

**ORDINANCE NO. 17-836**

**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 2 ACRES OF REAL PROPERTY GENERALLY LOCATED APPROXIMATELY 353 FEET NORTHWEST OF THE INTERSECTION OF EAST CENTER STREET AND NORTH ROAD 1 EAST AT 90 NORTH ROAD 1 EAST (ALSO KNOWN AS YAVAPAI COUNTY ASSESSORS PARCELS NUMBERS 306-23-063R AND 306-23-063S), FROM CL (COMMERCIAL LIGHT) 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 as amended 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 ayes and 0 nays recommended 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 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 CL (Commercial Light) 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.

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All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 12<sup>th</sup> day of September, 2017 by the following vote:

AYES: 7  
NAYS: 0

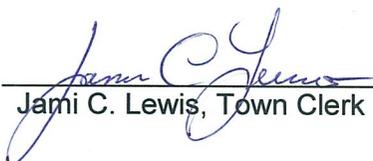
ABSENT: 0  
ABSTAINED: 0

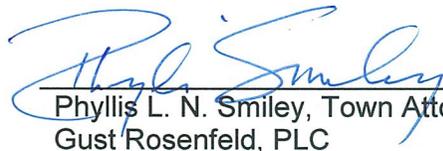
APPROVED this 12<sup>th</sup> day of September, 2017.

  
\_\_\_\_\_  
Darryl L. Croft, Mayor

ATTEST:

APPROVED AS TO FORM:

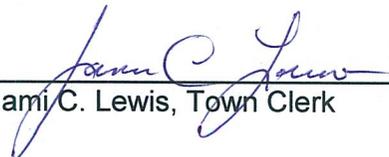
  
\_\_\_\_\_  
Jami C. Lewis, Town Clerk

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

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. 17-836 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 12<sup>th</sup> DAY OF SEPTEMBER, 2017, WAS POSTED IN THREE PLACES ON THE 28<sup>TH</sup> DAY OF SEPTEMBER, 2017.

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

**EXHIBIT 1  
LEGAL DESCRIPTION**

**Parcel: 306-23-063R**

All that portion of Section 22, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the Southeast corner of Section 22 marked with a one and one half inch iron pipe;

THENCE North 01°11'53" East for a distance of 659.90 feet along the section line to a point;

THENCE South 89°31'37" West for a distance of 25.00 feet to a point on the Westerly Right of Way line of Road 1 East;

THENCE North 01°11'53" East along said Westerly Right of Way line for a distance of 148.20 feet to the TRUE POINT OF BEGINNING and Southeast corner of this parcel;

THENCE continuing North 01°11'53" East for a distance of 148.20 feet to the Northeast corner of this parcel;

THENCE South 89°31'37" West for a distance of 294.00 feet to the Northwest corner of this parcel;

THENCE South 01°11'53" West for a distance of 148.20 feet to the Southwest corner of this parcel;

THENCE North 89°31'37" East for a distance of 294.00 feet to the POINT OF BEGINNING.

This parcel contains 1.00 acres more or less.

**Parcel: 306-23-063S**

All that portion of Section 22, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the Southeast corner of Section 22 marked with a one and one half inch iron pipe;

THENCE North  $01^{\circ}11'53''$  East for a distance of 659.90 feet along the section line to a point;

THENCE South  $89^{\circ}31'37''$  West for a distance of 25.00 feet to a one half inch rebar and the TRUE POINT OF BEGINNING and Southeast corner of this parcel;

THENCE South  $89^{\circ}31'37''$  West for a distance of 294.00 feet to the Southwest corner of this parcel;

THENCE North  $01^{\circ}11'53''$  East for a distance of 148.20 feet to the Northwest corner of this parcel;

THENCE North  $89^{\circ}31'37''$  East for a distance of 294.00 feet to the Northeast corner of this parcel and a point on the Westerly Right of Way line of Road 1 East;

THENCE South  $01^{\circ}11'53''$  West along said Westerly Right of Way line for a distance of 148.20 feet to the POINT OF BEGINNING.

This parcel contains 1.00 acres more or less.

EXHIBIT 2  
MAP

