

ORDINANCE NO. 18-849

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 5.71 ACRES OF REAL PROPERTY GENERALLY LOCATED APPROXIMATELY 1,000 FEET WEST OF THE NORTHWEST CORNER OF WEST ROAD 1 NORTH AND NORTH ROAD 1 WEST, AT 1190 WEST ROAD 1 NORTH, 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 ± 5.71 acre parcel of real property from AR-5 (Agricultural Residential – 5 acre minimum) zoning district to SR-1 (Single Family Residential – 1 acre minimum) zoning 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 recommended approval of the rezoning by a 7-0 vote; 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 5.71 acres, depicted on Exhibit A and described on Exhibit B, 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.

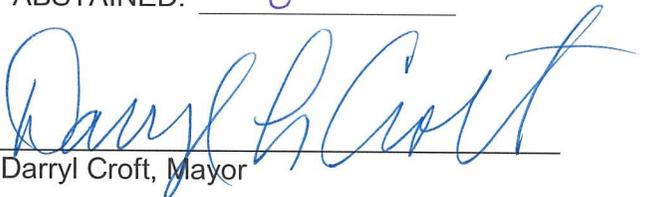
Section 4. Providing for Penalties.

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 22nd day of May, 2018 by the following vote:

AYES: 6
NAYS: 0

ABSENT: ~~1~~
ABSTAINED: 0



Darryl Croft, Mayor

ATTEST:

APPROVED AS TO FORM:



Jami C. Lewis, Town Clerk



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. 18-849 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 22nd DAY OF May 2018, WAS POSTED IN THREE PLACES ON THE 24th DAY OF MAY, 2018.



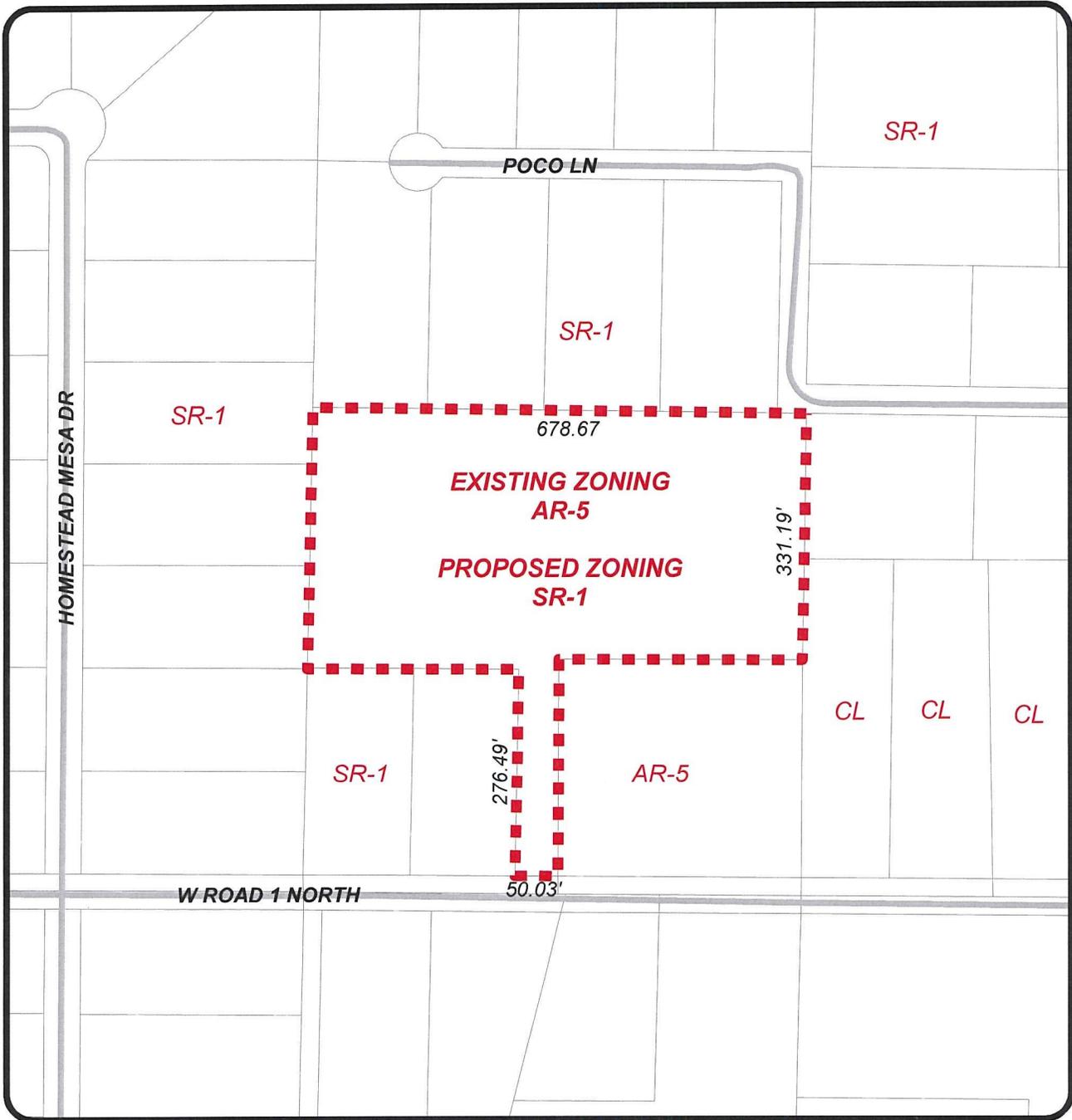
Jami C. Lewis, Town Clerk

EXHIBIT A
TO
ORDINANCE NO. 18-849

[Zoning Exhibit]

See following pages.

Zoning Exhibit A



Z18-000008: Harper

■ ■ ■ Subject Property

Applicant: Charles P. & Debbie L. Harper
Request: Agriculture Residential (AR-5) to Single Family Residential SR-1
Location: 1190 E Road 1 North Chino Valley, AZ 86323
APN- 306-21-004C



Not to Scale

EXHIBIT B
TO
ORDINANCE NO. 18-849

[Legal Description]

See following pages.

A portion of that parcel shown on Recorded of Survey Recorded in Book 29 of Land Surveys, Page 37, Yavapai County Recorder's Office, all in Section 21, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the Center of Section 21 marked with a "FAMAS" one-half inch rebar;

Thence South $89^{\circ}17'10''$ East, 1354.40 feet to a found one-half inch rebar;

Thence North $01^{\circ}30'53''$ East, 301.49 feet to a one-half inch rebar and the TRUE POINT OF BEGINNING;

Thence South $89^{\circ}15'32''$ East, 289.00 feet;

Thence South $01^{\circ}30'53''$ West, 276.49 feet;

Thence South $89^{\circ}15'32''$ East, 50.03 feet;

Thence North $01^{\circ}34'59''$ East, 306.09 feet to a one-half inch rebar;

Thence South $89^{\circ}16'31''$ East, 339.17 feet to a one-half inch rebar;

Thence North $01^{\circ}36'41''$ East, 331.19 feet to a one inch drill steel;

Thence North $89^{\circ}17'29''$ West, 679.13 feet;

Thence South $01^{\circ}30'53''$ West, 360.49 feet to the TRUE POINT OF BEGINNING.