

**ORDINANCE NO. 17-840**

**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 5.78 ACRES OF REAL PROPERTY GENERALLY LOCATED APPROXIMATELY 744 FEET SOUTH OF THE SOUTHEAST CORNER OF EAST CENTER STREET AND SOUTH ROAD 1 EAST, FROM AR-5 (AGRICULTURAL RESIDENTIAL – 5 ACRE MINIMUM) ZONING DISTRICT TO SR-2 (SINGLE FAMILY RESIDENTIAL – 2 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 seven 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 5.78 acres, legally 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 (Single Family Residential - 2 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All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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.

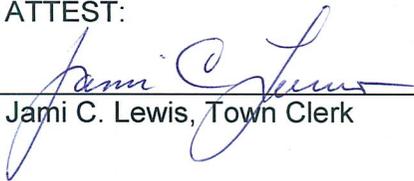
**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Chino Valley, Arizona this 24<sup>th</sup> day of October, 2017 by the following vote:

AYES:	<u>6</u>	ABSENT:	<u>1</u>
NAYS:	<u>0</u>	ABSTAINED:	<u>0</u>

APPROVED this 24<sup>th</sup> day of October, 2017.

  
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 Darryl L. Croft, Mayor

ATTEST:

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

APPROVED AS TO FORM:

  
 \_\_\_\_\_  
 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. 17-840 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 24<sup>th</sup> DAY OF OCTOBER, 2017, WAS POSTED IN THREE PLACES ON THE 26<sup>TH</sup> DAY OF OCTOBER, 2017.

  
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 Jami C. Lewis, Town Clerk

**EXHIBIT 1  
LEGAL DESCRIPTION**

**All that portion of the Northwest quarter of Section 26, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:**

**Beginning at the Northwest corner of Section 26 marked with a one and one-half inch iron pipe 6 inches below the road surface;**

**Thence South 00 degrees 52 minutes 45 seconds East 702.83 feet along the Section line to a point;**

**Thence South 89 degrees 19 minutes 00 seconds East 25.01 feet to a one-half inch rebar;**

**Thence South 00 degrees 52 minutes 45 seconds East 50.02 feet to a one-half inch rebar and the TRUE POINT OF BEGINNING;**

**Thence South 00 degrees 52 minutes 45 seconds East 152.49 feet to a one-half inch rebar;**

**Thence South 85 degrees 21 minutes 25 seconds East 192.83 feet to a one-half inch rebar;**

**Thence South 02 degrees 21 minutes 55 seconds East 400.67 feet to a one-half inch rebar;**

**Thence South 89 degrees 47 minutes 35 seconds East 385.01 feet to a one-half inch rebar;**

**Thence North 00 degrees 51 minutes 19 seconds West 562.86 feet to a one-half inch rebar;**

**Thence North 89 degrees 19 minutes 00 seconds West 587.72 feet to the TRUE POINT OF BEGINNING.**

EXHIBIT 2  
MAP

