHT) 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 vote of 7-0 recommends approval of the rezoning; and

WHEREAS, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this ordinance,

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 two (2) acres, described in Exhibit 1 and as shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by this reference, from AR-5 (Agricultural/Residential; 5 Acre minimum) Zoning District to CL (Commercial Light) 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 East Road 3 ½ North right-of-way that is adjacent to the Property shall be completed the earlier of

recording of the final plat or issuance of a building permit, or sooner as required by the Town Engineer. Dedication of East Road 3 1/2 North shall extend 25 feet north from the south property line. Failure to dedicate said roadway as required 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 9th day of May, 2017 by the following vote:

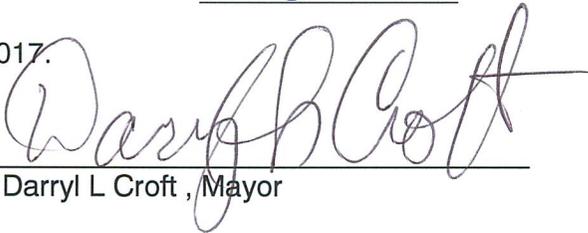
AYES: 6

ABSENT: 0

NAYS: 0

ABSTAINED: 0

APPROVED this 9th day of May, 2017.



Darryl L Croft , Mayor

ATTEST:

APPROVED AS TO FORM:



Jami C. Lewis, Town Clerk

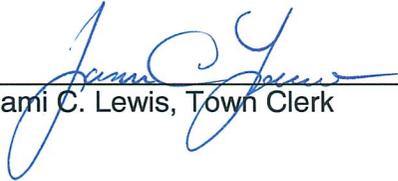


Phyllis L. N. Smiley, Town Attorney
Gust Rosenfeld, PLC

The following exhibits are attached hereto and incorporated herein:

1. Legal Description
2. Zoning Exhibit (map)

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 17-831 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 9th DAY OF MAY, 2017, WAS POSTED IN THREE PLACES ON THE 11th DAY OF MAY, 2017.



Jami C. Lewis, Town Clerk

EXHIBIT 1: LEGAL DESCRIPTION

Parcel 306-14-001N

All that portion of the Southeast Quarter of the Northeast Quarter of Section 10, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona described as follows:

COMMENCING at the East Quarter corner of said Section 10;

Thence South $89^{\circ} 50' 36''$ West, 384.30 feet to the TRUE POINT OF BEGINNING;

Thence continuing South $89^{\circ} 50' 36''$ West, 173.87 feet;

Thence North $0^{\circ} 15' 36''$ East, 501.06 feet;

Thence North $89^{\circ} 50' 36''$ East, 173.87 feet;

Thence South $0^{\circ} 15' 36''$ West, 501.06 feet to the TRUE POINT OF BEGINNING.

EXHIBIT 2: ZONING MAP

