

ORDINANCE NO. 2021-902

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 11.94 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE NORTHWEST AND SOUTHWEST CORNERS OF THE INTERSECTION OF EAST ROAD 4 1/2 SOUTH AND SOUTH ROAD 1 EAST, FROM CL (COMMERCIAL LIGHT) TO CH (COMMERCIAL HEAVY) WITH A PLANNED AREA DEVELOPMENT OVERLAY.

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 11.94 acres of real property generally located at the northwest and southwest corners of the intersection of East Road 4 1/2 South and South Road 1 East, from CL (Commercial Light) to CH (Commercial Heavy) with a Planned Area Development (PAD) overlay (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, any overlay zoning district, and the standards and design requirements contained in the Unified Development Ordinance of the Town of Chino Valley (the "UDO"); 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 11.94 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 the sites from CL (Commercial Light) to CH (Commercial Heavy) with a Planned Area

Development overlay (CH PAD) to develop the property, subject to the following stipulations:

1. That the Commercial Heavy uses on the properties be limited to only the following uses while retaining the Commercial Light provisions set forth in UDO § 3.16(B)(1):
 - a. Recreational Vehicle Park
 - b. Recreational Vehicle Storage
 - c. Carwash that can accommodate RVs
 - d. Recreational Vehicle Maintenance
 - e. A portion of the northern property to be utilized as mini storage.
2. Pursuant to UDO § 5.3.2, Table 5-1, the minimum required right-of-way dedications are as follows:
 - a. Provide for a total of 60' (30' north and 30' south of the section line) for East Road 4 ½ South is dedicated for right-of-way.
 - b. Provide for a total of 50' dedication of right-of-way for South Road 1 East.
3. Pursuant to UDO § 5.3.2, Table 5-1, provide the following required offsite half-width roadway improvements (full width required when properties border north and south of East Road 4 1/2 South):
 - a. East Road 4 1/2 South
 - i. 14-foot minimum roadway half-width without on-street parking.
 - ii. 6-inch vertical curb and gutter.
 - iii. 5-foot minimum concrete sidewalk.
 - b. South Road 1 East
 - i. 25.5-foot minimum roadway half-width without on-street parking.
 - ii. 6-inch vertical curb and gutter.

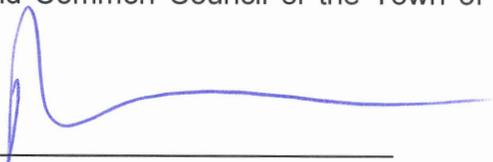
iii. 5-foot minimum concrete sidewalk.

Section 3: The Town Manager is directed, upon the effective date of this Ordinance, to cause the Official Zoning Map to reflect the Zoning Map Amendment as applicable to 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 this 13th day of July, 2021.



Jack W. Miller, Mayor

ATTEST:



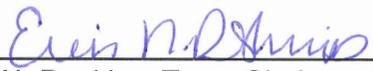
Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:



Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2021-902 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on July 13, 2021, and that quorum was present, and that the vote thereon was 5 ayes and 0 nays and 0 abstentions. 1 Council members were absent or excused.



Erin N. Deskins, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2021-902

[Legal Description]

EXHIBIT A

**LEGAL DESCRIPTION
LEWIS & WALRAVEN - 7.23 ACRES**

A parcel of land lying within the East half of Section 3, Township 15 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at Northeast Corner of said Section 3;

Thence, South 01°14'54" West, along the East line of said Section 3, a distance of 2336.39 feet to the TRUE POINT OF BEGINNING;

Thence, continuing South 01°14'54" West, 531.05 feet;

Thence, South 89°23'00" West, 584.39 feet;

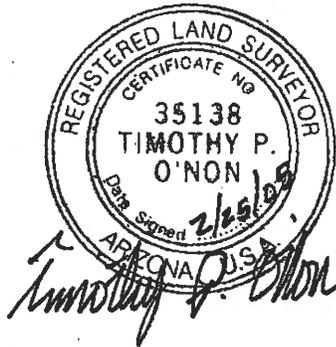
Thence, North 00°37'00" West, 201.31 feet;

Thence, continuing North 00°37'00" West, 329.46 feet;

Thence, North 89°23'00" East, 601.67 feet to the TRUE POINT OF BEGINNING.

Containing 314,761 square feet or 7.226 acres, more or less.

TOGETHER WITH a 25.00 foot ingress, egress, and utility easement over the Northerly 25.00 feet of the aforementioned parcel.



02/24/05
LE #289-01
SS #04003
LGL-7.23-Acres.doc

MAP TO ACCOMPANY LEGAL DESCRIPTION

NE COR, SEC 3
T 15 N, R 2 W

E 1/2, SEC 3
T 15 N, R 2 W

EAST LINE, SECTION 3

U.S. HIGHWAY 89

25' ING/EGR/UTIL
EASEMENT

THIS
DESCRIPTION



EXHIBIT A

**LEGAL DESCRIPTION
LEWIS & WALRAVEN – 5.33 ACRES**

A parcel of land lying within the East half of Section 3, Township 15 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at Northeast Corner of said Section 3;

Thence, South 01°14'54" West, along the East line of said Section 3, a distance of 1820.08 feet to the TRUE POINT OF BEGINNING;

Thence, continuing South 01°14'54" West, 516.31 feet;

Thence, South 89°23'00" West, 454.99 feet;

Thence, North, 491.97 feet;

Thence, North 86°25'37" East, 467.12 feet to the TRUE POINT OF BEGINNING.

Containing 232,077 square feet or 5.328 acres, more or less.

TOGETHER WITH a 25.00 foot ingress, egress, and utility easement over the Southerly 25.00 feet of the aforementioned parcel.



Timothy P. O'Non

02/24/05
LE #289-01
SS #04003
LGL-5.33-Acres.doc

MAP TO ACCOMPANY LEGAL DESCRIPTION

NE COR, SEC 3
T 15 N, R 2 W

E 1/2, SEC 3
T 15 N, R 2 W

EAST LINE, SECTION 3

U.S. HIGHWAY 89



**THIS
DESCRIPTION**

25' ING/EGR/UTIL
EASEMENT

LE #289-01
SS #04003\LGL-5.33-ACRES.DWG

EXHIBIT 2
TO
ORDINANCE 2021-902

[Zoning Exhibit]

See the following page.

Zoning Map

