

ORDINANCE NO. 17-837

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF CHINO VALLEY BY AMENDING ORDINANCE NO. 07-690 PERTAINING TO THE WEST MEADOWS PLANNED AREA DEVELOPMENT BY AMENDING THE DEVELOPMENT PLAN FOR APPROXIMATELY 46 ACRES OF REAL PROPERTY GENERALLY LOCATED EAST OF ROAD 1 WEST AND ONE HALF MILE NORTH OF ROAD 4 NORTH RELATED TO PROVIDING FOR AN ACTIVE ADULT COMMUNITY CONSISTING OF 276 PARK MODEL UNITS WITH RECREATIONAL AMENITIES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, by adoption of this Ordinance, the Town Council desires to provide for the orderly development of land consistent with the Unified Development Ordinance of the Town of Chino Valley to permit flexibility in the design of residential, commercial and/or industrial developments in conformity with the intent and purpose of the General Plan and Unified Development Ordinance and provide opportunities for unique development; and

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 of 7 for and 0 against recommended approval of the rezoning; and

WHEREAS, the West Meadows PAD was created by Ordinance No. 07-690 pursuant to the provisions of the Town of Chino Valley Unified Development Ordinance; and

WHEREAS, that certain document entitled Exhibit 3: Amended Development Plan of the West Meadows Planned Area Development, dated September 12, 2017 is attached hereto and incorporated by this reference; 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. Ordinance No. 07-690 is hereby amended by amending the Development Plan for approximately 46 acres of real property as described in the legal description, Exhibit 1 and as shown on the map in Exhibit 2, and as shown on the Development Plan for West Meadows Active Adult Community, Exhibit 3, all attached hereto and incorporated herein, and making Exhibit 3 part of the Development Plan for the West Meadows PAD, as set forth in or attached to Ordinance No. 07-690 read as follows:

EXHIBIT 3: Development Plan of the West Meadows Active Adult Community Planned Area Development, dated September 12, 2017 (the "Amended Development Plan").

2. All dedications, development requirements and development conditions set forth in Ordinance No. 07-690 relating to the West Meadows PAD are incorporated herein and shall remain in full force and effect with respect to the 86.81 acres of the West Meadows PAD that are not included in the Amended Development Plan.

3. The 46-acre Property described in Paragraph 1 of this Section shall be used and developed in accordance with the Amended Development Plan and the Town of Chino Valley Unified Development Ordinance (the "UDO"). In addition to conformance with the Development Plan and the UDO, development of the Property shall be subject to the following conditions:

- a. A one-foot (1') vehicular non-access easement shall be provided and recorded in the official records of the Yavapai County Recorder and shall be shown on the final site plan that shall be submitted and approved by the Development Services Director prior to issuance of a building permit or certificate of occupancy for any structure in the West Meadows Active Adult Community.
- b. Dedication to Chino Valley of an additional right-of-way of sufficient width to establish a 40-foot (40') half street right-of-way for North Road 1 West adjacent to the property shall be completed prior to issuance of a building permit or certificate of occupancy, whichever is earlier, or sooner, as required by the Town Engineer. Failure to complete dedication as required by this ordinance may result in reversion of the zoning to the prior zoning classification.
- c. Developer shall construct:
 1. A second north-bound lane to North Road 1 West adjacent to the Property, which shall be completed prior to issuance of a

certificate of occupancy or final approval of any unit or building constructed on the Property or at the time requested by Chino Valley, whichever is earlier; and

2. Curb and gutter with a 5-foot (5') sidewalk along the North Road 1 West frontage.

The above improvements shall be constructed in accordance with plans approved by the Town Engineer and dedicated to the Town upon approval and acceptance of the Town Engineer.

- d. A drainage study shall be provided by Developer to Town prior to beginning construction on any phase of the Project.
- e. The Project shall be developed as age-restricted requiring a head of a household or spouse who must be 55 years of age or older and in which minors are prohibited from living in the dwelling unit. All advertising and rental agreements shall clearly state the age requirements.
- f. At the written request of Chino Valley, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Chino Valley's written request may result in the reversion of the zoning of the Property to the prior zoning classification.
- g. Developer shall provide the pool and clubhouse amenities shown on the Amended Development Plan as part of Phase 1 of the Project. No construction on Phase 2 will be permitted by Chino Valley until the pool and clubhouse amenities are completed.
- h. The Project shall include no more than 276 Park Model Units.
- i. Until such time as the Town's sewer line is within 500 feet of the Property, the Project shall be served by an on-site, self-contained sewer system as approved by the Town and Yavapai County. The system shall be designed and installed so that all units can be easily connected to the Town's sewer line when it is extended to within 500 feet of the Property. At that time, all residential units shall be connected to and served by the Town of Chino Valley sewer.

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 12th day of September, 2017 by the following vote:

AYES: 6
NAYS: 1

ABSENT: 0
ABSTAINED: 0

APPROVED this 12th day of September, 2017.



Darryl L. Croft, Mayor

ATTEST:

APPROVED AS TO FORM:

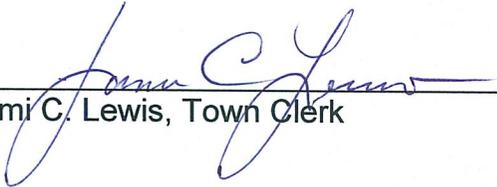


Jami C. Lewis, Town Clerk



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. 17-837 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 12th DAY OF SEPTEMBER, 2017, WAS POSTED IN THREE PLACES ON THE 14TH DAY OF SEPTEMBER, 2017.



Jami C. Lewis, Town Clerk

The following exhibits are attached hereto and incorporated herein:

1. Legal Description
2. Map
3. Development Plan

EXHIBIT 1
LEGAL DESCRIPTION

Parcel 306-04-005Y

All that portion of the West half of the West half of Section 3, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

Beginning at the Southwest corner of said Section 3;

Thence North 01 degrees 35 minutes 00 seconds West, along the West line of said Section 3, a distance of 1759.00 feet;

Thence East, 25.01 feet to the TRUE POINT OF BEGINNING;

Thence North 01 degrees 35 minutes 00 seconds West, parallel with the West line of said Section 3, a distance of 1032.90 feet;

Thence North 88 degrees 25 minutes 00 seconds East, 70.00 feet;

Thence North 01 degrees 35 minutes 00 seconds West, 40.00 feet;

Thence North 88 degrees 55 minutes 00 seconds East, 661.56 feet;

Thence South 01 degrees 03 minutes 20 seconds East, 1087.12 feet;

Thence West, 721.80 feet to the TRUE POINT OF BEGINNING.

Parcel: 306-04-005X

PARCEL I:

ALL THAT PORTION OF THE WEST HALF OF THE WEST HALF OF SECTION 3, TOWNSHIP 16 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 3;

THENCE NORTH 01 DEGREES, 35 MINUTES WEST, 1759.00 FEET ALONG THE WEST LINE OF SAID SECTION 3;

THENCE EAST, 746.83 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING THE SOUTHEAST CORNER OF PROPERTY DESCRIBED IN BOOK 2333 OF OFFICIAL RECORDS, PAGE 570;

THENCE EAST, 579.55 FEET;

THENCE NORTH 01 DEGREES, 29 MINUTES WEST (NORTH 01 DEGREES, 24 MINUTES WEST OF RECORD), AS DESCRIBED IN BOOK 169 OF DEEDS, PAGE 1, 1098.10 FEET;

THENCE SOUTH 88 DEGREES, 55 MINUTES WEST, 571.26 FEET TO THE NORTHEAST CORNER OF PROPERTY DESCRIBED IN BOOK 2333 OF OFFICIAL RECORDS, PAGE 570;

THENCE SOUTH 01 DEGREES, 03 MINUTES, 20 SECONDS EAST, 1087.12 FEET ALONG THE EAST LINE OF PARCEL DESCRIBED IN BOOK 2333 OF OFFICIAL RECORDS, PAGE 570, TO THE TRUE POINT OF BEGINNING.

PARCEL II:

AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES DESCRIBED AS FOLLOWS:

THE SOUTH 25 FEET OF THE FOLLOWING DESCRIBED PROPERTY;

ALL THAT PORTION OF THE WEST HALF OF THE WEST HALF OF SECTION 3, TOWNSHIP 16 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 3;

THENCE NORTH 01 DEGREES, 35 MINUTES, 00 SECONDS WEST, ALONG THE WEST LINE OF SAID SECTION 3, A DISTANCE OF 1759.00 FEET;

THENCE EAST, 25.01 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 01 DEGREES, 35 MINUTES, 00 SECONDS WEST, PARALLEL WITH THE WEST LINE OF SAID SECTION 3, A DISTANCE OF 1032.90 FEET;

THENCE NORTH 88 DEGREES, 25 MINUTES, 00 SECONDS EAST, 70.00 FEET;

THENCE NORTH 01 DEGREES, 35 MINUTES, 00 SECONDS WEST, 40.00 FEET;

THENCE NORTH 88 DEGREES, 55 MINUTES, 00 SECONDS EAST, 661.56 FEET;

THENCE SOUTH 01 DEGREES, 03 MINUTES, 20 SECONDS EAST, 1087.12 FEET;

THENCE WEST, 721.80 FEET TO THE TRUE POINT OF BEGINNING.

Parcel 306-04-008J

All that portion of Section 3, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona more particularly described as follows:

COMMENCING at the Southwest corner of said Section 3;

Thence North $01^{\circ} 35' 05''$ West , 972.03 feet along the West line of Section 3 to the TRUE POINT OF BEGINNING;

Thence continuing North $01^{\circ} 35' 05''$ West, 786.97 feet to the Southwest corner of that property described in Book 173 of Deeds, page 285;

Thence East and parallel with the South Section line of said Section 3, along the South line of property conveyed in Book 173 of Deeds, page 285, 1325.59 feet (record 1320 feet) to the West line of that property conveyed in Book 169 of Deeds, page 1;

Thence South $01^{\circ} 25' 43''$ East(recorded South parallel to the West line of said Section 3), 784.03 feet (recorded 779 feet);

Thence South $89^{\circ} 52' 30''$ West, 1323.37 feet to the TRUE POINT OF BEGINNING.

EXCEPT all gas and oil rights as reserved in Book 159 of Deeds, page 94.

EXHIBIT 2

MAP

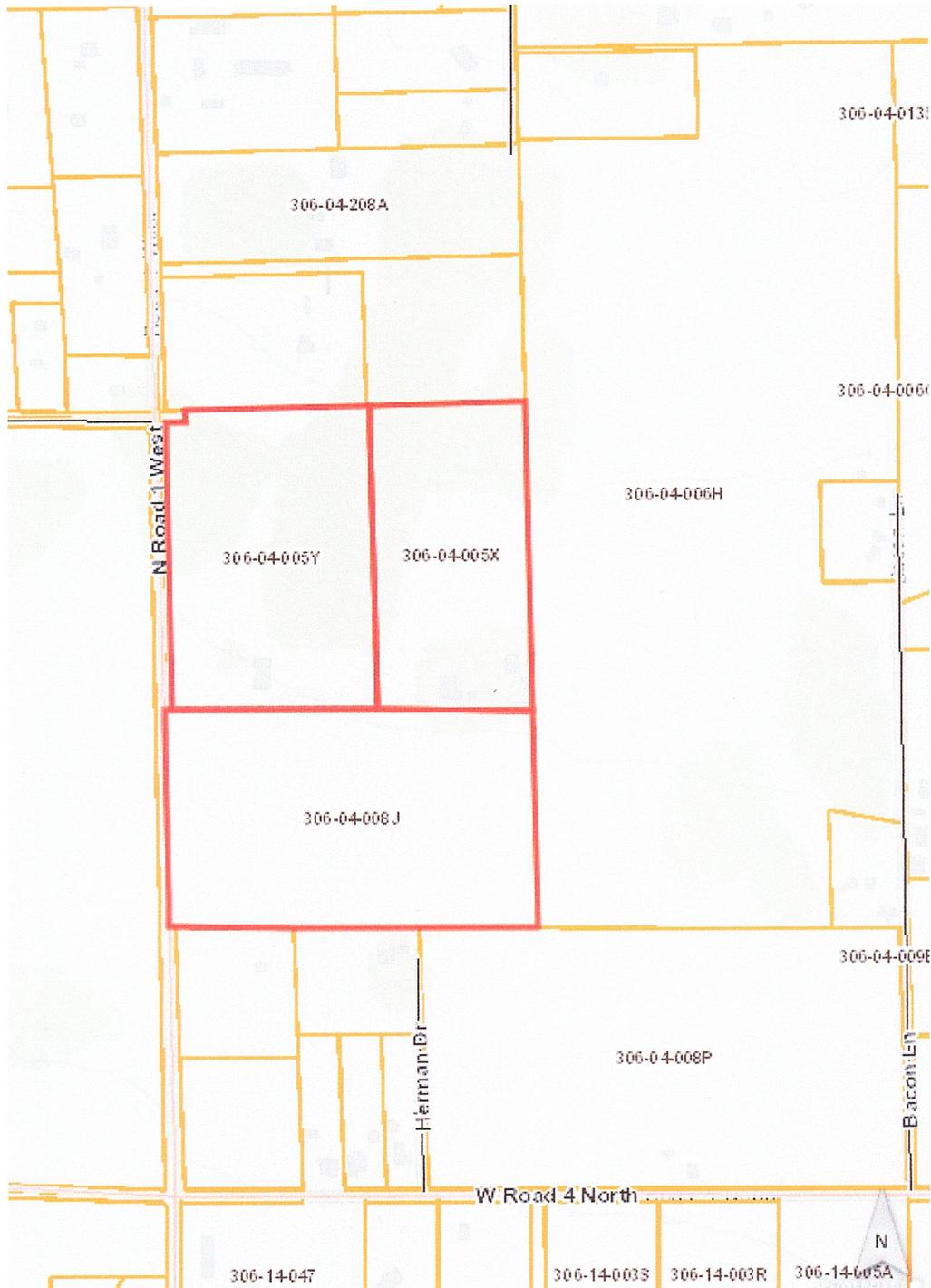
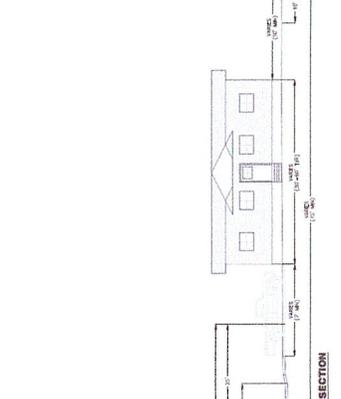
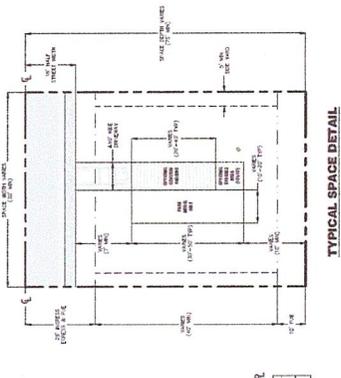
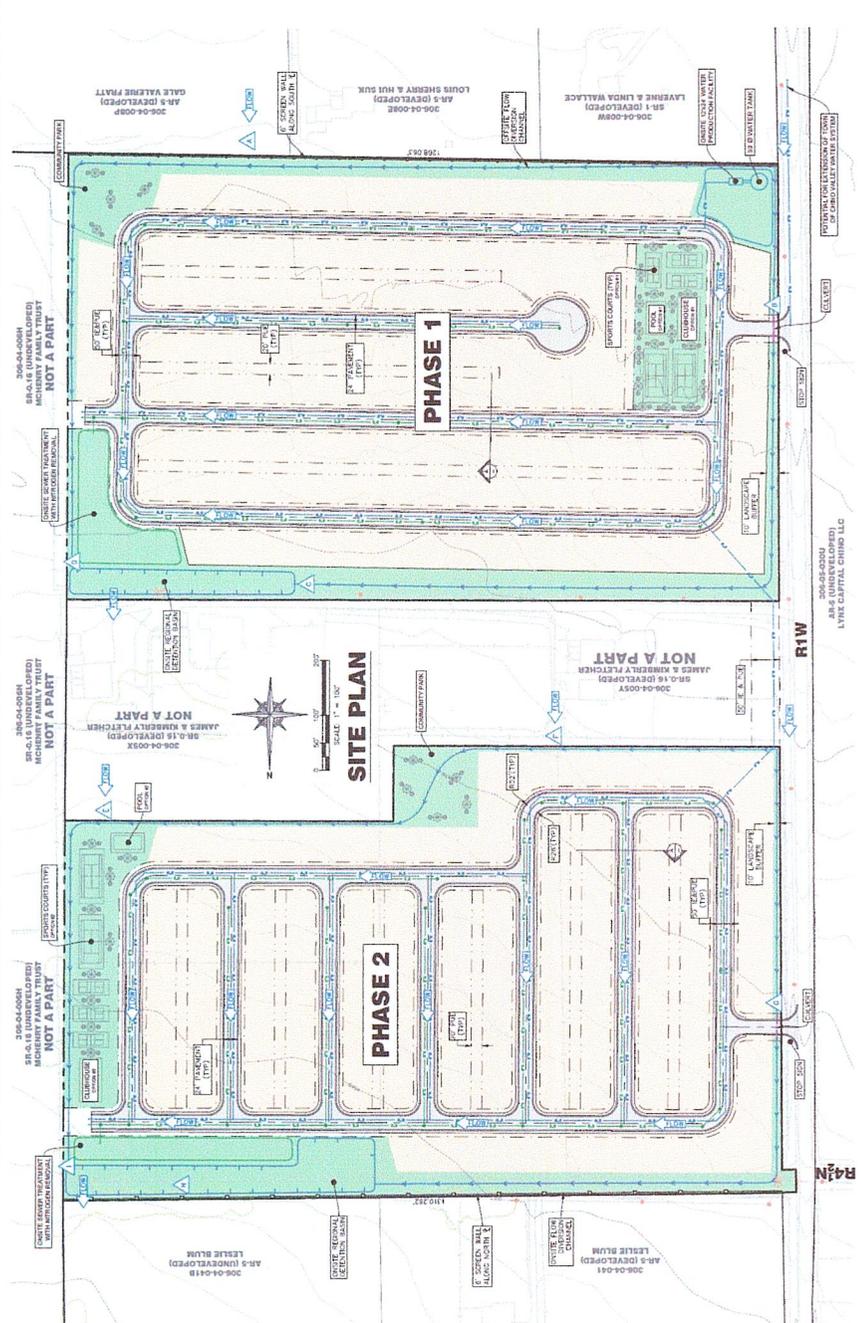
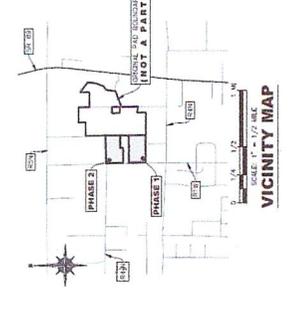


EXHIBIT 3
DEVELOPMENT PLAN

DEVELOPMENT PLAN
 ADULT COMMUNITY PHASE 1 & 2 TO BE CONSTRUCTED WITH PLANNED RECREATION DEVELOPMENT (PARK MODEL UNITS ON RENTED SPACES FOR MAXIMUM 12 MONTH DURATION) WITH OPPORTUNITY FOR OPEN SPACE DEVELOPMENT

WEST MEADOWS
 ACTIVE ADULT COMMUNITY
 PLANNED AREA DEVELOPMENT
 (PAD) OVERLAY

PARCEL 306-04-0081 AND PORTIONS OF PARCELS 306-04-0082 & 306-04-0083
 PHASE 2 - 135 PARK MODEL SPACES ON 22.55 ACRES
 TOTAL PROJECT - 276 PARK MODEL SPACES ON 45.89 ACRES



HYDROLOGY

DESIGN AREA	Area (Ac)	Runoff Coefficient (C)	Runoff (In)
A	24	0.4	1.0
B	1	0.4	0.4
C	11	0.5	0.6
D	4	0.4	0.2
E	4	0.4	0.2
F	4	0.4	0.2
G	26	0.5	0.7
H	11	0.4	0.4

REVISIONS

NO.	DATE	DESCRIPTION
1	08/14/2017	ISSUED FOR PERMIT
2	08/14/2017	ISSUED FOR PERMIT
3	08/14/2017	ISSUED FOR PERMIT
4	08/14/2017	ISSUED FOR PERMIT
5	08/14/2017	ISSUED FOR PERMIT
6	08/14/2017	ISSUED FOR PERMIT
7	08/14/2017	ISSUED FOR PERMIT
8	08/14/2017	ISSUED FOR PERMIT
9	08/14/2017	ISSUED FOR PERMIT
10	08/14/2017	ISSUED FOR PERMIT

PROPERTY DATA

NO.	AREA	UNITS	TYPE
1	135	135	PARK MODEL
2	141	141	PARK MODEL
3	141	141	PARK MODEL
4	141	141	PARK MODEL
5	141	141	PARK MODEL
6	141	141	PARK MODEL
7	141	141	PARK MODEL
8	141	141	PARK MODEL
9	141	141	PARK MODEL
10	141	141	PARK MODEL

DESIGN PARAMETERS

NO.	PARAMETER	VALUE
1	DESIGN FLOW (MGD)	1.0
2	DESIGN FLOW (MGD)	1.0
3	DESIGN FLOW (MGD)	1.0
4	DESIGN FLOW (MGD)	1.0
5	DESIGN FLOW (MGD)	1.0
6	DESIGN FLOW (MGD)	1.0
7	DESIGN FLOW (MGD)	1.0
8	DESIGN FLOW (MGD)	1.0
9	DESIGN FLOW (MGD)	1.0
10	DESIGN FLOW (MGD)	1.0

PROJECT INFORMATION

PROJECT NO. 17-001
 PROJECT NAME: WEST MEADOWS ACTIVE ADULT COMMUNITY
 PROJECT LOCATION: 2150 NORTH STATE ROUTE 89, CHINO VALLEY, CALIFORNIA 91709
 PROJECT OWNER: CHINO VALLEY ANTELOPE TRAIL HOA
 PROJECT ARCHITECT: [FIRM NAME]
 PROJECT ENGINEER: [FIRM NAME]

LANDSCAPE COMPARISON

NO.	LANDSCAPE TYPE	AREA (SQ FT)	PERCENTAGE
1	LANDSCAPE TYPE	1000	10%
2	LANDSCAPE TYPE	2000	20%
3	LANDSCAPE TYPE	3000	30%
4	LANDSCAPE TYPE	4000	40%
5	LANDSCAPE TYPE	5000	50%

DESIGN PARAMETERS

NO.	PARAMETER	VALUE
1	DESIGN FLOW (MGD)	1.0
2	DESIGN FLOW (MGD)	1.0
3	DESIGN FLOW (MGD)	1.0
4	DESIGN FLOW (MGD)	1.0
5	DESIGN FLOW (MGD)	1.0
6	DESIGN FLOW (MGD)	1.0
7	DESIGN FLOW (MGD)	1.0
8	DESIGN FLOW (MGD)	1.0
9	DESIGN FLOW (MGD)	1.0
10	DESIGN FLOW (MGD)	1.0

DESIGN PARAMETERS

NO.	PARAMETER	VALUE
1	DESIGN FLOW (MGD)	1.0
2	DESIGN FLOW (MGD)	1.0
3	DESIGN FLOW (MGD)	1.0
4	DESIGN FLOW (MGD)	1.0
5	DESIGN FLOW (MGD)	1.0
6	DESIGN FLOW (MGD)	1.0
7	DESIGN FLOW (MGD)	1.0
8	DESIGN FLOW (MGD)	1.0
9	DESIGN FLOW (MGD)	1.0
10	DESIGN FLOW (MGD)	1.0

REVISIONS

NO.	DATE	DESCRIPTION
1	08/14/2017	ISSUED FOR PERMIT
2	08/14/2017	ISSUED FOR PERMIT
3	08/14/2017	ISSUED FOR PERMIT
4	08/14/2017	ISSUED FOR PERMIT
5	08/14/2017	ISSUED FOR PERMIT
6	08/14/2017	ISSUED FOR PERMIT
7	08/14/2017	ISSUED FOR PERMIT
8	08/14/2017	ISSUED FOR PERMIT
9	08/14/2017	ISSUED FOR PERMIT
10	08/14/2017	ISSUED FOR PERMIT

PROPERTY DATA

NO.	AREA	UNITS	TYPE
1	135	135	PARK MODEL
2	141	141	PARK MODEL
3	141	141	PARK MODEL
4	141	141	PARK MODEL
5	141	141	PARK MODEL

DESIGN PARAMETERS

NO.	PARAMETER	VALUE
1	DESIGN FLOW (MGD)	1.0
2	DESIGN FLOW (MGD)	1.0
3	DESIGN FLOW (MGD)	1.0
4	DESIGN FLOW (MGD)	1.0
5	DESIGN FLOW (MGD)	1.0
6	DESIGN FLOW (MGD)	1.0
7	DESIGN FLOW (MGD)	1.0
8	DESIGN FLOW (MGD)	1.0
9	DESIGN FLOW (MGD)	1.0
10	DESIGN FLOW (MGD)	1.0

DESIGN PARAMETERS

NO.	PARAMETER	VALUE
1	DESIGN FLOW (MGD)	1.0
2	DESIGN FLOW (MGD)	1.0
3	DESIGN FLOW (MGD)	1.0
4	DESIGN FLOW (MGD)	1.0
5	DESIGN FLOW (MGD)	1.0
6	DESIGN FLOW (MGD)	1.0
7	DESIGN FLOW (MGD)	1.0
8	DESIGN FLOW (MGD)	1.0
9	DESIGN FLOW (MGD)	1.0
10	DESIGN FLOW (MGD)	1.0