

**ORDINANCE NO. 16-820**

**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 1.37 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 3385 BACON LANE, SECTION 3, TOWNSHIP 16N, RANGE 2W, FROM COMMERCIAL HEAVY (CH) ZONING DISTRICT TO SINGLE-FAMILY RESIDENTIAL – 1 ACRE MINIMUM (SR-1) 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 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 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 1.37 acre(s), described in Exhibit A and as shown on the Zoning Exhibit (map) in Exhibit B, both attached hereto and incorporated herein by this reference, from Commercial Heavy (CH) zoning district to Single-Family Residential – 1 Acre Minimum (SR-1) 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. Development of the Property (including issuance of a Certificate of Occupancy for the existing home), shall also be subject to the following condition:

a. Dedication to Chino Valley for Bacon Lane right-of-way that is adjacent to the property shall be completed prior to or at the time of recordation of the Record of Survey splitting the parcel. Dedication of Bacon Lane shall extend twenty-five (25) feet from the center line. Failure to dedicate said roadway within 30 days of request by the Town Engineer may result in reversion of the zoning to the prior zoning classification.

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All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 12th day of July, 2016 by the following vote:

AYES:	<u>6</u>	ABSENT:	<u>1</u>
NAYS:	<u>0</u>	ABSTAINED:	<u>0</u>

APPROVED this 12th day of July, 2016.

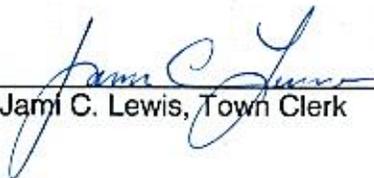



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Chris Marley, Mayor

ATTEST:

APPROVED AS TO FORM:




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Jami C. Lewis, Town Clerk




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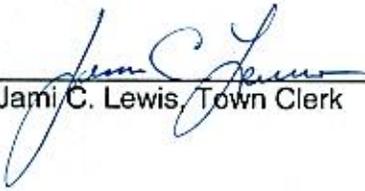
Phyllis L. N. Smiley, Town Attorney

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. 16-820 ADOPTED BY THE COMMON

COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 12th DAY OF JULY, 2016, WAS  
POSTED IN THREE PLACES ON THE 14<sup>TH</sup> DAY OF JULY, 2016.

  
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Jami C. Lewis, Town Clerk

**EXHIBIT A**

**Parcel A**

**±1.37 Acres**

All that 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 describes as follows:

Commencing at the South Quarter Corner of said Section 3;

Thence North 01°13'00" West along the North-South Midsection line, a distance of 1976.90 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 01°13'00" West, a distance of 165.23 feet;

Thence North 69°43'10" East, a distance of 290.96 feet;

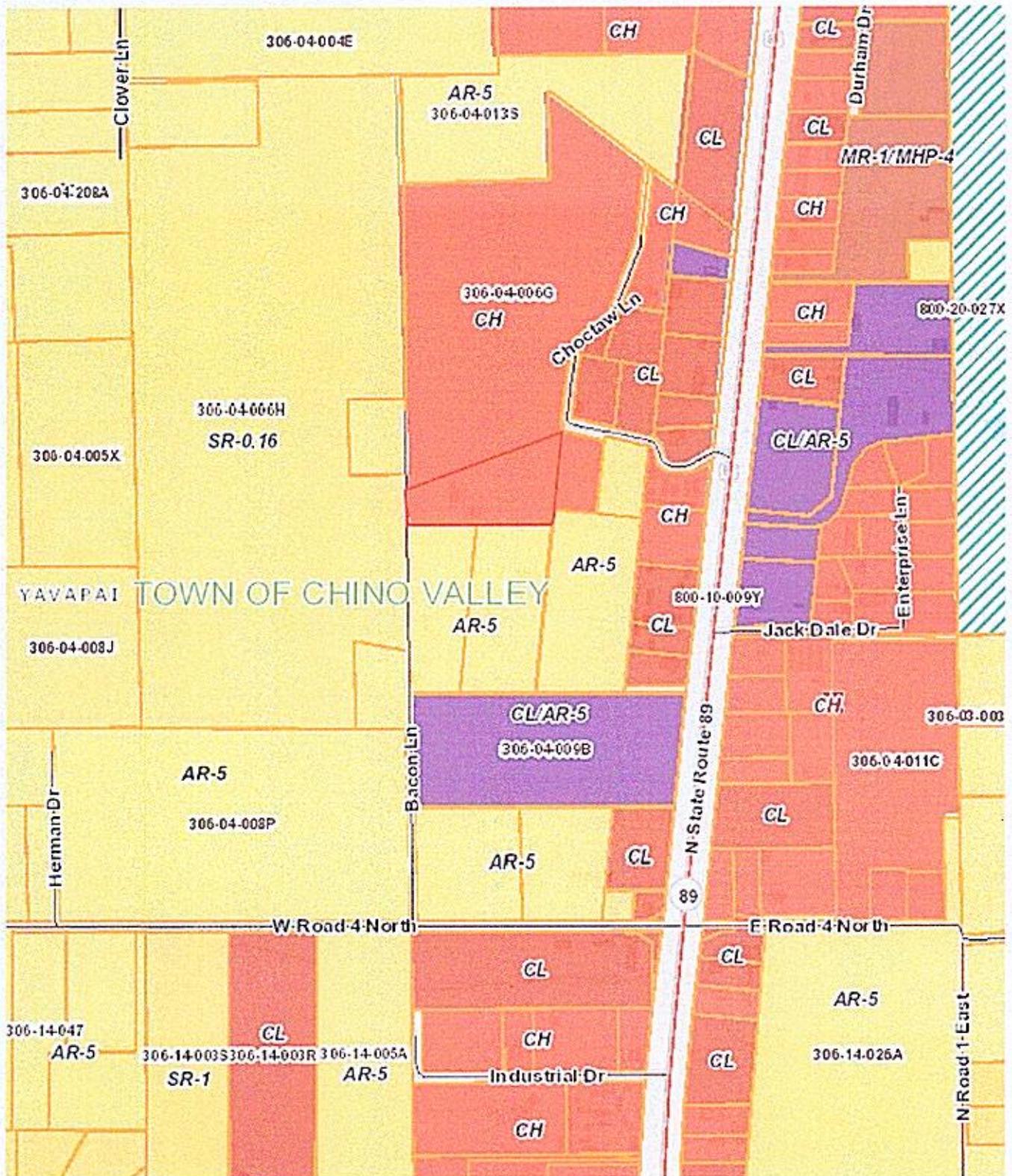
Thence South 01°45'54" East, a distance of 267.47 feet;

Thence North 89°43'57" West, a distance of 277.65 feet to THE POINT OF BEGINNING.

Containing 1.37 acres more or less.



# Zoning Map Vermilyea



*Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.*

Map printed on: 4.12.2016