

When recorded, return to:

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

ORDINANCE NO. 2023-930

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 AN APPROXIMATELY 2,438-SQUARE-FOOT PORTION OF AN APPROXIMATELY 1.59-ACRE PROPERTY LOCATED DIRECTLY SOUTH OF 722 WEST ROAD 2 SOUTH, FROM SR-1 (SINGLE-FAMILY RESIDENTIAL 1-ACRE MINIMUM) TO AR-5 (AGRICULTURAL RESIDENTIAL 5-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 an approximately 2,438-square-foot portion of an approximately 1.59-acre property (APN 306-29-041E) located directly south of 722 West Road 2 South (APN 306-29-041D), from SR-1 (Single-Family Residential 1-Acre Minimum) to AR-5 (Agricultural Residential 5-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 2,438 square feet, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, to rezone the property from SR-1 (Single-

Family Residential 1-Acre Minimum) to AR-5 (Agricultural Residential 5-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 applicant must obtain a building permit for the unpermitted structure located on parcel 306-29-041E.
3. The applicant shall submit a lot line adjustment to incorporate the rezoned area into the parcel directly to the north (306-29-041D).

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. 2023-930 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

Erin N. Deskins, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2023-930

[Description]

The northwest corner of APN 306-29-041E measuring approximately 48.65' (N 89°26'31" E & S 89°26'31" W) by 50.11' (S 00°58'06" E & N 00°58'06" W), as depicted on the following page.

**MAP OF ZONING CHANGE
PORTION OF SECTION 27, TT16N-R2W
OF THE GILA AND SALT RIVER BASE & MERIDIAN
YAVAPAI COUNTY, ARIZONA**

CURRENT APN: 306-29-041D & 306-29-041E
WARRANTY DEED: BK: 4841, PG 496
WARRANTY DEED: INS# 2020-0043467

APN:306-29-050C
RESIDENTIAL, SINGLE FAMILY
CURRENT ZONING
AR-5

APN:306-29-053C
RESIDENTIAL, SINGLE FAMILY
CURRENT ZONING
AR-5

APN:306-29-053F
RESIDENTIAL, SINGLE FAMILY
CURRENT ZONING
AR-5

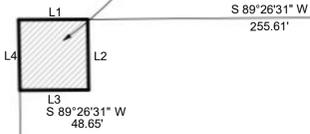
APN:306-29-038P
RESIDENTIAL, SINGLE FAMILY
CURRENT ZONING
AR-5

APN:306-29-041D
RESIDENTIAL, SINGLE FAMILY
CURRENT ZONING
AR-5

APN:306-29-042
RESIDENTIAL, SINGLE FAMILY
CURRENT ZONING
AR-5

APN:306-29-038J
RESIDENTIAL, SINGLE FAMILY
CURRENT ZONING
AR-5

**AREA TO BE REZONED
FROM SR-1 TO AR-5**
2,438 SQ. FT.
0.056 AC.



APN:306-29-041E
RESIDENTIAL, SINGLE FAMILY
CURRENT ZONING
SR-1

APN:306-29-041G
RESIDENTIAL, SINGLE FAMILY
CURRENT ZONING
SR-1

APN:306-29-040B
RESIDENTIAL, SINGLE FAMILY
CURRENT ZONING
AR-5

APN:306-29-041F
RESIDENTIAL, SINGLE FAMILY
CURRENT ZONING
SR-1



LINE TABLE

L1 N 89°26'31" E 48.65'	L3 S 89°26'31" W 48.65'
L2 S 00°58'06" E 50.11'	L4 N 00°58'06" W 50.11'

**VICINITY MAP
NOT TO SCALE**



W ROAD 2 SOUTH
50' PUBLIC RIGHT-OF-WAY



THIS MAP IS CREATED FOR DEMONSTRATIONAL PURPOSES ONLY AND DOES NOT REPRESENT NOR CONSTITUTE A BOUNDARY SURVEY DONE BY ME

BORDERLANDS LLC
212 S. MARINA ST.
PRESCOTT, AZ 86303
(928) 925-6135

JOB NO: 22-379	DRAWN: AMH
CLIENT: SCOTT	8/17/22
CREW: AMH	CHECKED: AMH
SCALE: 1" = 60'	8/17/22

EXHIBIT 2
TO
ORDINANCE 2023-930

[Zoning Map]

