

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

ORDINANCE NO. 2024-947

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 3 ACRES OF REAL PROPERTY LOCATED AT 772 WEST ROAD 1 NORTH (APN 306-23-030B) 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 3 acres of real property (Yavapai County Assessor Parcel No. 306-23-030B) located at 772 West Road 1 North, 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, 1-Acre Minimum (“SR-1”) (the “Zoning Map Amendment”); and

WHEREAS, the Town Council has determined that this Zoning Map Amendment conforms 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-2024-05); 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 3 acres, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, to rezone the property from AR-5 to SR-1 to further divide the property into three or four lots, 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 developer shall widen the existing access road through the property to conform to UDO § 5.3.2, Table 5-2, Rural Subdivision Private Street Minimum Design Standards, as follows:

Number of Lots: 2 to 3
 Improvement Width: 20'
 Subgrade: 6"
 Base Depth: 4"
 Surface Depth: 2" Dust Free Material.

3. The developer shall provide Finish Floor Elevations for proposed structures from an Arizona Registered Civil Engineer, which are to be certified by an Arizona Registered Land Surveyor during construction.

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 24th day of September 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. 2024-947 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on September 24, 2024, and that quorum was present, and that the vote thereon was 7 ayes, 0 nays, and 0 abstentions. 0 Council members were absent or excused.

Erin N. Deskins

Erin N. Deskins, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2024-947

[Property Description]

Parcel 1:

All that certain tract and/or parcel of ground situate in the Northwest one-quarter (NW 1/4) of Section 22, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, and more particularly described by metes and bounds as follows, to wit:

BEGINNING at the Northeast corner of the herein described tract or ground, from which the West one-quarter of said Section 22 lies West, 1,351.13 feet and South, 896.35 feet;

Thence South 01°49'30" West, 334.12 feet;

Thence South 89°44'10" West, 250.06 feet;

Thence North 26°38'30" West, 28.37 feet;

Thence North 81°27'37" West, 202.92 feet;

Thence North 01°30'26" East, 151.49 feet;

Thence North 22°13'41" East, 136.38 feet;

Thence North 89°44'10" East, 418.52 feet, to the POINT OF BEGINNING, previously described.

Parcel 2:

An easement for ingress and egress over the South 25 feet and the West 33 feet of the following described property:

All that certain tract and/or parcel of ground situate in the Northwest one-quarter (NW1/4) of Section 22, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, and more particularly described by metes and bounds as follows, to wit:

BEGINNING at the Northeast corner of the herein described tract, from which the West one-quarter corner of Section 22, Township 16 North, Range 2 West, lies South, 562.40 feet, and West 1,340.49 feet;

Thence South 01°49'30" West, 556.59 feet to a point in the centerline of Road 1 North; Thence, with centerline of Road 1 North, South 89°44'10" West, 256.18 feet;

Thence, departing the centerline of Road 1 North, North 02°27'15" East, 556.84 feet;

Thence, North 89°44' 10" East, 250.06 feet to the POINT OF BEGINNING.

APN 306-23-030B

EXHIBIT 2
TO
ORDINANCE 2024-947

[Zoning Map]

