

ORDINANCE NO. 14-789

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 1.53 ACRES OF REAL PROPERTY LOCATED AT 734 NORTH STATE ROUTE 89 FROM COMMERCIAL LIGHT (CL) ZONING DISTRICT TO COMMERCIAL HEAVY (CH) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, the Town Council has determined that this change of zoning and amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan, 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, by a unanimous vote of those members present (Commissioner Sloan was absent) recommends approval of the rezoning; and

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 real property consisting of approximately 1.53 acres located at 734 North State Route 89 and legally described in Exhibit A and shown on the Zoning Exhibit (map) in Exhibit B, both of which are attached hereto and incorporated herein by this reference, from Commercial Light (CL) zoning district to Commercial Heavy (CH) 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All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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.

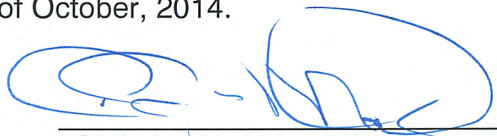
Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 1.10 and 1.11 of the Town of Chino Valley Unified Development Ordinance. Each day a violation continues, or the failure to perform any act or duty required 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 14th day of October, 2014 by the following vote:

AYES: 6
NAYS: 0

ABSENT: 1
ABSTAINED: 0

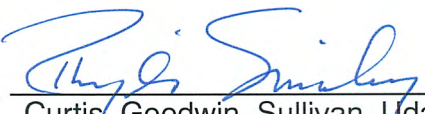
APPROVED this 14th day of October, 2014.


Chris Marley, Mayor

ATTEST:


Jami C. Lewis, Town Clerk

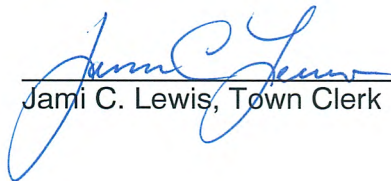
APPROVED AS TO FORM:


Curtis, Goodwin, Sullivan, Udall & Schwab, PLC, Town Attorney

The following exhibits are attached hereto and incorporated herein:

- A. Legal Description
- B. Zoning Exhibit (Map)

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 14-789 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 14th DAY OF OCTOBER, 2014, WAS POSTED IN THREE PLACES ON THE 16th DAY OF OCTOBER, 2014.



Jami C. Lewis, Town Clerk

EXHIBIT A

LEGAL DESCRIPTION

All that portion of the North half of Section 22, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the center of said Section 22;

thence South 89°33'40" West, 623.89 feet along the East-West mid section line;

thence North 16°05'52" East, 615.29 feet;

thence North 89°34'12" East, 814.94 feet;

thence North 02°31'31" East 435.60 feet to the TRUE POINT OF BEGINNING;

thence North 89°34'12" East, 300.40 feet to the West right of way line of U.S. Highway 89;

thence North 02°31'31" East, 221.98 feet along said right of way;

thence South 89°40'42" West, 300.37 feet;

thence South 02°31'31" West, 222.53 feet to the POINT OF BEGINNING.

