

When recorded, return to:

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

ORDINANCE NO. 2023-935

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 ACRES OF REAL PROPERTY LOCATED AT 833 W. ROAD 1 SOUTH, FROM AGRICULTURAL RESIDENTIAL 5-ACRE MINIMUM (AR-5) TO SINGLE FAMILY RESIDENTIAL 2-ACRE MINIMUM (SR-2).

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 acres of real property (Yavapai County Assessor Parcel No. 306-29-050 located at 833 W. Road 1 South, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, both attached hereto and incorporated herein by reference, from Agricultural Residential 5-Acre Minimum (AR-5) to Single Family Residential 2-Acre Minimum (SR-2) (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 acres, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, to rezone the property from Agricultural Residential

5-Acre Minimum (AR-5) to Single Family Residential 2-Acre Minimum (SR-2), 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. Any Land Division or Lot Combo will need to go through the Town's review process.

Section 3. The Town Manager is authorized and 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 26th day of September 2023.



Jack W. Miller, Mayor
Eric Granillo, Vice-Mayor for Mayor Miller

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. 2023-935 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on September 26, 2023, and that quorum was present, and that the vote thereon was 5 ayes and 0 nays and 1 abstentions. 1 Council members were absent or excused.

Erin N. Deskins

Erin N. Deskins, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2023-935

[Legal Description]

All that portion of the southwest Quarter of section 27, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian; Yavapai county, Arizona, described as follows:

BEGINNING at a one inch iron stake marking the West Quarter corner of said section 27;

Thence North 89 degrees 32 minutes 35 seconds East (Basis of Bearing) 674.34 feet along the East-West centerline of said section 27 to a one-half inch rebar;

Thence south 00 degrees 45 minutes 19 seconds East 529.61 feet to a one-half inch rebar and the TRUE POINT OF BEGINNING;

Thence south 00 degrees 45 minutes 19 seconds East 323.00 feet to a one-half inch rebar;

Thence North 89 degrees 31 minutes 29 seconds East 674.41 feet to a one-half inch rebar;

Thence North 00 degrees 45 minutes 35 seconds West 323.00 feet to a one-half inch rebar;

Thence south 89 degrees 31 minutes 29 seconds West 674.38 feet to the POINT OF BEGINNING.

EXHIBIT 2
TO
ORDINANCE 2023-935

[Zoning Map]

