

ORDINANCE NO. 2021-903

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 2.21 ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF NORTH STATE ROUTE 89, APPROXIMATELY 550 FEET SOUTH OF THE ROAD 2 NORTH INTERSECTION, 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 2.21 acres of real property generally located on the east side of North State Route 89 approximately 550 feet south of the Road 2 North Intersection, 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 2.21 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 property from CL (Commercial Light) to CH (Commercial Heavy) with a Planned Area Development overlay (CH PAD) to develop a recreational vehicle park, subject to the following stipulations:

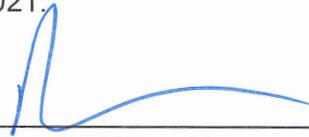
1. The project must conform substantially to the provided conceptual plan.
2. The use on this property is restricted solely to an RV Park conforming to the site plan approved by the Town; any subsequent modifications to the uses will require an amendment to the CH PAD overlay following the public hearing process and Council approval.
3. All loading spaces, maneuvering areas, driveways, and fire lanes shall be paved per UDO § 4.22.4(B)(2), and all turning radii shall conform to the AASHTO guidelines.
4. A water and sewer agreement must be executed between the Town and the property owner prior to issuance of any permit or certificate for the property.
5. An accessible path between the new development and the existing clubhouse located in parcel #306-23-003B will be required.
6. Per Town Code of Ordinances § 150.081, except as exempted in § 150.082, all existing and new utility and telephone lines, electric utility distribution lines, cable television lines, and all other communication and utility lines adjacent to or within new residential subdivisions shall be undergrounded.

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 24th day of August, 2021.



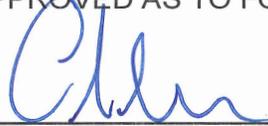
Jack W. Miller, Mayor

ATTEST:



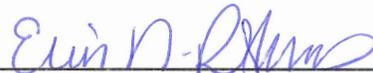
Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:



Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2021-903 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on August 24, 2021, 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 N. Deskins, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2021-903

[Legal Description]

See the following page.

Exhibit A

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

COMMENCING at the Northeast corner of Section 22;

thence North 89°49' West along the North line of Section 22, a distance of 1868.88 feet to a point on the Easterly right of way line of U. S. Highway 89 as it was described in Book 384 of Official Records, page 578;

thence South 02°33'30" West, 209.0 feet more or less along said right of way to a point on the South line of a parcel as described in Book 281 of Official Records, page 358 and TRUE POINT OF BEGINNING;

thence continuing South 02°33'30" West, along said right of way 500.0 feet to a point;

thence North 89°49' East parallel with the North line of Section 22, a distance of 550.0 feet to a point;

thence North 02°33'30" East parallel with the above mentioned right of way line 500.0 feet to a point;

thence South 89°49' West parallel with the aforesaid North line 550.0 feet to a point on the aforesaid right of way line and TRUE POINT OF BEGINNING;

EXCEPT that portion described as follows:

COMMENCING at the Northeast corner of Section 22;

thence North 89°49' West along the North line of Section 22, a distance of 1868.88 feet to a point on the Easterly right of way line of U. S. Highway 89 as it was described in Book 384 of Official Records, page 578;

thence South 02°33'30" West, 209.0 feet, more or less, along said right of way to a point on the South line of a parcel as described in Book 281 of Official Records, page 358 and TRUE POINT OF BEGINNING;

thence continuing South 02°33'30" West along said right of way, 325.0 feet to a point;

thence North 89°49' East, parallel with the North line of Section 22, a distance of 550.00 feet to a point;

thence North 02°33'30" East, parallel with the above mentioned right of way, 325.0 feet to a point;

thence South 89°49' West, parallel with the aforesaid North line 550.0 feet to a point on the aforesaid right of way line and the TRUE POINT OF BEGINNING.

EXHIBIT 2
TO
ORDINANCE 2021-903

[Zoning Exhibit]

See the following page.

Zoning Map

