

**ORDINANCE NO. 17-842**

**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 8.33 ACRES OF REAL PROPERTY GENERALLY LOCATED ONE QUARTER MILE SOUTH OF THE SOUTHEAST CORNER OF WEST ROAD 1 NORTH AND NORTH ROAD 1 WEST AT 295 NORTH ROAD 1 WEST, FROM CL/AR-5 (LIGHT COMMERCIAL/ AGRICULTURAL RESIDENTIAL – 5 ACRE MINIMUM) ZONING DISTRICT TO SR-1 (SINGLE FAMILY RESIDENTIAL – 1 ACRE MINIMUM) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.**

**WHEREAS**, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General and any applicable Specific Area Plan, neighborhood, or other plan, and any overlay zoning district; 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 Planning and Zoning Commission recommends approval of the rezoning; and

**WHEREAS**, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this ordinance,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

1. The Change of Zoning and amendment to the Official Zoning Map is hereby approved for property consisting of approximately 8.33 acres, described in Exhibit 1 and as shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by this reference, from CL/AR-5 (Light Commercial/ Agricultural Residential – 5 Acre Minimum) zoning district TO SR-1 (Single Family Residential – 1 Acre Minimum) zoning district.

2. The Property described in Paragraph 1 of this Section shall be used and developed in accordance with the Town of Chino Valley Unified Development Ordinance.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Providing for Non-Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and this ordinance shall have no force or effect.

Section 4. Providing for Penalties.

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 1.10 and 1.11 of the Town of Chino Valley Unified Development Ordinance. Each day a violation continues, or the failure to perform any act or duty required by this zoning ordinance, the Unified Development Ordinance or by the Town of Chino Valley Town Code continues, shall constitute a separate civil offense.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Chino Valley, Arizona this 12<sup>th</sup> day of December, 2017 by the following vote:

AYES: 7

ABSENT: 0

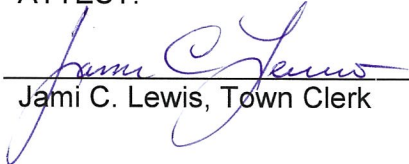
NAYS: 0

ABSTAINED: 0

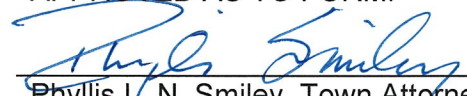
APPROVED this 12<sup>th</sup> day of December, 2017.

  
Darryl L. Croft, Mayor

ATTEST:

  
Jami C. Lewis, Town Clerk

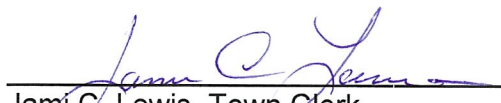
APPROVED AS TO FORM:

  
Phyllis L. N. Smiley, Town Attorney  
Gust Rosenfeld, PLC

The following exhibits are attached hereto and incorporated herein:

- 1. Legal Description
- 2. Zoning Exhibit (map)

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 17-842 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 12<sup>th</sup> DAY OF DECEMBER, 2017, WAS POSTED IN THREE PLACES ON THE 27<sup>TH</sup> DAY OF DECEMBER, 2017.

  
Jami C. Lewis, Town Clerk

**EXHIBIT 1  
LEGAL DESCRIPTION**

All the portion of the Northwest quarter of the Southwest quarter of Section 22, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapi County, Arizona, descibed as followed:

COMMENCING at the West quarter corner of Section 22 marked with a Town of Chino Valley brass monument;

Thence South 01°40'00" West (basis of bearing) 1324.77 feet (1324.00 feet record) along the Westerly line of Section 22;

Thence North 89°41'53" East 25.01 feet to a one-half inch rebar on the Easterly Right-of-way of Road 1 West and THE TRUE POINT OF BEGINNING;

Thence North 89°41'53" East 1327.17 feet (1333.20 feet record) to a one inch pipe;

Thence North 01°50'09" East (North 01°36'00" East record) 352.49 feet to a point;

Thence South 66°36'19" West 385.48 feet (South 66°34'44" West 385.70 feet record) to a one-half inch rebar;

Thence South 85°58'39" West 180.49 feet (South 85°57'04" West record) to a one-half inch rebar;

Thence North 53°49'48" West 91.25 feet (North 53°51'23" West record) to a one-half inch rebar;

Thence North 07°06'27" East (North 07°04'52" East record) 12.11 to a one-half inch rebar;

Thence North 81°49'40" West 364.59 feet to a one-half inch rebar;

Thence North 89°42'36" West 362.45 feet to a one-half inch rebar on the Easterly Right-of-way of Road 1 West;

Thence South 01°40'00" West 313.24 feet along said Right-of-way to THE TRUE POINT OF BEGINNING.

Containing 8.33 acres more or less.

## EXHIBIT 2 ZONING EXHIBIT (MAP)

