

ORDINANCE NO. 17-838

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 7 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF BACON LANE AND WEST ROAD 4 NORTH, (3065 BACON LANE, YAVAPAI COUNTY ASSESSOR'S PARCEL NUMBER 306-04-009R), FROM AR-5 (AGRICULTURAL RESIDENTIAL-5 ACRE MINIMUM) ZONING DISTRICT TO SR-2.5 (SINGLE FAMILY RESIDENTIAL-2.5 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 vote of 6 ayes and no nays 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 7 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 SR-2.5 (Single Family Residential-2.5 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All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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.

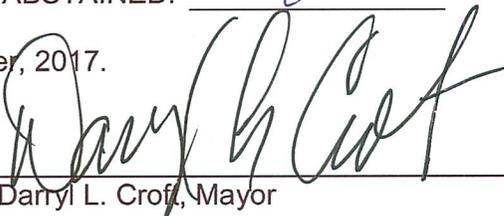
Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 1.10 and 1.11 of the Town of Chino Valley Unified Development Ordinance. Each day a violation continues, or the failure to perform any act or duty required 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 26th day of September, 2017 by the following vote:

AYES: 6
NAYS: 0

ABSENT: 1
ABSTAINED: 0

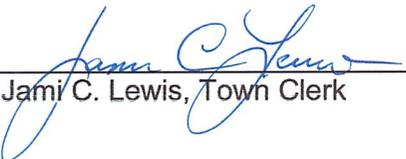
APPROVED this 26th day of September, 2017.



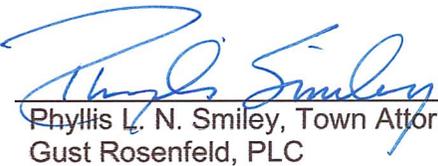
Darryl L. Croff, Mayor

ATTEST:

APPROVED AS TO FORM:



Jami C. Lewis, Town Clerk

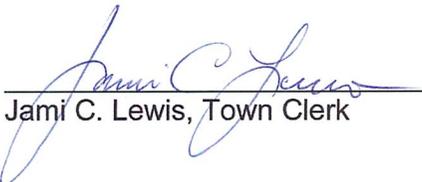


Phyllis L. N. Smiley, Town Attorney
Gust Rosenfeld, PLC

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. 17-838 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 26TH DAY OF SEPTEMBER, 2017, WAS POSTED IN THREE PLACES ON THE 16TH DAY OF OCTOBER, 2017.



Jami C. Lewis, Town Clerk

EXHIBIT 1
LEGAL DESCRIPTION

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

COMMENCING at the South Quarter corner of Section 3;

Thence North 01 degrees 14 minutes 30 seconds West, along the line dividing the West Half and East Half of Section 3 a distance of 25.01 feet to the TRUE POINT OF BEGINNING;

Thence North 01 degrees 14 minutes 30 seconds West, along said line, a distance of 564.99 feet;

Thence East, a distance of 546.31 feet;

Thence South, a distance of 564.86 feet;

Thence West, a distance of 534.07 feet to the TRUE POINT OF BEGINNING;

Containing 7.00 acres more or less ("Bacon Lane Property").

TOGETHER WITH all improvements thereon situate.

**EXHIBIT 2
MAP**

