

**ORDINANCE NO. 2019-872**

**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 2.05 ACRES OF REAL PROPERTY GENERALLY LOCATED 490 FEET EAST OF THE NORTHEAST CORNER OF WEST CENTER STREET AND SYCAMORE VISTA DRIVE, AT 1370 WEST CENTER STREET, FROM AR-5 (AGRICULTURAL RESIDENTIAL – 5 ACRE MINIMUM) TO SR-1 (SINGLE FAMILY RESIDENTIAL – 1 ACRE MINIMUM).**

**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 for a 2.05 acre parcel zoned AR-5 (Agricultural Residential – 5 acre minimum) to SR-1 (Single Family Residential – 1 acre minimum) (the “Zoning Map Amendment”); and

**WHEREAS**, the Town Council has determined that this Zoning Map Amendment conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, 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; and

**WHEREAS**, in accordance with Article II, Sections 1 and 2 of the Arizona Constitution, 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.** The recitals above are hereby incorporated as if fully set forth herein.

**Section 2:** The Official Zoning Map is hereby amended for property consisting of approximately 2.05 acres, described in Exhibit 1 and shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by reference, to rezone it from AR-5 (Agricultural Residential – 5 acre minimum) to SR-1 (Single Family Residential – 1 acre minimum), subject to the following stipulations:

1. The property described herein shall be used in accordance with the Town of Chino Valley Unified Development Ordinance.
2. Any new construction on the property shall be connected to the Town’s sewer system. If the existing buildings are modified or expanded in a way that would require replacement of a septic tank, those existing buildings must hook up to Town sewer.

3. Property owner shall dedicate to the Town an additional 25 feet of real property for use as Right-of-Way along Center Street.

**Section 3:** The Town Manager is directed, upon the effective date of this Ordinance, to cause the Zoning Map Amendment to reflect the new zoning of the property, indicating the zoning is subject to compliance with the stipulations provided herein.

**Section 4:** If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 5:** The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

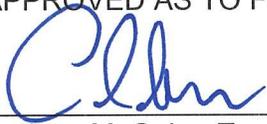
**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Chino Valley, Arizona on September 24, 2019.

  
\_\_\_\_\_  
Darryl L. Croft, Mayor

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Andrew McGuire, Town Attorney  
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2019-872 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on September 24, 2019, and that quorum was present, and that the vote thereon was 7 ayes and 0 nays and 0 abstentions. 0 Council members were absent or excused.

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

EXHIBIT 1  
TO  
ORDINANCE 2019-872

[Legal Description]

See following page.

The following real property situated in the City of Chino Valley, County of Yavapai, State of Arizona, to wit:

That portion of the Southwest quarter of the Southeast quarter of Section 21, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as followed:

BEGINNING at the South quarter corner of said Section 21;

Thence South 98°34' East, 491.35 feet to the TRUE POINT OF BEGINNING;

Thence North 01°25'30" East, 417.42 feet;

Thence South 89°34' East, 208.74 feet;

Thence South 01°25'30" West, 417.42 feet to the South line of said Section 21;

Thence North 89°34' West, 208.74 feet along said South line of Section 21 to the TRUE POINT OF BEGINNING.

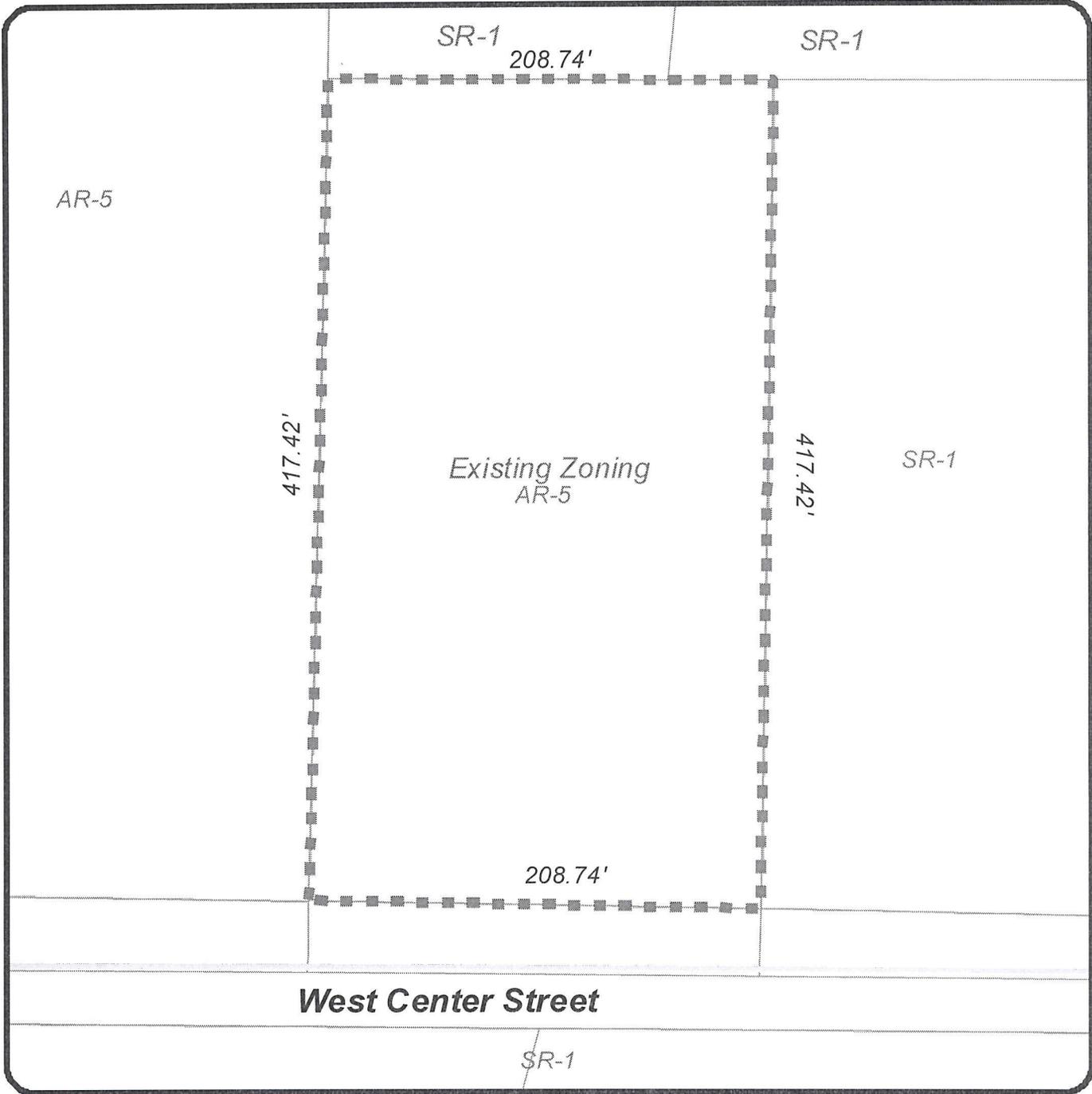
EXCEPT that portion dedication to the Town of Chino Valley by instrument recorded in Book 3292 of Official Records, page 55.

EXHIBIT 2  
TO  
ORDINANCE 2019-872

[Zoning Exhibit]

See following page.

# Zoning Exhibit 2



## Z19-000007: Laster

■ ■ ■ Subject Property

Applicant: Barbara Laster  
Request: Rezone 2.05 acres from AR5 zoning district to SR-1 zoning district.  
Location: 1370 W Center Street Chino Valley, AZ 86323  
APN: 306-21-010T



Not to Scale