

ORDINANCE NO. 18-847

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 5.0 ACRES OF REAL PROPERTY GENERALLY LOCATED WEST OF THE SOUTHWEST CORNER OF WEST ROAD 1 SOUTH AND SOUTH ROAD 1 WEST AT 584 SOUTH ROAD 1 WEST, FROM AR-5 (AGRICULTURAL RESIDENTIAL – 5 ACRE MINIMUM) 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 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 ± 5.0 acre parcel of real property from AR-5 (Agricultural Residential – 5 Acre Minimum) to SR-1 (Single Family Residential – 1 Acre Minimum); 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 5.0 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-1 (Single Family Residential – 1 Acre Minimum) zoning district.

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All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 8th day of May, 2018 by the following vote:

AYES: 7
NAYS: 0

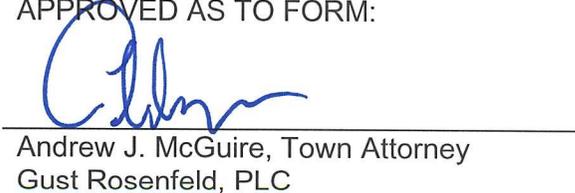
ABSENT: 0
ABSTAINED: 0


Darryl L. 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. 18-847 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 8TH DAY OF MAY 2018, WAS POSTED IN THREE PLACES ON THE 24th DAY OF MAY, 2018.


Jami C. Lewis, Town Clerk

EXHIBIT 1
TO
ORDINANCE NO. 18-847

[Legal Description]

See following pages.

All that portion of Northeast Quarter of Southeast Quarter of Section 28, Township 16 North, Range 2 West, Gila and Salt River Meridian, Yavapai County, Arizona, described as follows;

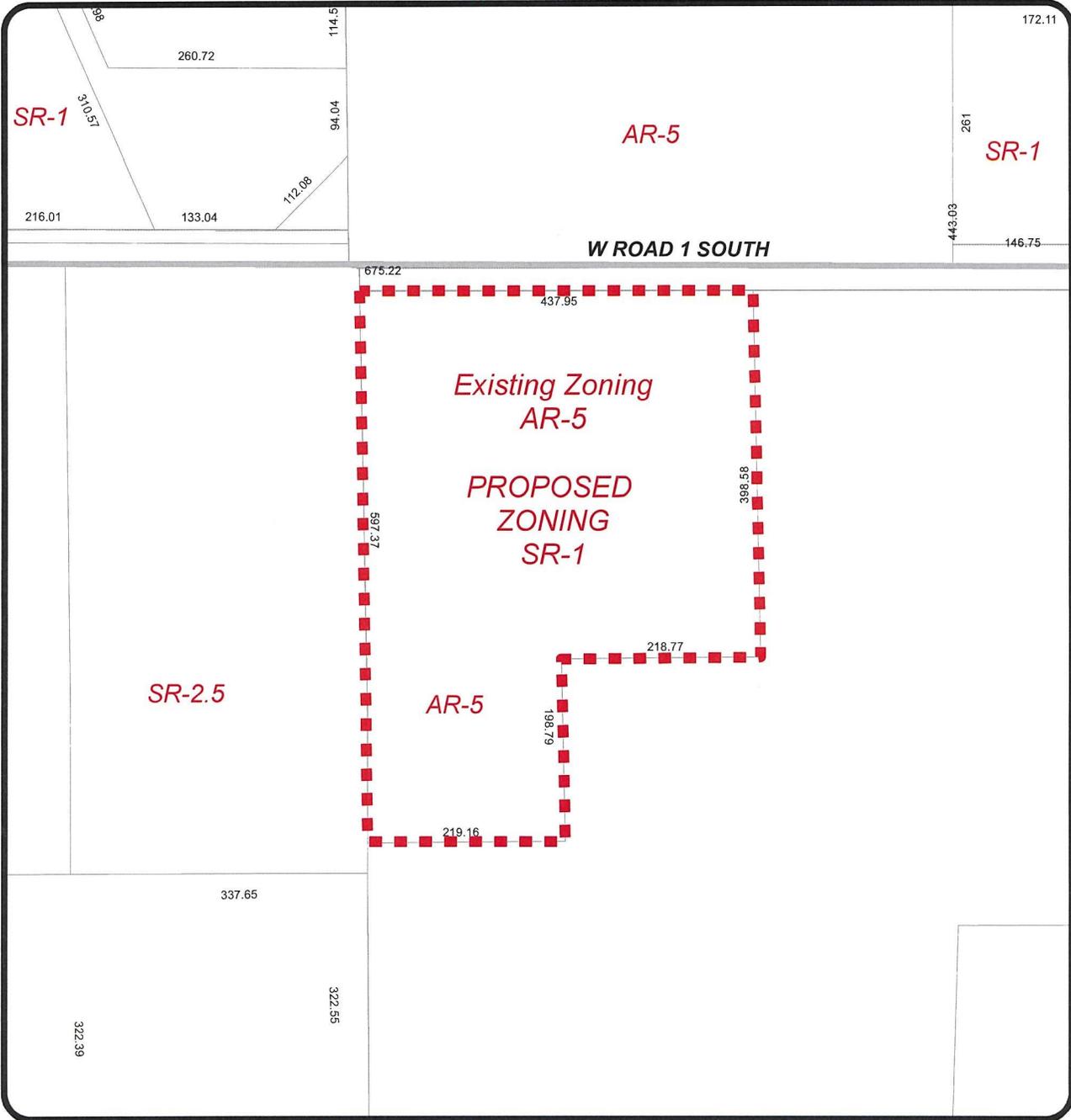
Beginning at the East Quarter Corner of said Section 28;
THENCE S43°31'12"W 35.11 feet;
THENCE S88°55'09"W 887.60 feet to the TRUE POINT OF BEGINNING;
THENCE S01°52'17"E 398.58 feet;
THENCE S88°55'09"W 218.77 feet;
THENCE S01°52'26"E 198.79 feet;
THENCE S88°55'09"W 219.16 feet;
THENCE S01°52'26"W 597.37 feet;
THENCE S88°55'09"E 437.95 feet to the TRUE POINT OF BEGINNING.

EXHIBIT 2
TO
ORDINANCE NO. 18-847

[Zoning Exhibit]

See following pages.

Zoning Exhibit A



Z18-000005: Nanke

■ ■ ■ Subject Property

Applicant: North Blue, LLC

Request: Agriculture Residential (AR-5) to
Single Family Residential (SR-1)

Location: 584 S Road 1 West Chino Valley, AZ,
APN- 306-31-005C



Not to Scale