

When recorded, return to:  
Town Clerk  
Town of Chino Valley  
202 N. State Route 89  
Chino Valley, Arizona 86323

**ORDINANCE NO. 2024-945**

**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 1.5 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE NORTH SIDE OF EAST ROAD 2 NORTH, FROM CL/AR-5 (COMMERCIAL LIGHT / AGRICULTURAL RESIDENTIAL, 5-ACRE MINIMUM), TO CH (COMMERCIAL HEAVY).**

**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 1.5 acres of real property (Yavapai County Assessor Parcel No. 306-04-031) located at 3381 N State Route 89, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, both attached hereto and incorporated herein by reference, from Commercial Light/Agricultural Residential, 5-acre minimum ("CL/AR-5"), to Commercial Heavy ("CH") (the "Zoning Map Amendment"); and

**WHEREAS**, the Town Council has determined that this 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 (ZC-2024-03); 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 A.R.S. 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 1.5 acres, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, to rezone the property from CL/AR-5 to CH, subject

to the requirements of the Chino Valley Town Code ("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 applicant shall agree that the rezone classification to Commercial Heavy (CH) is contingent upon the adequate recordation of the parcel combination or lot line adjustment within one year of rezone approval.

**SECTION 3.** Per A.R.S. § 9-462.01(E), if the property owner does not produce evidence of compliance with the above stipulations, the Town Council may take legislative action to revert the properties' zoning to the prior zoning classification, CL/AR-5.

**SECTION 4.** 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 5.** 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 6.** 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 September 2024.



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Jack W. Miller, Mayor



ATTEST:

*Erin N. Deskins*

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Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:



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Andrew J. McGuire, Town Attorney  
Gust Rosenfeld, PLC

I hereby certify that the above foregoing Ordinance No. 2024-945 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on September 10, 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*

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Erin N. Deskins, Town Clerk

EXHIBIT 1  
TO  
ORDINANCE 2024-945

[Property Description]

All that portion of Section 3, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

Beginning at a General Land Office Brass Capped Pipe Monument on the East line of Section 3 marked one-quarter corner, said corner is 44.74 feet southerly of record location;

Thence South 00 degrees 58 minutes 30 seconds East, 1,364.26 feet along the section line to a point 1,409.00 feet Northerly of a one and one-fourth inch iron pipe marking the Southeast corner of Section 3;

Thence South 89 degrees 58 minutes 10 seconds West, 1083.17 feet to a one-half inch rebar on the Easterly right-of-way of U.S. Highway 89;

Thence North 05 degrees 54 minutes 46 seconds East along right-of-way 393.56 feet to a one-half inch rebar and the TRUE POINT OF BEGINNING;

Thence North 05 degrees 54 minutes 46 seconds East, 172.76 feet to a one-half inch rebar;

Thence South 86 degrees 30 minutes East, 335.60 feet to a one-half inch rebar;

Thence North 79 degrees 25 minutes East 43.80 feet to a one-half inch rebar;

Thence South 06 degrees 08 minutes 15 seconds West, 183.46 feet to a one-half inch rebar;

Thence North 86 degrees 30 minutes West, 376.91 feet to the TRUE POINT OF BEGINNING.

EXHIBIT 2  
TO  
ORDINANCE 2024-945

[Zoning Map]

