

**ORDINANCE NO. 17-832**

**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 1.16 ACRES OF REAL PROPERTY GENERALLY LOCATED APPROXIMATELY 560 FEET SOUTH OF THE SOUTHEAST CORNER OF WEST ROAD 4 NORTH AND NORTH REED ROAD, FROM SR-2.5 (SINGLE FAMILY RESIDENTIAL – 2.5 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; 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 1.16 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 SR-2.5 (Single Family Residential – 2.5 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 North Reed Road right-of-way that is adjacent to the Property shall be completed at the time or recordation of the final plat or sooner as required by the Town Engineer. Dedication of North Reed Road shall extend 15 feet east from the existing right-of-way boundary line for the length of the

Property. Failure to dedicate said roadways within 30 days of request by the Town Engineer 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.

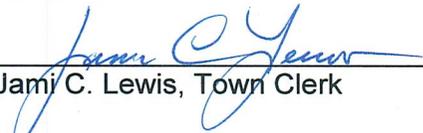
**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Chino Valley, Arizona this 23<sup>rd</sup> day of May, 2017 by the following vote:

AYES:	<u>    4    </u>	ABSENT:	<u>    2    </u>
NAYS:	<u>    0    </u>	ABSTAINED:	<u>    0    </u>

APPROVED this 23<sup>rd</sup> day of May, 2017.

  
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 Darryl L. Croft, Mayor

ATTEST:

  
 \_\_\_\_\_  
 Jami C. Lewis, Town Clerk

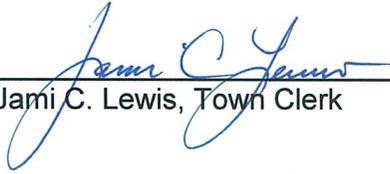
APPROVED AS TO FORM:

  
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 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. 17-832 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 23RD DAY OF MAY, 2017, WAS POSTED IN THREE PLACES ON THE 8<sup>TH</sup> DAY OF JUNE, 2017.

  
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Jami C. Lewis, Town Clerk

**EXHIBIT 1**

**LEGAL DESCRIPTION**

The South half of Lot 22, Shadow Meadow Unit One, according to the plat of record in Book 16 of Maps, page 57, records of Yavapai County, Arizona.

EXHIBIT 2

MAP

