

**ORDINANCE NO. 18-844**

**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 44.3 ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF NORTH ROAD 1 EAST AND EAST PERKINSVILLE ROAD AT 1204 EAST PERKINSVILLE ROAD, FROM AR-5 (AGRICULTURAL RESIDENTIAL- 5 ACRE MINIMUM) ZONING DISTRICT TO SR-0.16 (SINGLE FAMILY RESIDENTIAL- 7,000 SQUARE FOOT MINIMUM LOT AREA) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.**

**WHEREAS**, the Mayor and Common Council of the Town of Chino Valley (the “Town Council”) desires to amend the Town of Chino Valley Official Zoning Map to change the zoning for a  $\pm$  44.3 acre parcel of real property from AR-5 (Agricultural Residential- 5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential- 7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development overlay district; 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 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.

1.1     The recitals above are hereby incorporated as if fully set forth herein.

1.2     The Official Zoning Map is hereby amended for property consisting of approximately 44.3 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-0.16 (Single Family Residential- 7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development overlay district, subject to the Town of Chino Valley adopted codes, requirements, standards and regulations and the following stipulations:

- A. The development shall be in general conformance with the Conceptual Site Plan, Perimeter Wall Plans and Landscape Plan, as approved or modified by the Town's Development Services Director, with specific regard to the following:
- (1) Location of pedestrian multi-use trail providing connectivity to Perkinsville Road;
  - (2) Perimeter landscaping along Perkinsville Road and Road 1 East; and
  - (3) Location of park including that two picnic tables, one tot lot, and one Ramada shall be provided.
- B. The developer shall work with the Public Works Director in establishing a viable pull-out for future public transportation.
- C. A safe crossing or pedestrian crossing shall be provided or explored on either mid-block or the intersection as approved by the Town's public works director.
- D. The property shall be subject to the following modified underlying SR-0.16 Development Standards:

	SR-0.16 Standards	Proposed SR-0.16 PAD Standards
Minimum Lot Area	7,000 sq. ft.	7,000 sq. ft.
Minimum Lot Frontage	50 ft.	50 ft.
Minimum Building Setback from Arterial – E. Perkinsville Rd. ( Ref. Section 4.28)	50 ft.	25 ft. *
Minimum Building Setback from Arterial- Road 1 East (Ref. Section 4.28)	50 ft.	50 ft.
Minimum Building Setback from Arterial- Road 3 North (Ref. Section 4.28)	50 ft.	20 ft. *
Minimum Front Yard Setback (Section 4.28)	25 ft.	15 ft. * to livable 20 ft. * to garage (driveway)
Minimum Side Yard Setback	10 ft.	5 ft. /10 ft. (15 ft. total)*
Minimum Side Street Yard Setback from Local Street (Section 4.28)	20 ft.	10 ft. *
Minimum Rear Yard Setback	10 ft.	10 ft.
Maximum Building Height	25 ft.	2 stories/ 30 ft. *
Accessory Building	5 ft. side / 10 ft. rear	5 ft. side / 5 ft. rear*
Maximum Lot Coverage	50 %	55%*
<b>*INDICATES A MODIFICATION TO THE STANDARD</b>		

1.3 The Property described in Paragraph 1.2 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 ordinance, the Unified Development Ordinance or by the Town of Chino Valley Town Code continues, shall constitute a separate civil offense.

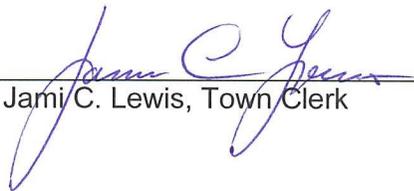
**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Chino Valley, Arizona this 24<sup>th</sup> day of April, 2018 by the following vote:

AYES: 6  
NAYS: 0

ABSENT: 1  
ABSTAINED: 0

  
Darryl Croft, Mayor

ATTEST:

  
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

  
Andrew J. McGuire, Town Attorney  
Gust Rosenfeld, PLC

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 18-844 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 24<sup>th</sup> DAY OF APRIL, 2018, WAS POSTED IN THREE PLACES ON THE 27<sup>TH</sup> DAY OF APRIL, 2018.

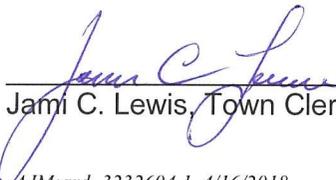
  
Jami C. Lewis, Town Clerk

EXHIBIT 1  
TO  
ORDINANCE NO. 18-844

[Legal Description]

See following pages.

## LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF YAVAPAI, STATE OF ARIZONA,  
AND IS DESCRIBED AS FOLLOWS:

All that portion of Government Tract 53, in Section 14, 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 Tract 40 which is a common corner to an angle point on the Easterly line of said Tract 53 and marked with a GLO brass capped pipe monument;

Thence, North  $89^{\circ} 56' 55''$  West, along the North line of said Section 14, a distance of 1016.48 feet to the Northeast corner of Parcel II as recorded in Book 3627 of Official Records, Page 489, in the office of the Yavapai County Recorder;

Thence, South  $00^{\circ} 07' 29''$  East, along the East line of said Parcel II, a distance of 630.00 feet to the Southeast corner of said Parcel II;

Thence, North  $89^{\circ} 56' 55''$  West, along the South line of said Parcel II, a distance of 300.00 feet to a point on the West line of said Section 14;

Thence, South  $00^{\circ} 07' 29''$  East, along the West line, 691.97 feet to the Southwest corner of said Tract 53;

Thence, North  $89^{\circ} 56' 54''$  East, along the South line of said Tract 53, a distance of 1648.83 feet to a point on the West line of that parcel described in Book 3410 of Official Records, Page 831, in the office of the Yavapai County Recorder;

Thence North  $00^{\circ} 10' 21''$  West, along the West line of said parcel, 1319.29 feet to a point on the South line of said Tract 40;

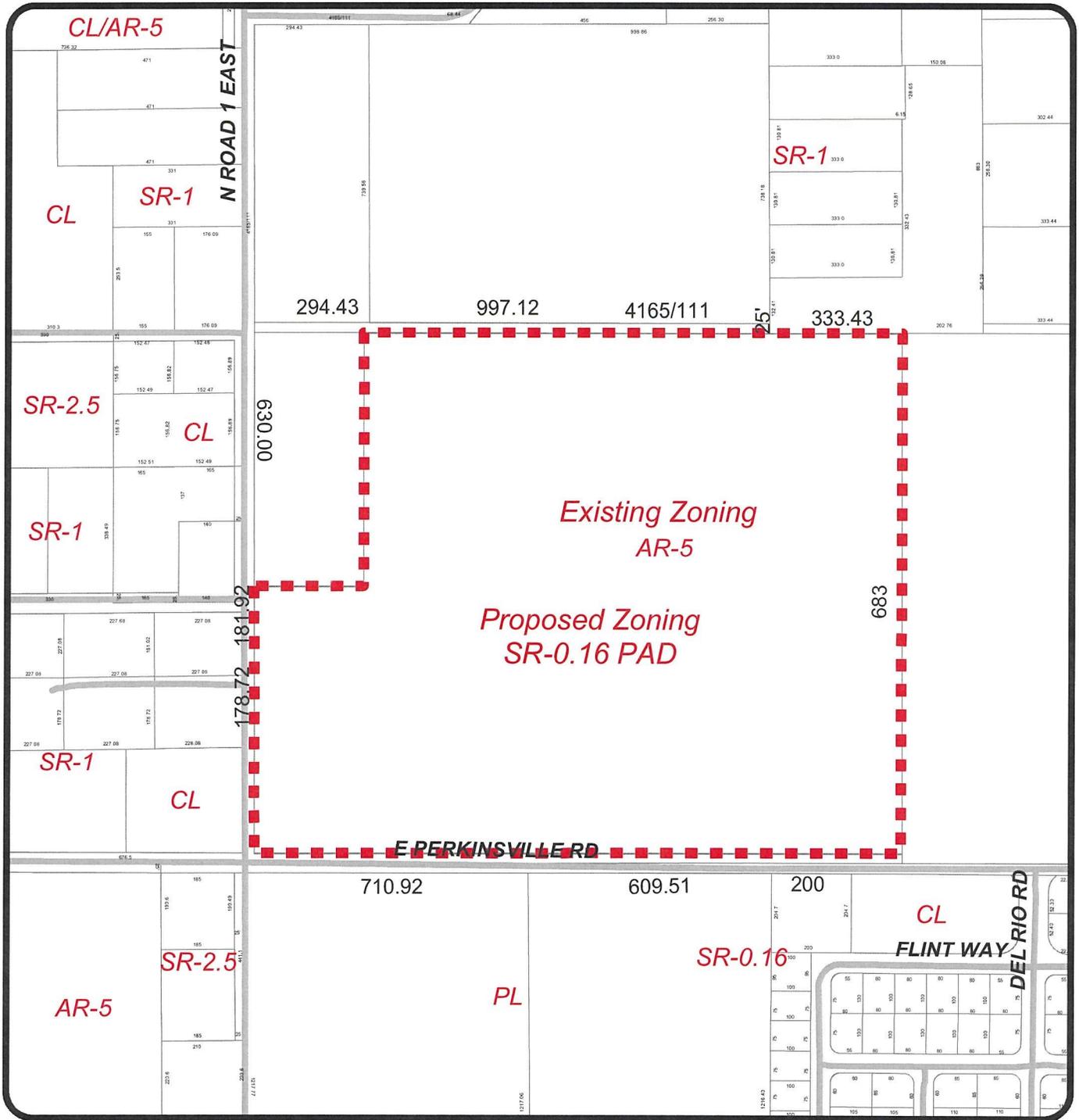
Thence, North  $89^{\circ} 59' 50''$  West, along said South line, 331.25 feet to the POINT OF BEGINNING.

EXHIBIT 2  
TO  
ORDINANCE NO. 18-844

[Zoning Exhibit]

See following pages.

# Zoning Exhibit A



## Z17-000014: Perkinsville Road 40

■ ■ ■ Subject Property

Applicant: Lindsay Schube/ Gammage & Burnham PLC

Request: Agriculture Residential (AR-5) to Single Family Residential SR-0.16 PAD

Location: 1204 E Perkinsville Road Chino Valley, AZ, APN- 306-18-009H



Not to Scale