

ORDINANCE NO. 2020-891

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 3.18 ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF KACHINA LANE, APPROXIMATELY 600 FEET NORTH OF RED CINDER ROAD, FROM AR-5 (AGRICULTURAL-RESIDENTIAL - 5 ACRE MINIMUM) AND SR-2 (SINGLE FAMILY RESIDENTIAL - 2 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 (the "Town") Official Zoning Map for approximately 3.18 acres of real property generally located on the east side of Kachina Lane, approximately 600 feet north of Red Cinder Road, from AR-5 (agricultural-residential - 5 acre minimum) and SR-2 (single family residential - 2 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 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 3.18 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) and SR-2 (single family residential - 2 acre minimum) to SR-1 (single family residential - 1 acre minimum).

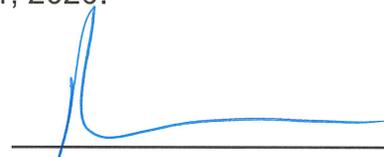
Section 3: The Town Manager is directed, upon the effective date of this Ordinance, to cause the Zoning Map Amendment to reflect the new zoning of the property, indicating the zoning is subject to compliance with the stipulations provided herein.

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 8th day of December, 2020.



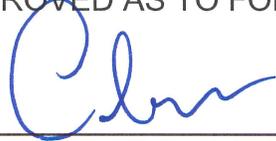
Jack Miller, Mayor

ATTEST:



Erin Deskins, Town Clerk

APPROVED AS TO FORM:



Andrew McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2020-891 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on December 8, 2020, 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.



Erin Deskins, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2020-891

[Legal Description]

See following page.

EXHIBIT "A"
Property Description

All that portion of Tract 40 in Section 11, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at the Northeast corner of said Tract 40;

Thence, South 00°06'00" East, 438.02 feet to the **POINT OF BEGINNING**;

Thence, continuing South 00°06'00" East, 114.97 feet;

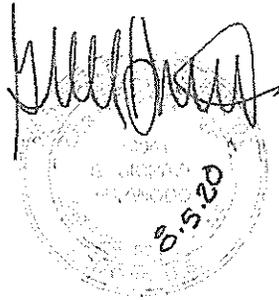
Thence, South 31°36'34" West, 217.22 feet;

Thence, South 89°49'41" West, 381.88 feet;

Thence, North 00°16'45" West, 301.72 feet;

Thence, South 89°55'50" East, 497.00 feet to the **POINT OF BEGINNING**;

Containing 3.1852 acres, more or less.

A handwritten signature in black ink is written over a circular stamp. The stamp contains the text "YAVAPAI COUNTY ARIZONA" around the perimeter and the date "8-5-20" in the center.

REVISED: August 5, 2020
July 20, 2020
TR40.cog

EXHIBIT 2
TO
ORDINANCE 2020-891

[Zoning Exhibit]

See following page.

