

When Recorded, Return to:

Town Clerk
Town of Chino Valley
202 N. State Route 89
Chino Valley, Arizona 86323

ORDINANCE NO. 2022-918

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 3.04 ACRES OF REAL PROPERTY LOCATED APPROXIMATELY 750 FEET EAST OF THE INTERSECTION OF GRANITE CREEK LANE AND ARIZONA TRAIL, FROM I (INDUSTRIAL) 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 3.04 acres of real property located approximately 750 feet East of the intersection of Granite Creek Lane and Arizona Trail, (APN 306-17-110B), from I (Industrial) to SR-1 (Single Family Residential 1-Acre Minimum), as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, both attached hereto and incorporated herein by reference, (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 3.04 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 I (Industrial) to SR-1 (Single Family Residential 1-Acre

Minimum) to divide the land, subject to the requirements of the Chino Valley Town Code and the UDO.

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 May, 2022.

Jack W. Miller, Mayor



ATTEST:

Erin Deskins

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. 2022-918 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on May 24, 2022, and that quorum was present, and that the vote thereon was 5 ayes and 2 nays and 0 abstentions. 0 Council members were absent or excused.

Erin Deskins

Erin N. Deskins, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2022-918

[Legal Description]

PARCEL I:

All that portion of Section 11, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at the Northwest corner of said Section 11;

Thence, North 89°58' East, 2974.72 feet along the North line of said Section 11 to a point, said point being the Northeast corner of SUNRISE, a subdivision recorded in Book 19 of Maps and Plats, Page 21, on file in the office of the Yavapai County Recorder;

Thence, South 00°16'10" East, along the East line of said SUNRISE, 1840.00 feet to the Southeast corner thereof;

Thence, South 89°56'40" East, 397.50 feet to a point on the North line of that certain parcel described in Book 767 of Official Records, Page 145, on file in the office of the Yavapai County Recorder;

Thence, continuing South 89°56'40" East, 348.37 feet to the POINT OF BEGINNING;

Thence, North 00°37'07" West, 377.95 feet;

Thence, North 44°21'36" West, 221.12 feet;

Thence, South 88°10'49" East, 216.12 feet;

Thence, North 88°41'29" East, 533.15 feet along the East line of Tract 39 to a point on the West line of that certain parcel described in Book 1060 of Official Records, Page 918, on file in the office of the Yavapai County Recorder;

Thence, North 89°56'40" West, 227.37 feet to the POINT OF BEGINNING.

PARCEL II:

An easement for ingress, egress, drainage and utilities, 50.0 feet in width, lying 25.0 feet on each side of a centerline located over all that portion of Section 11, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, said centerline more particularly described as follows:

Commencing at the Northwest corner of said Section 11;

Thence, North 89°58' East, 2974.72 feet along the North line of said Section 11 to a point, said point being the Northwest corner of SUNPRISE, a subdivision recorded in Book 19 of Maps and Plats, Page 21, on file in the office of the Yavapai County Recorder;

Thence, South 00°16'10" East, along the East line of said SUNRISE, 1840.00 feet to the Southeast corner thereof;

Thence, South 89°56'40" East, 397.50 feet to a point on the North line of that certain parcel described in Book 767 of Official Records, Page 145, on file in the office of the Yavapai County Recorders;

Thence, continuing South 89°56'40" East, 348.37 feet to the POINT OF BEGINNING of this centerline;

Thence, North 00°37'00" West, 300.75 feet to the END of this centerline;

The sidelines to commence on a line running South 89°56'40" East and North 89°56'40" West from the Point of Beginning and terminating on a line running perpendicular to the End point.

EXCEPTING THEREFROM any portion lying within Parcel I above.

EXHIBIT 2
TO
ORDINANCE 2022-918

[Zoning Map]

