

ORDINANCE NO. 2020-888

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 9.62 ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF CENTER STREET, APPROXIMATELY 700 FEET EAST OF SOUTH ROAD 1 WEST, FROM SR-2.5 (SINGLE-FAMILY RESIDENTIAL – 2.5 ACRE MINIMUM) TO AR-5 (AGRICULTURAL-RESIDENTIAL – 5 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 (the “Town”) Official Zoning Map for a 9.62 acre parcel zoned SR-2.5 (Single-Family Residential – 2.5 acre minimum) to AR-5 (Agricultural-Residential – 5 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 Zoning Map Amendment; 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 9.62 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 SR-2.5 (Single-Family Residential – 2.5 acre minimum) to AR-5 (Agricultural-Residential – 5 acre minimum), subject to the following stipulations:

1. The property owner shall dedicate to the Town an additional 20 feet outside the existing right-of-way to comply with the Town’s adopted standards for street rights-of-way.

2. Any new construction on the property must receive site plan approval from the Town.
3. Any new buildings on the property must be connected to the Town's utilities.

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.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 27th day of October, 2020.



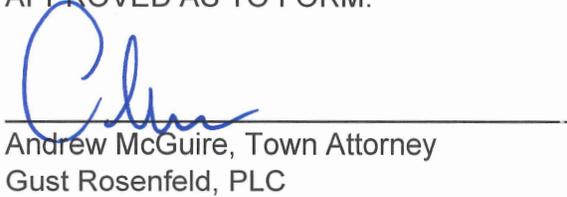
Darryl L. Croft, Mayor

ATTEST:



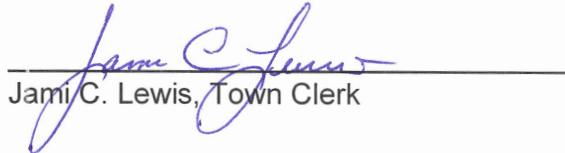
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:



Andrew McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2020-888 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on October 27, 2020, and that quorum was present, and that the vote thereon was 5 ayes and 0 nays and 0 abstentions. 2 Council members were absent or excused.



Jami C. Lewis, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2020-888

[Legal Description]

See following page.

PARCEL 306-23-099D
±9.47 ACRES

All that portion of the Southwest quarter of the Southwest quarter of Section 22, Township 16 North, Range 2 West of Gila and Salt River Base and Meridian in Yavapai County, Arizona, described as follows:

COMMENCING at the Southwest corner of said Section 22;

Thence North 89°37'00" East, being the basis of bearing, a distance of 674.24 feet;

Thence North 01°42'45" East, a distance of 50.03 feet to THE POINT OF BEGINNING;

Thence continuing North 01°42'45" East, a distance of 612.12 feet;

Thence North 89°38'32" East, a distance of 675.28 feet;

Thence South 01°48'40" West, a distance of 611.86 feet;

Thence South 89°37'00" West, a distance of 674.24 feet to THE POINT OF BEGINNING.

Containing 9.47 Acres more or less.

RESERVING, SUBJECT TO and TOGETHER WITH all easements of record.



50' ROADWAY AND UTILITY DEDICATION
±0.77 ACRES

All that portion of the Southwest quarter of the Southwest quarter of Section 22, Township 16 North, Range 2 West of Gila and Salt River Base and Meridian in Yavapai County, Arizona, described as follows:

COMMENCING at the Southwest corner of said Section 22;

Thence North 89°37'00" East, being the basis of bearing, a distance of 674.24 feet to THE POINT OF BEGINNING;

Thence North 01°42'45" East, a distance of 50.03 feet

Thence North 89°37'00" East, a distance of 674.24 feet;

Thence South 01°48'40" West, a distance of 50.04 feet;

Thence South 89°37'00" West, being the basis of bearing, a distance of 674.15 feet to THE POINT OF BEGINNING.

Containing 0.77 Acres more or less.



EXHIBIT 2
TO
ORDINANCE 2020-888

[Zoning Exhibit]

See following page.

