

ORDINANCE NO. 2022-912

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 6.86 ACRES OF REAL PROPERTY LOCATED NORTH OF 2625 SOUTH STATE ROUTE 89, FROM CH/PAD (COMMERCIAL HEAVY WITH A PLANNED AREA DEVELOPMENT OVERLAY) TO CL (COMMERCIAL LIGHT).

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 6.86 acres of real property located north of 2625 South State Route 89, (APN 102-01-219M), from CH/PAD (Commercial Heavy with a Planned Area Development Overlay) to CL (Commercial Light) (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 6.86 acres, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, both attached hereto and incorporated herein by reference, to rezone the property from CH/PAD (Commercial Heavy with a Planned Area Development Overlay) to CL (Commercial Light), to develop an outdoor soccer complex and recreation facilities, subject to the requirements of the Chino Valley Town Code ("Town Code"), the UDO, and the following stipulations:

1. The applicant shall coordinate with the Arizona Department of Transportation for any necessary driveway or State Route 89 improvements or requirements.
2. The applicant shall coordinate with the Central Arizona Fire and Medical Authority for fire protection, access, and maneuvering requirements.
3. The applicant shall satisfy Yavapai County sewer requirements and Arizona Department of Water Resources (ADWR) water requirements.
4. The applicant shall provide grading plans and a drainage report by a civil engineer registered in Arizona, in accordance with the Town Code and all other applicable rules and regulations. The project shall detain on-site flows so that they discharge at historic rates and locations. Off-site flows on-site need to be accommodated. Ultimate buildout to be considered.
5. The applicant shall improve Road 1 East per the following standards, which are a modified combination of the Urban Arterial and Commercial standards shown in UDO 5.3.2 Table 5-1:
 - a. 50' minimum dedication West of East property line.
 - b. 14' minimum roadway half-width.
 - c. 6" vertical curb and gutter.
 - d. 5' minimum attached sidewalk.
6. The applicant shall improve Road 4 ½ South per the following Commercial standards shown in UDO 5.3.2 Table 5-1:
 - a. 30' minimum dedication from centerline.
 - b. 14' minimum roadway half-width.
 - c. 6" vertical curb and gutter.
 - d. 6' minimum detached sidewalk.
7. The applicant's street improvements must include concrete accessibility corner ramp(s) at the intersection of Road 1 East and Road 4 ½ South.
8. The applicant shall cause to be performed, and provide to the Town, a traffic impact analysis incorporating plans for the entire development prior to developing the property.

Section 3: Pursuant to ARIZ. REV. STAT. § 9-462.01(E), if the property is not developed with an outdoor soccer complex and recreation facilities within two (2) years of the effective date of this Ordinance, the Town Council may revert the zoning of the property to the prior zoning classification, CH/PAD (Commercial Heavy with a Planned Area Development Overlay).

Section 4: 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 5: 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 6: 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 22nd day of March, 2022.



A blue handwritten signature of Jack W. Miller.

Jack W. Miller, Mayor

ATTEST:

Erin Deskins

Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:

Andrew McGuire

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2022-912 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on March 22, 2022, and that quorum was present, and that the vote thereon was 6 ayes and 0 nays and abstentions. 1 Council members were absent or excused.

Erin Deskins

Erin N. Deskins, Town Clerk