

When recorded, return to:

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

**ORDINANCE NO. 2023-929**

**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 5.83 ACRES OF REAL PROPERTY LOCATED AT 575 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 5.83 acres of real property located at 575 West Road 1 North (APN 306-23-078F), from AR-5 (Agricultural Residential 5-Acre Minimum) 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 Town’s Planning and Zoning Commission recommended approval of the Zoning Map Amendment; 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.

**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 5.83 acres, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, to rezone the property from AR-5 (Agricultural Residential 5-Acre Minimum) to SR-1 (Single-Family Residential 1-Acre Minimum), subject to the requirements of the Chino Valley Town Code, the UDO, and the following stipulations:

1. The property owner shall sign and notarize a Waiver of Claims form that the staff will record with the County Recorder against the property.
2. The Owner shall dedicate approximately 15' of additional right of way, for a total of 40' from the east-west mid-section line of section 22 along West Road 1 North. The exact amount 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 10th day of January, 2023.

  
\_\_\_\_\_  
Jack W. Miller, Mayor

ATTEST: 

*Erin N. 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. 2023-929 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on January 10, 2023, and that quorum was present, and that the vote thereon was 7 ayes and 0 nays and abstentions. 0 Council members were absent or excused.

*Erin N. Deskins*  
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Erin N. Deskins, Town Clerk

EXHIBIT 1  
TO  
ORDINANCE 2023-929

[Legal Description]

All that portion of Section 22, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the West one quarter corner of said Section 22;

thence North 89°36'27" East, 2054.52 feet along the East-West mid-section line of said Section 22 to the TRUE POINT OF BEGINNING;

thence North 89°36'27" East, 293.32 feet along said mid-section line;

thence South 01°45'52" West (01°45'50" of record), 661.63 feet along a fence;

thence South 89°36'02" West, 465.05 feet to a fence;

thence North 01°40'55" East, 396.18 feet along a fence;

thence North 89°59'10" East, 175.21 feet;

thence North 01°07'40" East, 266.54 feet to the TRUE POINT OF BEGINNING.

EXHIBIT 2  
TO  
ORDINANCE 2023-929

[Zoning Map]

