

ORDINANCE NO. 10-729

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, ADOPTING “UNIFIED DEVELOPMENT ORDINANCE (UDO) – AMENDMENTS DATED JULY 22, 2010” RELATING TO THE CHINO VALLEY UNIFIED DEVELOPMENT ORDINANCE, AMENDING SUBSECTION 1.7: SITE PLAN REVIEW COMMITTEE; SUBSECTION 1.9.1.3: REVIEW AND APPROVAL PROCESSES; SECTION 2 DEFINITIONS; SECTION 3 ZONING DISTRICTS; SUBSECTION 4.22: OFF-STREET PARKING AND LOADING; SUBSECTION 4.26: LANDSCAPE REQUIREMENTS; AND ADDING SUBSECTION 4.29: DESIGN CONCEPTS INTO THE UDO

WHEREAS, on November 9, 2006, the Town Council of Chino Valley adopted Ordinance 06-678 adopting the Unified Development Ordinance; and

WHEREAS, the first amendment to the UDO occurred on January 11, 2007, with Ordinance No. 07-683; and

WHEREAS, the second amendment to the UDO occurred on October 23, 2008, with Ordinance No. 08-707; and

WHEREAS, the Planning Commission (“Commission”) conducted three Public Hearings on January 15, 2009, October 15, 2009, and December 3, 2009, to discuss the amendments in this Ordinance, during which testimony was presented by Town staff, the applicant and others; and

WHEREAS, subsequent to the January 15, 2009 Public Hearing and discussion, the Commission elected by a 6-0 vote (Vice Chairperson Florence Sloan absent) to forward the amendments to the Town Council with a recommendation for approval; and

WHEREAS, subsequent to the October 15, 2009 Public Hearing and discussion, the Commission elected by a 4-0 vote (Commissioners Miner, Rowitsch and Schmidt absent) to forward the amendments to the Town Council with a recommendation for approval; and

WHEREAS, subsequent to the December 3, 2009 Public Hearing and discussion, the Commission elected by a 4-0 vote (Vice Chair Sloan and Commissioners Owen and Schmidt absent) to forward the amendments to the Town Council with a recommendation for approval; and

WHEREAS, on March 30, 2010, the Town Council met for a Study Session and directed staff to remove the proposed Greenhouse and Planned Area Development (PAD) amendments for further review and place the remaining amendment on the next available Council agenda; and

WHEREAS, at their regular meeting of July 22, 2010, the Town Council confirmed the recommendation of the Commission by electing to adopt this Ordinance and thereby approve the Unified Development Ordinance – Amendments;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA:

Section 1. That certain document known as the “Unified Development Ordinance – Amendments dated July 22, 2010” of the Town of Chino Valley, three (3) copies of which are on file in the office of the Town Clerk of the Town of Chino Valley, Arizona, which document was made a Public Record by Resolution No. 10-933 of the Town of Chino Valley, Arizona, is hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance.

Section 2. That this Ordinance repeals any prior enactment by the Town of Chino Valley that is inconsistent herewith.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 22th day of July, 2010.

Jim Bunker, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Musgrove Drutz & Kack, P.C.
Town Attorney