

ORDINANCE NO. 14-787

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, APPROVING A CHANGE OF ZONING FOR APPROXIMATELY 438 ACRES OF REAL PROPERTY GENERALLY LOCATED IN SECTION 6, TOWNSHIP 15 NORTH, RANGE 1 WEST, FROM SINGLE FAMILY RESIDENTIAL, TWO (2) ACRE MINIMUM (SR-2) ZONING DISTRICT TO INDUSTRIAL (I) 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 as amended 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 is hereby approved for property consisting of approximately 438 acres, described in Exhibit 1, attached hereto and incorporated herein by this reference, generally located in Section 6, Township 15 North, Range 1 West, from Single Family Residential, Two (2) Acre Minimum (SR-2) Zoning District to Industrial (I) 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All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 26th day of August, 2014 by the following vote:

AYES: 6

ABSENT: 1

NAYS: 0

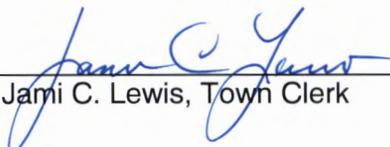
ABSTAINED: 0

APPROVED this 26th day of August, 2014.



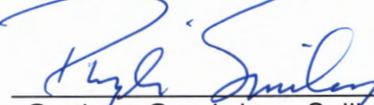
Chris Marley, Mayor

ATTEST:



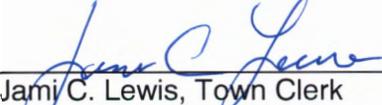
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:



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

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 14-787 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 26TH DAY OF AUGUST, 2014, WAS POSTED IN THREE PLACES ON THE 27TH DAY OF AUGUST, 2014.



Jami C. Lewis, Town Clerk

The following exhibits are attached hereto and incorporated herein:

1. Legal Description

*Exhibit 1**

~~Exhibit A:~~ Legal Description
Cortez CUP14-001 Portable Asphalt Plant
Cortez ZC14-002

PARCEL I:

The Southeast quarter; Lot Numbered 2; The South half of the Northeast quarter; and the Southeast quarter of the Northwest quarter of Section 6, Township 15 North, Range 1 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona.

PARCEL II:

Lot 7 and the East Half of the Southwest quarter of Section 6, Township 15 North, Range 1 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona.

EXCEPT a strip of land 100 feet wide being 50 feet on each side of the centerline of the Santa Fe, Prescott and Phoenix Railway Company (now The Atchison, Topeka and Santa Fe Railway Company).

**Scrivener's Error in Exhibit label was corrected on November 17, 2014 and reported to Council on December 9, 2014.*
