

ORDINANCE NO. 2020-892

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING A STIPULATION IN ORDINANCE NO. 2019-872, WHICH APPROVED 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”) amended 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) pursuant to Ordinance 2019-872, adopted on September 24, 2019; and

WHEREAS, Ordinance 2019-872 required the property owner to dedicate 25 feet of right-of-way along Center Street; and

WHEREAS, since approving Ordinance 2019-872, the Town Council has modified the right-of-way requirements for Center Street, resulting in a reduction in the need for the property owner to dedicate right-of-way from 25 feet to 15 feet; and

WHEREAS, the Town Council desires to amend Ordinance 2019-872 to reduce the required right-of-way dedication from 25 feet to 15 feet.

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: Ordinance 2019-872 is hereby amended by deleting Stipulation 3 thereof in its entirety and replacing it with the following:

3. Property owner shall dedicate to the Town an additional 15 feet of real property for use as Right-of-Way along Center Street.

Section 3: 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 4: 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 this 8th day of December, 2020.



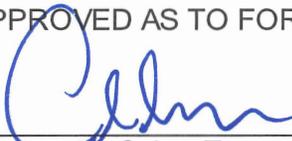
Jack Miller, Mayor

ATTEST:



Erin Deskins, Town Clerk

APPROVED AS TO FORM:



Andrew McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2020-892 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