

ORDINANCE NO. 2022-916

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 (RESERVED), BY ADDING TWO NEW SECTIONS, 3.12.1 (SF – 24,000 - SINGLE FAMILY RESIDENTIAL), AND 3.12.2 (SF – 12,000 - SINGLE FAMILY RESIDENTIAL).

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 two new sections (i) 3.12.1, SF -24,000 – Single Family Residential Zoning District and (ii) 3.12.2, SF -12,000 – Single Family Residential Zoning District, as set forth herein (collectively, the “Text Amendment”); 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 (Reserved) is hereby amended to add a new Section 3.12.1, SF - 24,000 – Single Family Residential, to read as follows:

3.12.1 “SF-24,000” - SINGLE-FAMILY RESIDENTIAL

A. PURPOSE

This district is intended to promote and preserve medium-density single-family residential development. Regulations and property development standards are designed to protect the single-family residential character of the district and to prohibit all incompatible activities.

B. PERMITTED USES

1. One (1) single-family dwelling.
2. Churches or other similar places of worship.

3. Home occupations.
4. Schools and public/governmental facilities.
5. Customary accessory buildings, 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.

C. CONDITIONAL USES (Conditional Use Permit Required)

1. Temporary home and land sale offices, provided they are located within the same subdivision as that land and homes that are offered for sale.
2. Public utility buildings, structures, or appurtenances thereto for public service use. Extension of public service lines in public or private right-of-way is exempt from this requirement.
3. 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.
4. Recovery residences.
5. Assisted living homes.
6. Farming/Agriculture for non-commercial purposes and the keeping of animals limited to sheep, goats, and fowl.

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

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|--------------------------------------|--|
| 1. Minimum Lot Area: | 24,000 square feet (excluding access easement) |
| 2. Minimum Lot Frontage: | 100 feet |
| 3. Minimum Front Yard Setback: | See Section <u>4.28</u> |
| 4. Minimum Side Yard Setback: | 10 feet |
| 5. Minimum Street Side Yard Setback: | See Section <u>4.28</u> |

- 6. Minimum Rear Yard Setback: 20 feet
- 7. Maximum Building Height: 35 feet
- 8. Accessory Building Setback: 10 feet from side and rear property lines, and must conform to the front yard and street side yard setback.
- 9. Maximum Lot Coverage: 40%

Section 3. UDO section 3.12 (Reserved) is hereby amended to add a new Section 3.12.1, SF - 12,000 – Single Family Residential, to read as follows:

3.12.2 “SF-12,000” - SINGLE-FAMILY RESIDENTIAL

A. PURPOSE

This district is intended to promote and preserve medium-density single-family residential development. Regulations and property development standards are designed to protect the single-family residential character of the district and to prohibit all incompatible activities.

B. PERMITTED USES

- 1. One (1) single-family dwelling.
- 2. Churches or other similar places of worship.
- 3. Home occupations.
- 4. Schools and public/governmental facilities.
- 5. Customary accessory buildings 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.

C. CONDITIONAL USES (Conditional Use Permit Required)

- 1. Temporary home and land sale offices, provided they are located within the same subdivision as that land and homes which are offered for sale.
- 2. Public utility buildings, structures, or appurtenances thereto for public service use. Extension of public service lines in public or private right-of-way is exempt from this requirement.

3. 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.
4. Recovery residences.
5. Assisted living homes.
6. Farming/Agriculture for non-commercial purposes and the keeping of animals limited to sheep, goats, and fowl.

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

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|--------------------------------------|---|
| 1. Minimum Lot Area: | 12,000 square feet (excluding access easement) |
| 2. Minimum Lot Frontage: | 80 feet |
| 3. Minimum Front Yard Setback: | See Section <u>4.28</u> |
| 4. Minimum Side Yard Setback: | 10 feet |
| 5. Minimum Street Side Yard Setback: | See Section <u>4.28</u> |
| 6. Minimum Rear Yard Setback: | 20 feet |
| 7. Maximum Building Height: | 35 feet |
| 8. Accessory Building Setback: | 10 feet from side and rear property lines, and must conform to the front yard and street side yard setback. |
| 9. Maximum Lot Coverage: | 35% |

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 12th day of April, 2022.



A handwritten signature in blue ink, appearing to read "Jack W. Miller", is written above a horizontal line.

Jack W. Miller, Mayor

ATTEST

Erin Deskins

Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:

Andrew McGuire

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

I hereby certify the above foregoing Ordinance No. 2022-916 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on April 12, 2022, and that quorum was present, and that the vote thereon was 5 ayes and 1 nays and 0 abstentions. 1 Council members were absent or excused.

Erin Deskins

Erin N. Deskins, Town Clerk