

ORDINANCE NO. 2022-910

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 4.55 ACRES OF REAL PROPERTY LOCATED AT 836 WEST ROAD 1 NORTH, APPROXIMATELY 700 FEET EAST OF THE INTERSECTION OF NORTH ROAD 1 WEST AND WEST ROAD 1 NORTH, 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”) desires to amend the Town of Chino Valley (the “Town”) Official Zoning Map for approximately 4.55 acres of real property located at 836 West Road 1 North, approximately 700 feet east of the intersection of North Road 1 West and West Road 1 North (APN 306-23-028), from AR-5 (Agricultural/Residential – 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, and ARIZ. REV. STAT. § 9-462.01, the Town Council has, before adopting this Ordinance, considered the individual property rights and personal liberties of the residents of the Town, along with the probable impact of this Ordinance on the cost to construct housing for sale or rent in the Town.

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 Zoning Map Amendment is hereby approved and the Official Zoning Map is hereby amended for property consisting of approximately 4.55 acres, as 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 AR-5

(Agricultural/Residential – 5-Acre Minimum) to SR-1 (Single Family Residential – 1-Acre Minimum), to further divide the property into three or four lots, subject to the following stipulation:

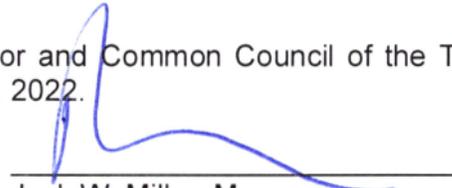
1. The property owner shall dedicate an approximately 40-foot wide portion of the property north of the section line on West Road 1 North for use as right-of-way. The exact width to be dedicated will be determined through a survey and subject to approval by the Town.

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 25th day of January, 2022.



Jack W. Miller, Mayor

ATTEST:



Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:

 1/31/22 13:13 EST

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2022-910 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on January 25, 2022, and that quorum was present, and that the vote thereon was 6 ayes and 0 nays and 0 abstentions. 1 Council members were absent or excused.



Erin N. Deskins, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2022-910

[Legal Description]

That part of the Northwest 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 West Quarter Corner of said Section 22.

Thence North 89 degrees 42 minutes 00 seconds East, along the South line of said Northwest Quarter, 1066.60 feet to the True Point of the Beginning;

Thence North 02 degrees 26 minutes 30 seconds East, 555.94 feet;

Thence North 26 degrees 31 minutes 30 seconds West, 28.30 feet;

Thence North 81 degrees 25 minutes 00 seconds West, 201.57 feet;

Thence South 26 degrees 09 minutes 00 seconds West, 357.58 feet;

Thence South 07 degrees 19 minutes 00 seconds West, 294.93 feet to the South line of Said Northwest Quarter of Section 22;

Then North 89 degrees 42 minutes 00 seconds East, 384.33 feet to the True Point of Beginning.

EXHIBIT 2
TO
ORDINANCE 2022-910

[Zoning Exhibit]

Zoning Map

