

ORDINANCE NO. 15-803

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 0.5 ACRE(S) OF REAL PROPERTY GENERALLY LOCATED AT ~~206 E. ROAD 4 NORTH~~ 206 W. ROAD 4 NORTH* (APN: 306-04-009J), FROM COMMERCIAL LIGHT (CL) ZONING DISTRICT TO SINGLE FAMILY RESIDENTIAL, 7,000 SQUARE FOOT MINIMUM (SR 0.16) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

*Pursuant to Town Code § 10.20, scrivener's error on Ordinance No 15-803 was corrected on Nov. 3, 2015 and reported to Council on Dec. 8, 2015.

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan 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, by a unanimous vote of all five (5) members present, recommends approval of the rezoning;

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 0.5 acre(s), described in Exhibit A and as shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by this reference, from COMMERCIAL LIGHT (CL) Zoning District TO SINGLE FAMILY RESIDENTIAL, 7,000 SF MINIMUM (SR 0.16) 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.

3. There shall be no further subdivision of this parcel until municipal sewer and water are available to serve this location.**

***SCRIVENER'S NOTE: The correct version of this Section was approved by Council on October 13, 2015, but para. 3 was unintentionally omitted from the original signed version. Pursuant to Town Code § 10.20, the error was corrected on Nov. 3, 2015, and reported to Council on Dec. 8, 2015.*

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.

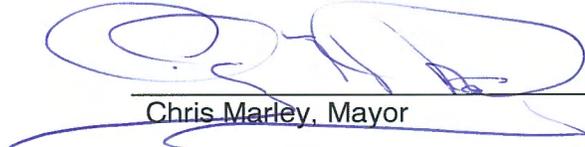
Section 4. Providing for Penalties.

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 13th day of October, 2015 by the following vote:

AYES:	<u>5</u>	ABSENT:	<u>1</u>
NAYS:	<u>0</u>	ABSTAINED:	<u>1</u>

APPROVED this 13th day of October, 2015.


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:

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. 15-803 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 13TH DAY OF OCTOBER, 2015, WAS POSTED IN THREE PLACES ON THE 18th DAY OF NOVEMBER, 2015.


Jami C. Lewis, Town Clerk

EXHIBIT "A"

ALL THE PORTION OF THE SOUTHEAST QUARTER 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 3/4 INCH IRON PIN MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 3;

THENCE EAST (BASIS OF BEARING) 887.23 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING EAST 300.00 FEET TO THE WEST RIGHT OF WAY OF STATE HIGHWAY 89;

THENCE NORTH 05°55' EAST, 20.00 FEET ALONG SAID RIGHT OF WAY TO A 1/2 INCH REBAR AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 05°55' EAST ALONG THE HIGHWAY, 146.00 FEET;

THENCE WEST 300.00 FEET;

THENCE SOUTH 5°55' WEST, 146.00 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

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 THE SOUTH QUARTER CORNER OF SECTION 3 MARKED WITH A FOUND 3/4 INCH ROD THAT LAYS WEST FROM A GENERAL LAND OFFICE BRASS CAPPED MONUMENT AT THE SOUTHEAST CORNER OF SECTION 3;

THENCE EAST 1187.23 FEET ALONG THE SECTION LINE TO THE WESTERLY RIGHT OF WAY OF U.S. HIGHWAY 89;

THENCE NORTH 05°55' EAST, 20.00 FEET ALONG SAID RIGHT OF WAY TO A 1/2 INCH REBAR AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 05°55' EAST, 146.00 FEET TO A 1/2 INCH REBAR;

THENCE WEST 150.00 FEET TO A 1/2 INCH REBAR;

THENCE SOUTH 05°55' WEST, 146.00 FEET TO A 1/2 INCH REBAR;

THENCE EAST 150.00 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING ANY PORTION DEDICATED TO THE TOWN OF CHINO VALLEY FOR ROADWAY PURPOSES.



AR-5 306-04-009M

306-04-009L

306-04-009E

CL

306-04-009J

306-04-009N

306-04-010

YAVAPAI TOWN OF CHINO VALLEY

800-10-043N

800-13-016Q

W Road 4 North

800-10-009Y

800-10-043P

800-10-043

CL

306-14-048

306-14-026

306-14-026

306-14-026

N State Road

89