

ORDINANCE NO. 2022-909

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE TOWN OF CHINO VALLEY UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 3, ZONING DISTRICTS, BY AMENDING SECTION 3.12, SR-0.16 – SINGLE FAMILY RESIDENTIAL, AND ADDING A NEW SECTION 3.20, OBSOLETE ZONING DISTRICTS.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the “Town Council”) desires to amend the Chino Valley Town Code, Title XV, Land Usage, Chapter 154, Unified Development Ordinance of the Town of Chino Valley (the “UDO”) by adding a new section 3.20 “Obsolete Zoning Districts;” and

WHEREAS, the Town Council desires to amend the UDO by moving the zoning district found in section 3.12, SR-0.16 – Single Family Residential Zoning District, into the new section 3.20 and reserving section 3.12 for future use; and

WHEREAS, the Town Council has determined that the Text Amendment is not in conflict with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, or any other plan; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Constitution of Arizona, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this ordinance; and

WHEREAS, the Town Council has considered the probable impact of this ordinance on the cost to construct housing for sale or rent, and found none.

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. UDO section 3.12, SR-0.16 - Single Family Residential, is hereby deleted in its entirety and replaced with the following:

3.12 [RESERVED]

Section 3. UDO section 3.20, Obsolete Zoning Districts, is hereby added to read as follows:

3.20 Obsolete Zoning Districts

A. Purpose

Zoning districts found within this subsection are considered obsolete. An obsolete zoning district shall not be applied to any property, with or without a PAD, provided that the subject property’s zoning shall carry forward as if it were still active. Properties zoned under an obsolete zoning district prior to it becoming obsolete are not considered non-conforming for zoning purposes.

B. Obsolete Zoning District List

1. SR-0.16 – Single Family Residential – Active dates of this district: November 9, 2006, to November 2, 2021. The SR-0.16 district is an obsolete district effective February 10, 2022.

a. PURPOSE

The purpose of this district is to allow for the regulation and development of existing 7,000 square foot residential lots and other developments using the SR-0.16 zoning district. It is not the intention of the Town to allow for the creation of any new SR-0.16 zoned property, with or without a PAD.

b. PERMITTED USES

1. One (1) single-family dwelling.
2. Customary accessory building provided such uses are incidental to the principal use. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.
3. Home occupations.
4. Churches or similar places of worship.

c. CONDITIONAL USES (Conditional Use Permit Required)

1. Public/governmental facilities.
2. Privately owned and operated parks and recreation areas and centers.
3. Temporary home and land sale offices, provided they are located within the same subdivision as that land and homes which are offered for sale.
4. Public utility buildings, structures or appurtenances thereto for public service use. The extension of public service lines in public or private right-of-way is exempt from this requirement.
5. Residential facilities for the developmentally disabled as described in A.R.S. §§ 36-581 and 36-582, which are licensed by the Department of Economic Security.
6. Bed and breakfast operations with the limitation that no guest may stay for more than seven (7) days during any consecutive thirty (30) day period.
7. Recovery residences.
8. Assisted living homes.

Because no list of uses can be complete, the interpretation of whether a use not specified is consistent with the intent of this zoning district and may be allowed as a conditional use or, where discretion is allowed, a permitted use shall be rendered by the Zoning Administrator with appeal to the Board of Adjustment.

d. PROPERTY DEVELOPMENT STANDARDS

1. Minimum Lot Area: 7000 sq. ft.

All lots less than one (1) acre in size must be served by a water and/or sewage disposal system approved by the Town of Chino Valley.

2. Minimum Lot Frontage: 50 feet

3. Minimum Front Yard Set Back: See section 4.28

4. Minimum Side Yard Set Back: 10 feet

5. Minimum Street Yard Set Back: See section 4.28

6. Minimum Rear Yard Set Back: 10 feet

7. Maximum Building Height: 25 feet

8. Accessory Building shall be setback 5 feet from side and rear property lines and must conform to the front yard and street side yard setback.

9. Maximum Lot Coverage: 50%

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

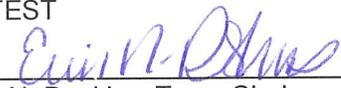
Section 5. The Mayor, the Town Manager, the Town Clerk, and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 11th day of January, 2022.



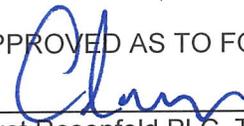
Jack W. Miller, Mayor

ATTEST



Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:



Gust Rosenfeld PLC, Town Attorney
By: Andrew J. McGuire

I hereby certify the above foregoing Ordinance No. 2022-909 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on January 11, 2022, 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