

**ORDINANCE NO. 16-821**

**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 5 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 2099 E. PERKINSVILLE ROAD, SECTION 13, TOWNSHIP 16N, RANGE 2W, FROM AGRICULTURAL-RESIDENTIAL, 5-ACRE MINIMUM (AR-5) ZONING DISTRICT TO SINGLE-FAMILY RESIDENTIAL – 2.5 ACRE MINIMUM (SR-2.5) 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 vote of 4-0 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 5 acres, 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 Agricultural-Residential, 5-Acre Minimum (AR-5) zoning district to Single-Family Residential – 2.5 Acre Minimum (SR-2.5) 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All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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.

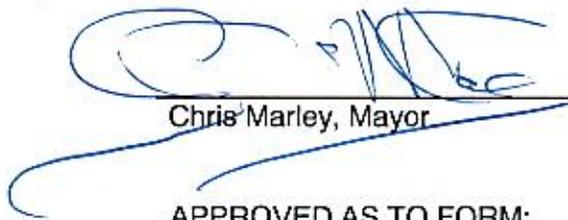
Section 4. Providing for Penalties.

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 July, 2016 by the following vote:

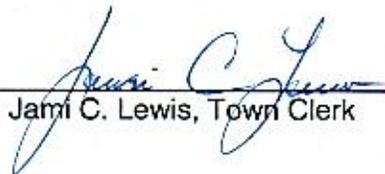
AYES:	<u>6</u>	ABSENT:	<u>1</u>
NAYS:	<u>0</u>	ABSTAINED:	<u>0</u>

APPROVED this 12<sup>th</sup> day of July, 2016.

  
Chris Marley, Mayor

ATTEST:

APPROVED AS TO FORM:

  
Jami C. Lewis, Town Clerk

  
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. 16-821 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 12<sup>th</sup> DAY OF JULY, 2016, WAS POSTED IN THREE PLACES ON THE 14<sup>th</sup> DAY OF JULY, 2016.

  
Jami C. Lewis, Town Clerk

EXHIBIT A

That Certain Parcel of land situated in that portion of Tract No. 50, Homestead Entry, lying in Section 13 of Township 16 North, Range 2 West, G. & S.R.B. & M., Yavapai County, Arizona; said parcel being more particularly described as follows:

Commencing at the Northwest Corner of Tract No. 48 (Cor. No. 2) identical with (Cor. No. 5) of Tract No. 50 run thence N. 89 46' 16" E. along the common line between Tract No. 50 and Tract No. 48 a distance of 553.25 feet to the Point of Beginning, run thence N. 0 14' 20" W. a distance of 860.00 feet to the Point of Beginning, run thence N. 89 46' 16" E. a distance of 246.16 feet to a point of intersection with the Westerly right of way line of the A.T. & S.F. Railroad, run thence S. 14 29' 41" E. along said Westerly right of way a distance of 681.03 feet to a point of intersection with the common line between Tract No. 48 and Tract No. 50, said point also being identical with the Northeast corner of Chino Meadows, Unit No. III, a subdivision recorded in Book 15 at Page 85 of Maps and Plats; run thence S. 89 46' 16" W. along the common line between Tract No. 48 and Tract No. 50, a distance of 413.84 feet to the Point of Beginning; said point also being the Point of Termination for this description.

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My Commission Expires Aug. 29, 1992

STATE OF ARIZONA )  
County of Yavapai ) ss.

This instrument was acknowledged and executed before me this 18th day of June, 1989 by Joseph V. Andre

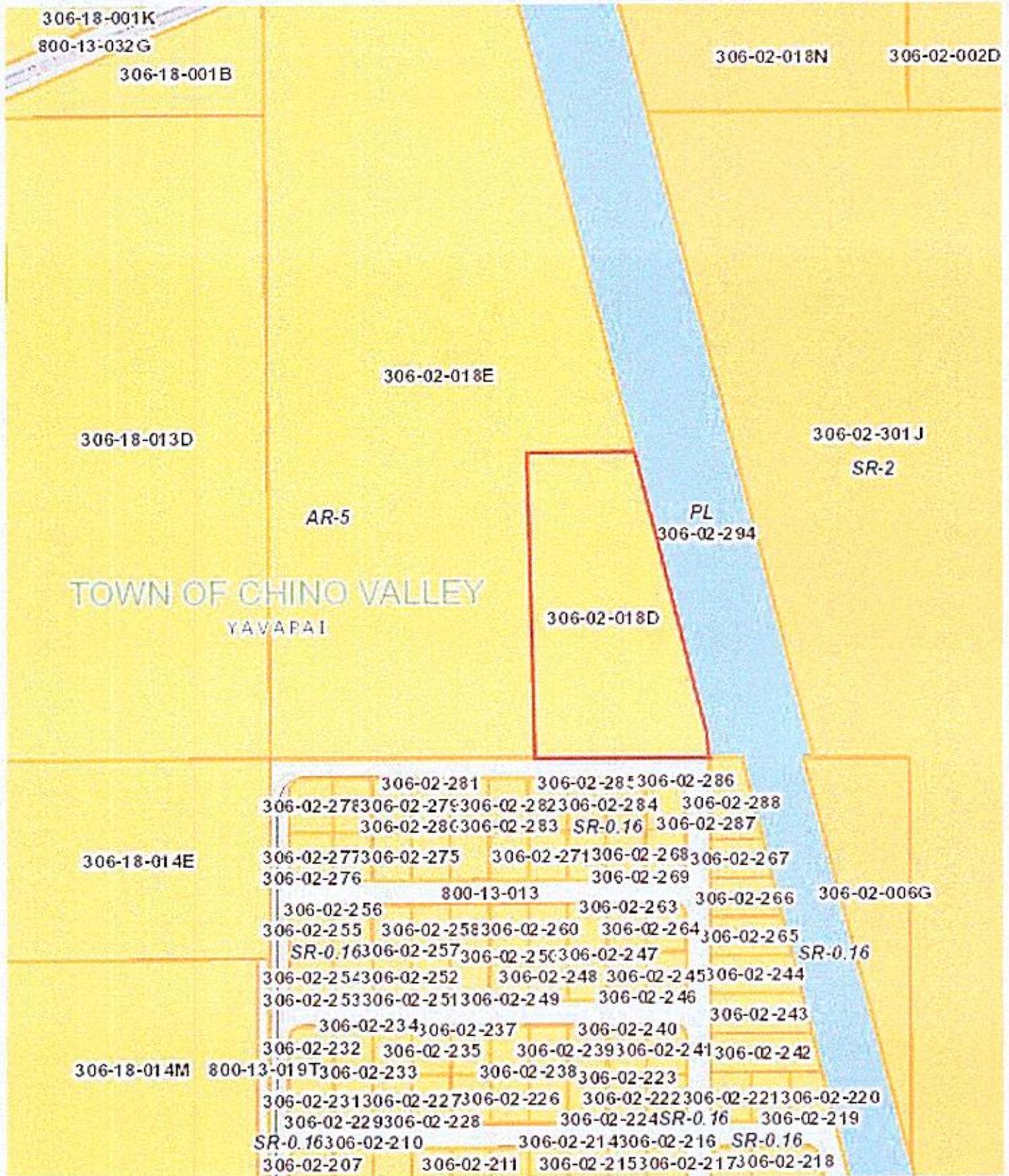
SEAL

*Joseph V. Andre*  
Notary Public

My commission expires: My Commission Expires Aug. 29, 1992

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# DuCote Zoning Map



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: 5.1.2016