

**ORDINANCE NO. 2020-881**

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE CHINO VALLEY TOWN CODE TITLE XV, LAND USAGE, CHAPTER 154, UNIFIED DEVELOPMENT ORDINANCE BY DELETING THE AR-36 AGRICULTURAL/RESIDENTIAL DISTRICT AND BY AMENDING THE AR-5 AND AR-4 AGRICULTURAL/RESIDENTIAL DISTRICTS AND THE SR-2.5, SR-2, SR-1.6 AND SR-1 SINGLE FAMILY RESIDENTIAL DISTRICTS RELATING TO MODIFICATIONS OF THE GUESTHOUSE REGULATIONS.**

**WHEREAS**, the Mayor and Common Council of the Town of Chino Valley (the "Town Council") desires to amend the Chino Valley Town Code, Title XV, Land Usage, Chapter 154, Unified Development Ordinance of the Town of Chino Valley (the "UDO"), by deleting Section 3.5 (AR-36 – Agricultural/Residential) thereof in its entirety and reserving the section for future use; and

**WHEREAS**, the Town Council desires to amend the UDO by modifying the provisions relating to guesthouses in the AR-5 and AR-4 Agricultural/Residential Districts and the SR-2.5, SR-2, SR-1.6 and SR-1 Single Family Residential Districts (the "Text Amendment"); and

**WHEREAS**, the Town Council has determined that the Text Amendment conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, or other plan; 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 Text Amendment; 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. The recitals above are incorporated as if fully set forth herein.

Section 2. The UDO, Section 3.6 (AR-5 Agricultural/Residential), Subsection B (Permitted Uses), Paragraph 2, is hereby amended as follows:

2. One (1) guesthouse, WITH A LIVABLE SQUARE FOOTAGE THAT DOES not exceed one thousand two hundred (1,200) square feet OR SEVENTY-FIVE (75) PERCENT OF THE TOTAL SQUARE FOOTAGE UNDER ROOF OF THE PRIMARY RESIDENCE, WHICHEVER IS GREATER, in addition to the principal residence.

Section 3. The UDO, Section 3.7 (AR-4 Agricultural/Residential), Subsection B (Permitted Uses), Paragraph 2, is hereby amended as follows:

2. One (1) guesthouse, WITH A LIVABLE SQUARE FOOTAGE THAT DOES not exceed one thousand two hundred (1,200) square feet OR SEVENTY-FIVE (75) PERCENT OF THE TOTAL SQUARE FOOTAGE UNDER ROOF OF THE PRIMARY RESIDENCE, WHICHEVER IS GREATER, in addition to the principal residence.

Section 4. The UDO, Section 3.8 (SR-2.5 Single Family Residential), Subsection B (Permitted Uses), Paragraph 2, is hereby amended as follows:

2. One (1) guesthouse, WITH A LIVABLE SQUARE FOOTAGE THAT DOES not exceed one thousand two hundred (1,200) square feet OR FIFTY (50) PERCENT OF THE TOTAL SQUARE FOOTAGE UNDER ROOF OF THE PRIMARY RESIDENCE, WHICHEVER IS GREATER, in addition to the principal residence.

Section 5. The UDO, Section 3.9 (SR-2 Single Family Residential), Subsection B (Permitted Uses), Paragraph 2, is hereby amended as follows:

2. One (1) guesthouse, WITH A LIVABLE SQUARE FOOTAGE THAT DOES not exceed one thousand two hundred (1,200) square feet OR FIFTY (50) PERCENT OF THE TOTAL SQUARE FOOTAGE UNDER ROOF OF THE PRIMARY RESIDENCE, WHICHEVER IS GREATER, in addition to the principal residence.

Section 6. The UDO, Section 3.10 (SR-1.6 Single Family Residential), Subsection B (Permitted Uses), Paragraph 2, is hereby amended as follows:

2. One (1) guesthouse, WITH A LIVABLE SQUARE FOOTAGE THAT DOES not exceed one thousand two hundred (1,200) square feet OR FIFTY (50) PERCENT OF THE TOTAL SQUARE FOOTAGE UNDER ROOF OF THE PRIMARY RESIDENCE, WHICHEVER IS GREATER, in addition to the principal residence.

Section 7. The UDO, Section 3.11 (SR-1 Single Family Residential), Subsection B (Permitted Uses), Paragraph 2, is hereby amended as follows:

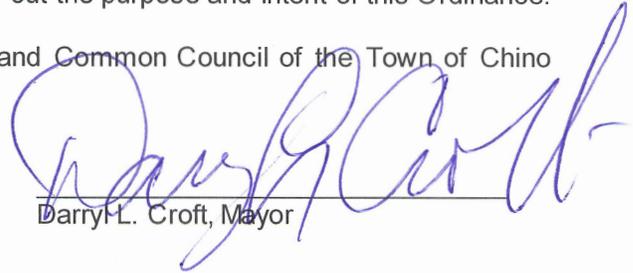
2. One (1) guesthouse, WITH A LIVABLE SQUARE FOOTAGE THAT DOES not exceed one thousand two hundred (1,200) square feet OR FIFTY (50) PERCENT OF THE TOTAL SQUARE FOOTAGE UNDER ROOF OF THE PRIMARY RESIDENCE, WHICHEVER IS GREATER, in addition to the principal residence.

Section 8. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 9. 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, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 10. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Ordinance.

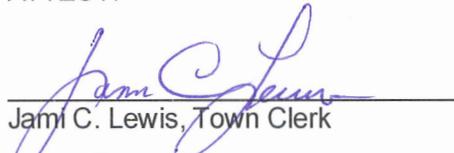
**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Chino Valley, Arizona this 23rd day of June, 2020.



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Darryl L. Croft, Mayor

ATTEST:



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Jami C. Lewis, Town Clerk

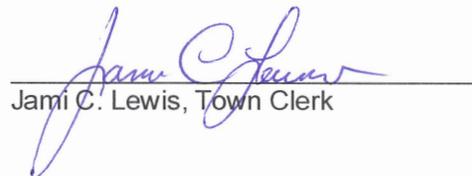
APPROVED AS TO FORM:



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Andrew J. McGuire, Town Attorney  
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2020-881 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on June 23, 2020, and that quorum was present, and that the vote thereon was 6 ayes and 0 nays and 0 abstentions. 1 Council members were absent or excused.



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Jami C. Lewis, Town Clerk