

ORDINANCE NO. 2021-904

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 2.53 ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF RED CINDER ROAD AND SUNFLOWER LANE, FROM SR-2.5 (SINGLE FAMILY RESIDENTIAL 2.5-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") desires to amend the Town of Chino Valley (the "Town") Official Zoning Map for approximately 2.53 acres of real property generally located on the southeast corner of the intersection of Red Cinder Road and Sunflower Lane, from SR-2.5 (Single Family Residential 2.5-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, 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 2.53 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 SR-2.5 (Single Family Residential 2.5-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 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:



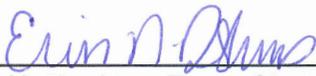
Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:



Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2021-904 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 2021-904

[Legal Description]

PARCEL NO. 1

A PORTION OF Tract 40, lying in Section 11, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the Southeast corner of Tract 40; thence South 89° 58' West, along the South line of Tract 40, a distance of 1102.83 feet to the POINT OF BEGINNING; thence South 89° 58' West 166.72 feet; thence North 0° 34' West 1306.48 feet; thence North 89° 59' East 166.72 feet; thence South 0° 04' East 1306.35 feet to the TRUE POINT OF BEGINNING;

EXCEPT the South 640 feet.

PARCEL NO. 2

A non-exclusive easement and right of way for roadway and utility purposes 50 feet in width, 25 feet on either side of a line described as follows:

COMMENCING at the Northeast corner of Tract 40, lying in Section 11, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona; thence South 0° 06' East 552.97 feet; thence South 31° 35' 27" West 423.0 feet; thence South 2° 09' 12" East 429.51 feet; thence South 89° 59' West 166.45 feet to the TRUE POINT OF BEGINNING of this easement; thence South 89° 59' West 2267.28 feet to a point on the West line of Tract 40;

As created by instrument recorded in Book 647 of Official Records, page 282, records of Yavapai County, Arizona.

PARCEL NO. 3

A non-exclusive easement and right of way for road way and utility purposes 30 feet in width, adjacent to and South of line described as follows:

BEGINNING at the Southwest corner of Section 11 Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona; thence North along the West line of Section 11, a distance of 795 feet to the TRUE POINT OF BEGINNING; thence East 553 feet; thence northeasterly 700 feet to a point of the said North line to the Northeast corner of said Section 11; said point being on the West line of said Tract 40 and the end of this easement;

As created by instrument recorded in Book 647 of Official Records, page 282, records of Yavapai County, Arizona.

BOOK 2005 PAGE 619

EXHIBIT 2
TO
ORDINANCE 2021-904

[Zoning Exhibit]

See the following page.

Zoning Map

