

When recorded, return to:

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

ORDINANCE NO. 2024-944

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 SIX ACRES OF REAL PROPERTY GENERALLY LOCATED AT 2745 ARIZONA TRAIL, FROM INDUSTRIAL HEAVY (I) TO COMMERCIAL LIGHT (CL).

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 six acres of real property (Yavapai County Assessor Parcel Nos. 306-17-001C) generally located at 2745 Arizona Trail, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, both attached hereto and incorporated herein by reference, from Industrial (I) to Commercial Light (CL) (the “Zoning Map Amendment”); and

WHEREAS, the Town Council has determined that the Zoning Map Amendment is in conformance with the Make it Chino! 2040 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 a housing impact statement in accordance with Ariz. Rev. Stat. § 9-462.01.

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 six acres, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, to rezone the property from I (Industrial) to CL (Commercial Light), subject to the requirements of the Chino Valley Town Code, the UDO, and the following stipulations:

1. The property owner shall comply with all conditions, codes, rules, fees, and regulations applicable to this action.
2. The property owner shall sign and notarize a Waiver of Claims form, which staff will record with the County Recorder against the property.

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 stipulation 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 11th day of June 2024.

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 that the above foregoing Ordinance No. 2024-944 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on June 11, 2024, and that quorum was present, and that the vote thereon was 7 ayes and 0 nays and 0 abstentions. 0 Council members were absent or excused.

Erin N. Deskins

Erin N. Deskins, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2024-944

[Legal Description]

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

Commencing at the Northwest corner of said Section 11;

Thence on a bearing of North 89 degrees, 59 minutes East, a distance of 2,974.72 feet along the North line of Section 11 to a point;

Said point being identical with the Northeast corner of Sunrise, a subdivision recorded in Book 19 of Maps, page 21, in the Office of the Yavapai County Recorder;

Thence on a bearing of South 00 degrees, 16 minutes, 10 seconds East along the East line of said Sunrise, a distance of 950.06 feet to the TRUE POINT OF BEGINNING;

Thence on a bearing of South 88 degrees, 52 minutes, 20 seconds East, a distance of 731.91 feet;

Thence on a bearing of South 12 degrees, 16 minutes, 55 seconds East, a distance of 355.35 feet;

Thence on a bearing of North 88 degrees, 10 minutes, 44 seconds West, a distance of 806.19 feet;

Thence on a bearing of North 00 degrees, 16 minutes, 10 seconds West along the East line of said Sunrise, a distance of 336.00 feet to the TRUE POINT OF BEGINNING.

EXHIBIT 2
TO
ORDINANCE 2024-944
[Zoning Map]

