



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
TUESDAY, SEPTEMBER 22, 2020
6:00 P.M.**

**Council Chambers
202 N. State Route 89
Chino Valley, Arizona**

A majority of the Councilmembers may attend a private invocation in the Council Conference Room immediately prior to the Council meeting. No Town business will be discussed.

AGENDA

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL**
2. **INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS**
 - a. **p.4** Introduction of new hires by Laura Kyriakakis, Human Resources Director.

3. **CALL TO THE PUBLIC**

Call to the Public is an opportunity for the public to address the Council on any issue within the jurisdiction of the Council that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

4. **CURRENT EVENT SUMMARIES AND REPORTS**

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events. If listed below, there may also be a presentation on information requested by the Mayor and Council and questions may be answered. No action will be taken.

- a. Status reports by Mayor and Council regarding current events.

- b. Status report by Town Manager Cecilia Gritman regarding Town accomplishments, and current or upcoming projects.

5. **CONSENT AGENDA**

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

- a. **p.7** Consideration and possible action to adopt Resolution No. 2020-1173, approving Addendum #1 to the Intergovernmental Agreement (IGA) for Flood Control Improvements with Yavapai County Flood Control District in the amount of \$98,089.36 from fiscal year 2019-2020, as well as an additional \$25,000 for fiscal year 2020-2021. (Frank Marbury, Public Works Director/Town Engineer)
- b. **p.21** Consideration and possible action to approve the September 8, 2020, regular meeting minutes. (Jami Lewis, Town Clerk)

6. **ACTION ITEMS**

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

- a. **p.29** Consideration and possible action to adopt Ordinance No. 2020-886, adopting the "International Fire Code, 2018 Edition" and "Central Arizona Fire and Medical Authority 2018 International Fire Code Amendments" by reference, and amending the Town Code Title XV Land Usage, Chapter 153 Fire Prevention and Protection, Section 153.001 International Fire Code Adopted. (Dan Trout, Chief Building Official)

Recommended Action: Approve Ordinance No. 2020-886, adopting the International Fire Code, 2018 Edition" and "Central Arizona Fire and Medical Authority 2018 International Fire Code Amendments by reference, and amending the Town Code Title XV Land Usage, Chapter 153 Fire Prevention and Protection, Section 153.001 International Fire Code Adopted.
- b. **p.33** Consideration and possible action to amend the existing Planned Area Development (PAD) of the Bright Star Subdivision containing approximately 277.42 acres of real property. (Joshua Cook, Development Services Director)

Recommended Action: Approve amendment to the existing Planned Area Development (PAD) of the Bright Star Subdivision containing approximately 277.42 acres of real property.

- c. **p.62** Consideration and possible action to amend the Final Plat of Bright Star Unit 2 Phase 3 containing approximately 25.8 acres of real property. (Joshua Cook, Development Services Director)

Recommended Action: Approve amendment to the existing Final Plat of Bright Star Unit 2 Phase 3 containing approximately 25.8 acres of real property.

7. **ADJOURNMENT**

Dated this 17th day of September, 2020.

By: *Jami C. Lewis, Town Clerk*

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 711 (Telecommunications Arizona Relay Service) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting.

Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at <http://www.chinoaz.net/agendacenter>, and in the Public Library and Town Clerk's Office.

Council meetings are live-streamed on Cable Channel 57, Town of Chino Valley Facebook page, and Zoom.

Join Zoom Webinar: <https://us02web.zoom.us/j/88089355589>

Telephone: 877 853 5247 (toll free) or 888 788 0099 (toll free)

iPhone one-tap: US: +13462487799,,88089355589# or +16699009128,,88089355589#

Webinar ID: 880 8935 5589

CERTIFICATION OF POSTING

The undersigned hereby certifies that a copy of this notice was duly posted at Chino Valley South Campus, Chino Valley Post Office, and Chino Valley North Campus in accordance with the statement filed by the Town Council with the Town Clerk.

Date: _____ Time: _____ By: _____
Jami C. Lewis, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

2. a.

Meeting Date: 09/22/2020
Contact Person: Laura Kyriakakis, Human Resources Director
 Phone: 928-636-2646 x-1204
Department: Human Resources
Estimated length of Staff Presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Introduction of new hires by Laura Kyriakakis, Human Resources Director.

SITUATION & ANALYSIS:

The following individuals have joined the Town of Chino Valley, One Town One Team. Welcome!

Employee Name	Department	Position	Hire Date
Joseph Pelano	Police	Police Officer	1/24/2020
Rebecca Laurence	Library	Children's Librarian	2/18/2020
Traci Lavelle	Town Clerk	Deputy Town Clerk	8/31/2020
Austin McAvoy	Police	Police Officer	9/8/2020
Katy LeFevre	Facilities	Facilities Mainenance Worker	9/14/2020

Attachments

No file(s) attached.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

5. a.

Meeting Date: 09/22/2020
Contact Person: Frank Marbury, Public Works Director/Town Engineer
 Phone: 928-636-7140 x-1226
Department: Public Works
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to adopt Resolution No. 2020-1173, approving Addendum #1 to the Intergovernmental Agreement (IGA) for Flood Control Improvements with Yavapai County Flood Control District in the amount of \$98,089.36 from fiscal year 2019-2020, as well as an additional \$25,000 for fiscal year 2020-2021. (Frank Marbury, Public Works Director/Town Engineer)

RECOMMENDED ACTION:

Adopt Resolution No. 2020-1173 approving Addendum #1 to the Intergovernmental Agreement (IGA) for Flood Control Improvements with Yavapai County Flood Control District in the amount of \$98,089.36 from fiscal year 2019-2020, as well as an additional \$25,000 for fiscal year 2020-2021.

SITUATION AND ANALYSIS:

Each year the Town must enter into an IGA with the District to receive a yearly allocation of funds for approved flood control projects. Upcoming projects include the Road 3 North Channel Rebuild and the design of the Cemetery Draw Drainage Improvements. District funding to the Town includes remaining funding from fiscal year 2019-2020 in the amount of \$98,089.36 plus an additional \$25,000 for a total fiscal year 2020-2021 amount of \$123,089.36.

Fiscal Impact

Fiscal Impact?: Yes
If Yes, Budget Code: 05-90-5515
Available: 123,089.36
Funding Source:
 Funds to come from the Capital Improvements budget line for Yavapai Drainage Projects.

Attachments

Resolution 2020-1173

IGA Add #1 2020-21

IGA 2019-20

RESOLUTION NO. 2020-1173

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, YAVAPAI COUNTY, ARIZONA, APPROVING ADDENDUM #1 TO THE INTERGOVERNMENTAL AGREEMENT WITH YAVAPAI COUNTY FLOOD CONTROL DISTRICT.

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, Yavapai County, Arizona as follows:

SECTION 1. Addendum #1 to the Intergovernmental Agreement with the Yavapai County Flood Control District (the "Addendum") is hereby approved substantially in the form and substance attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Addendum and to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 22nd day of September, 2020.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Resolution No. 2020-1173 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on September 22, 2020, and that quorum was present thereat and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk

EXHIBIT A
TO
RESOLUTION NO. 2020-1173

[Addendum]

See following pages.

ADDENDUM #1
INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT AND
THE TOWN OF CHINO VALLEY
FOR THE FISCAL YEAR 2019-2020 FINANCIAL CONTRIBUTION
FROM THE DISTRICT TO THE TOWN FOR FLOOD CONTROL IMPROVEMENTS

THIS ADDENDUM #1 to the Intergovernmental Agreement By And Between The Yavapai County Flood Control District And The Town Of Chino Valley, For The Fiscal Year 2019-2020 Financial Contribution To The Town For Flood Control Improvements (this “Addendum”) is entered into, effective this 7th day of October, 2020, between the Yavapai County Flood Control District, a political subdivision of the State of Arizona (the “DISTRICT”), and the Town of Chino Valley, Arizona, a municipal corporation of the State of Arizona (the “TOWN”). The District and the Town are sometimes collectively referred to as the “Parties” or individually as the “Party.”

RECITALS

WHEREAS, the Parties have previously entered into the Intergovernmental Agreement By And Between The Yavapai County Flood Control District And The Town Of Chino Valley, For The Fiscal Year 2019-2020 Financial Contribution To The Town For Flood Control Improvements (the “Agreement”) with an effective date of August 21, 2019; and

WHEREAS, the Parties have determined that it would be to their mutual benefit to approve an addendum to the Agreement to make available to the TOWN for the Project (as defined in the Agreement) for fiscal year 2020-2021 (i) unspent DISTRICT funds from fiscal year 2019-2020, and (ii) additional Funds,.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

A. Amendment. The provisions of the Agreement shall be amended as follows:

I. RECITALS.

Subsection N of the Recitals, is added as follows:

N. For fiscal year 2019-2020, the TOWN used forty-six thousand nine hundred ten and sixty-four hundredths (\$46,910.64) of the allocated one hundred forty-five thousand (\$145,000) budgeted DISTRICT Funds, leaving ninety-eight thousand eighty-nine and thirty-six hundredths (\$98,089.36) unused.

Subsection O of the Recitals, is added as follows:

O. The TOWN desires to receive DISTRICT Funds for the 2020-2021 fiscal year to be used for its Project.

Subsection P of the Recitals, is added as follows:

- P.** The DISTRICT has budgeted Funds for fiscal year 2020-2021, effective July 1, 2020, to support the Project in an amount not to exceed ninety-eight thousand eighty-nine and thirty-six hundredths (\$98,089.36) of the previously unused Funds, plus an additional twenty-five thousand (\$25,000), for a total of one hundred twenty-three thousand eighty-nine and thirty-six hundredths (\$123,089.36) in Funds available to the Town for the Project.

II. AGREEMENTS

Section II, Subsection C, is amended to read as follows: “The end of the fiscal year 2020-2021; or.”

Section III, Subsection A(3), is amended to read as follows: “Use the Funds for the Project in fiscal year 2020-2021.”

Section III, Subsection A(6), is amended to read as follows: “Request Funds from the DISTRICT on or before July 31, 2021 (for work completed in fiscal year 2020-2021).”

Section III, Subsection B(4), is amended to read as follows: “Pay properly invoiced requests for work completed by the TOWN in fiscal year 2020-2021 so long as TOWN’s requests are received by the DISTRICT on or before July 31, 2021.”

VIII. OTHER PROVISIONS

Section VIII, Subsection H, is added as follows:

- H.** INCORPORATION OF AMENDMENTS. ADDENDUM #1, and its amendments, are hereby incorporated into the Agreement, and all other terms and conditions of the Agreement shall continue in force and effect until such time as the Agreement, as amended, expires or otherwise terminates. ADDENDUM #1 shall be effective as of June 30, 2020.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year specified below.

YAVAPAI COUNTY
FLOOD CONTROL DISTRICT

TOWN OF CHINO VALLEY

Craig L. Brown, Chairman Date
Board of Directors
Yavapai County Flood Control District

Darryl Croft, Mayor Date
Town of Chino Valley

ATTEST:

Kim Kapin Date
Clerk of the Board of Directors

Jami Lewis, Town Clerk Date
Town of Chino Valley

DETERMINATIONS OF COUNSEL
FOR ADDENDUM #1 OF THE
INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT AND
THE TOWN OF CHINO VALLEY
FOR THE FISCAL YEAR 2019-2020 FINANCIAL CONTRIBUTION
FROM THE DISTRICT TO THE TOWN FOR FLOOD CONTROL IMPROVEMENT

Pursuant to A.R.S. §11-952, as amended, the foregoing Addendum has been submitted to the undersigned Attorney Town of Chino Valley. The undersigned has determined that this Addendum is in proper form and is within the powers and authority granted under the laws of the State of Arizona and the Town of Chino Valley.

Attorney
Town of Chino Valley

Date

Pursuant to A.R.S. §11-952, as amended, the foregoing Addendum has been submitted to the undersigned Attorney for the Yavapai County Flood Control District, Prescott, Arizona. The undersigned has determined that this Addendum is in proper form and is within the powers and authority granted under the laws of the State of Arizona to the Yavapai County Flood Control District.

Deputy County Attorney
Flood Control District

Date

THIS IS A CONFORMED COPY OF INSTRUMENT/
 RECEPTION # 2019-0060462
 RECORDED ON 11-12-19 AT 2:04
 LESLIE M. HOFFMAN, YAVAPAI CO. RECORDER
[Signature] DEPUTY

INTERGOVERNMENTAL AGREEMENT

BETWEEN THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT AND THE TOWN OF CHINO VALLEY FOR THE FISCAL YEAR 2019-2020 FINANCIAL CONTRIBUTION FROM THE DISTRICT TO THE TOWN FOR FLOOD CONTROL IMPROVEMENTS

THIS INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT AND THE TOWN OF CHINO VALLEY, FOR THE FISCAL YEAR 2019-2020 FINANCIAL CONTRIBUTION TO THE TOWN FOR FLOOD CONTROL IMPROVEMENTS (the "Agreement") is entered into, effective this 21st day of August, 2019 between the Yavapai County Flood Control District, a political subdivision of the State of Arizona (the "DISTRICT"), and the Town of Chino Valley, Arizona, a municipal corporation of the State of Arizona (the "TOWN"). The District and the Town are sometimes collectively referred to as the "Parties" or individually as the "Party."

RECITALS

WHEREAS:

- A. The DISTRICT is a special taxing district legally created in the State of Arizona and organized by Yavapai County to include and govern its jurisdiction.
- B. The DISTRICT administers the Federal Emergency Management Agency ("FEMA") Regulations under the National Flood Insurance Program.
- C. The Yavapai County Board of Supervisors is the Board of Directors of the DISTRICT.
- D. A portion of the TOWN lies within the legal boundaries of the DISTRICT.
- E. The DISTRICT, the TOWN, and the County are separate and distinct political subdivisions, but each can provide for the benefit of the other(s), for the benefit of public health, safety, and welfare, and other public purposes.
- F. The DISTRICT and the TOWN have authority to enter into Intergovernmental Agreements pursuant to Arizona Revised Statutes ("A.R.S.") §§11-952, 48-3603, and 9-240, and TOWN's Code.
- G. Among other things, the DISTRICT receives tax proceeds as general funding for the planning, construction, and maintenance of flood control improvements.

- H. Under the budgeting process for the DISTRICT, a category of "Contributions" (hereinafter "Funds") has been established, setting aside monies that may be utilized by the various political subdivisions located within the boundaries of Yavapai County.
- I. The DISTRICT has approved and budgeted Funds to provide funding assistance for flood mitigation work and is authorized to expend such Funds for flood control projects (including storm water control) to political subdivisions for projects so long as the projects are flood or drainage related, cost-effective, a benefit to the County, the DISTRICT, and the political subdivision and are in accordance with FEMA regulations.
- J. The TOWN has experienced storm water control and flooding problems for a number of years in various locations and seeks to mitigate such problems to increase safety and protect public and private property and persons within the TOWN.
- K. The TOWN seeks to improve its storm water control, make drainage improvements, and/or mitigate flooding problems by developing one or more of the following projects within the Incorporated limits of the TOWN (hereinafter the "Project"):
 - 1. Appaloosa Meadows Bank Stabilization
 - 2. Road 2 North Drainage Design
 - 3. Flood Relief Project at Chino Meadows 2 and Cemetery Draw
- L. The TOWN desires to receive DISTRICT Funds for the 2019-2020 fiscal year to be used for its Project.
- M. The DISTRICT has budgeted Funds to support the Project in an amount not to exceed One-Hundred Forty-Five Thousand Dollars (\$145,000) for fiscal year 2019-2020 which begins on July 1, 2019.

AGREEMENTS

NOW THEREFORE, for good and valuable consideration, including consideration of the mutual promises, terms, and conditions hereinafter set forth, including the mutual promises and obligations to be performed by the Parties hereto, IT IS AGREED BETWEEN THE TOWN AND THE DISTRICT AS FOLLOWS:

I. PURPOSE

The purpose of this Agreement is to authorize the DISTRICT to pay and contribute to the TOWN Funds in support of the TOWN's Project. Such funding for fiscal year 2019-2020 shall not exceed One-Hundred Forty-Five Thousand Dollars (\$145,000).

II. COMMENCEMENT, DURATION, AND TERMINATION

The effective date is as set forth on page one (1) of this Agreement. Performance under this Agreement shall commence following the effective date and shall terminate upon the earliest of:

- A. The completion of the Project as determined by the TOWN;

- B. The exhaustion of the Funds allocated to the TOWN for the Project;
- C. The end of the fiscal year 2019-2020; or
- D. The mutual agreement of the Parties.

III. RESPONSIBILITIES OF PARTIES

A. The TOWN shall:

1. Be solely responsible for the design, engineering, bidding, right-of-way acquisition, supervision, construction, inspection, administration, and project management of the Project and for contracting directly for all Project work.
2. If plans are used to bid, provide the DISTRICT a copy of the final Project plans.
3. Use the Funds for the Project in fiscal year 2019-2020.
4. Use the Funds exclusively for costs associated with the Project described above.
5. When requesting Funds from the DISTRICT, provide detailed invoices with supporting documentation for the request(s).
6. Request Funds from the DISTRICT on or before July 31, 2020 (for work completed in fiscal year 2019-2020).
7. Be responsible for the proper disbursement of the Funds provided by the DISTRICT.
8. Be responsible for maintaining the Project and the resulting improvements.

B. The DISTRICT shall:

1. Make Funds available to the TOWN for the Project as approved by the Board of Directors.
2. Provide funding as available and appropriate upon proper request(s) by the TOWN.
3. Pay properly invoiced requests monthly or on an alternate schedule as agreed to by the TOWN and DISTRICT.
4. Pay properly invoiced requests for work completed by the TOWN in fiscal year 2019-2020 so long as TOWN's requests are received by the DISTRICT on or before July 31, 2020.

C. The DISTRICT and TOWN mutually agree:

1. That they recognize the Funds to be used by Parties pursuant to this Agreement are tax funds. The agreements herein for funding are based upon projected tax funds to be received. In the event the projected income is not received, there is the possibility that some or all of the Funds anticipated by this Agreement and set forth herein will not be available. All monetary obligations under this agreement shall be subject to annual budget approval of the respective governing bodies of the parties. A failure of either party's governing body to approve funding for payment of any obligation hereunder shall constitute grounds for termination of this agreement.
2. The Project is the sole responsibility of the TOWN, and not of the DISTRICT or the County. All real property upon which the Project work will occur is within the TOWN limits and not owned or under the control of the DISTRICT or County.

VII. INDEMNIFICATION

The TOWN agrees to defend, indemnify, and hold harmless the DISTRICT, its Board of Directors, the County, its Board of Supervisors, officers, employees, agents, or other representatives from any and all claims for damages or otherwise arising under this Agreement and from any negligent acts of the Town, its officers, employees, agents, or other representatives. This Indemnification provision shall survive the termination of this Agreement.

VIII. OTHER PROVISIONS

- A. **NOTICE.** All notices or demands upon any party to this Agreement shall be in writing and shall be delivered in person or sent by certified mail, return receipt requested, addressed as follows:

TOWN OF CHINO VALLEY
Cecilia Grittmann, Town Manager
202 N. State Route 89
Chino Valley, AZ 86323

DISTRICT
Yavapai County Flood Control District Director
1120 Commerce Drive
Prescott, AZ 86305

- B. **ENTIRE AGREEMENT.** This Agreement represents the entire understanding between the parties with respect to the subject matters herein, and may be amended, modified, or waived only by written instrument signed by both Parties.
- C. **CONFLICT OF INTEREST.** This contract is subject to the cancellation provisions of A.R.S. §38-511.
- D. **SEVERABILITY.** In case one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained therein.
- E. **NON-DISCRIMINATION.** The Parties shall comply with Executive Order 2009-09, which mandates that all persons, regardless of race, color, religion, sex, age, national origin or political affiliation, shall have equal access to employment opportunities, and all other applicable State and Federal employment laws, rules and regulations, including the Americans with Disabilities Act. The Parties shall take affirmative action to ensure that applicants for employment and employees are not discriminated against due to race, creed, color, religion, sex, national origin or disability.
- F. **EMPLOYMENT VERIFICATION.** The Parties are required to comply with A.R.S. §41-4401, and hereby warrants that they will, at all times during the term of this Agreement, comply with all federal immigration laws applicable to the employment of their respective employees, the requirements of A.R.S. §41-4401, and with the e-verification requirements of A.R.S. §23-214(A) (together the "state and federal immigration laws"). The Parties further agree to ensure that each subcontractor that performs any work

under this Agreement likewise complies with the state and federal immigration laws. A breach of a warranty regarding compliance with the state and federal immigration laws shall be deemed a material breach of the Agreement and the party who breaches may be subject to penalties up to and including termination of the Agreement. The Parties retain the legal right to inspect the papers of any contractor or subcontract employee working under the terms of the Agreement to ensure that the other party is complying with the warranties regarding compliance with the state and federal immigration laws.

G. LAWS. The Parties shall each be fully responsible for compliance with all statutes ordinances, codes, regulations, rules, court decrees, or other laws (hereinafter "Laws") applicable to it as part of fully performing the Project with regards to their respective roles. This Agreement shall not relieve either Party of any obligation or responsibility imposed upon it by Laws.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year specified below.

YAVAPAI COUNTY
FLOOD CONTROL DISTRICT


Randall Garrison, Chairman
Board of Directors
Yavapai County Flood Control District

11/4/19
Date

TOWN OF CHINO VALLEY


Darryl Croft, Mayor
Town of Chino Valley

9/26/19
Date

ATTEST:


Kim Kapin
Clerk of the Board of Directors

11-4-19
Date


Jami Lewis, Town Clerk
Town of Chino Valley

DETERMINATIONS OF COUNSEL
FOR THE
INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT AND
THE TOWN OF CHINO VALLEY

FOR THE FISCAL YEAR 2019-2020 FINANCIAL CONTRIBUTION
FROM THE DISTRICT TO THE TOWN FOR FLOOD CONTROL
IMPROVEMENT

Pursuant to A.R.S. §11-952, as amended, the foregoing Agreement has been submitted to the undersigned Attorney Town of Chino Valley. The undersigned has determined that this Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona and the Town of Chino Valley.

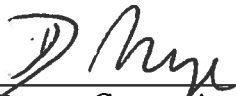


Attorney
Town of Chino Valley

10.2.19

Date

Pursuant to A.R.S. §11-952, as amended, the foregoing Agreement has been submitted to the undersigned Attorney for the Yavapai County Flood Control District, Prescott, Arizona. The undersigned has determined that this Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona to the Yavapai County Flood Control District.



Deputy County Attorney
Flood Control District

10/18/19

Date



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

5. b.

Meeting Date: 09/22/2020

Contact Person: Erin Deskins, Deputy Town Clerk
Phone: 928-636-2646 x-1210

Department: Town Clerk

Item Type: Consent

AGENDA ITEM TITLE:

Consideration and possible action to approve the September 8, 2020, regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Approve the September 8, 2020, regular meeting minutes.

Attachments

9-8-20 draft minutes

DRAFT

MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

**TUESDAY, SEPTEMBER 8, 2020
6:00 P.M.**

CHINO VALLEY COUNCIL CHAMBERS 202 N. STATE ROUTE 89, CHINO VALLEY, AZ

Present: Mayor Darryl Croft; Vice-Mayor Jack Miller; Councilmember Cloyce Kelly; Councilmember Corey Mendoza; Councilmember Annie Perkins; Councilmember Lon Turner

Absent: Councilmember Mike Best

Staff Present: Town Manager Cecilia Gritman; Town Attorney Andrew McGuire (remotely); Police Chief Chuck Wynn; Officer Jeff Pizzi (Sgt. at Arms); Public Works Director/Town Engineer Frank Marbury; Development Services Director Joshua Cook; IT Manager Spencer Guest (videographer); Administrative Technician Kathy Frohock (videographer); Deputy Town Clerk Erin Deskins (recorder); Deputy Town Clerk Traci Lavelle (recorder)

1) CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Croft called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a)** Acknowledgement by Sheriff Masher regarding donation from the Town for the Fallen Officer Memorial. (Chuck Wynn, Police Chief)

Sheriff Masher presented the following:

- Thanked the Town for the generous donation for the Fallen Officer Memorial.
- They had reached their fundraising goal in approximately six weeks for the bronze, fencing, landscaping, rocks and the labor.
- Bill Nebeker, the bronze smith, estimated completion by the end of November or first part of December, at which point an official unveiling would be scheduled.
- He mentioned that long-time Yavapai law enforcement Officer Jody Macuch was killed in an off duty motorcycle accident and his thoughts were with his family.

3) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council on any issue within the jurisdiction of the Council that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to

study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

- Craig Brown, Chairman, Yavapai County Board of Supervisors – reminded citizens that on the morning of 9/11, there would be a memorial event and breakfast at the shooting range. There would be another memorial in the evening at Prescott Valley at the Healing Fields.

4) **CURRENT EVENT SUMMARIES AND REPORTS**

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events. If listed below, there may also be a presentation on information requested by the Mayor and Council and questions may be answered. No action will be taken.

a) Status reports by Mayor and Council regarding current events.

- Vice Mayor Miller reported that the time capsule had been completed. The set of hand prints onsite was of a four-year-old girl and the daughter of a local fire fighter. A video of the event and pictures were shared at the meeting.

b) Status report by Town Manager Cecilia Grittmann regarding Town accomplishments, and current or upcoming projects

Manager Grittmann reported on the following:

- Read a letter from Police Chief Wynn regarding the Police Department's fundraising events for a training facility at Old Home Manor (OHM) and for protective body armor plates. The Department had also received two generous donations from local businesses for ballistic helmets and face shields for the officers. The request for donations was not a reflection that the Town did not support the Police Department, and the department utilized many sources of funds to supplement their budget to help lessen the burden on taxpayers. Fundraising events and other funding sources were being used to maintain the Department's shooting range and training facility.
- Acknowledged the Library volunteers, who donated over 6,000 hours annually.
- Yavapai Trails Association was working on the Peavine Trail in Town. They would be erecting kiosks that had historical information regarding the trail.
- Reviewed recent employee retirements and employee work anniversaries.
- Thanked APS, Habitat for Humanity, the Town and others for helping an ill person get back into their home after damage from a storm.

5) **CONSENT AGENDA**

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to approve Consent Agenda Items 5 (a) and (b) as written.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

6 - 0 PASSED - Unanimously

- a) Consideration and possible action to approve the August 11, 2020, regular meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to approve the August 18, 2020, special meeting minutes. (Jami Lewis, Town Clerk)

6) ACTION ITEMS

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to move Item 6(c) prior to Item 6(a).

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

6 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Annie Perkins to move to Executive Session for legal advice from the Town Attorney regarding item 6(c).

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

6 - 0 PASSED - Unanimously

The Executive Session began at 6:25 p.m. and ended at 7:04 p.m., at which time the regular meeting was reconvened.

- a) Consideration and possible action to approve Ordinance 2020-885 amending the Chino Valley Town Code Title XV, Land Usage, Chapter 154, Unified Development Ordinance, adopting by reference the "September 2020 Amendments to the Chino Valley Town Code Chapter 154 (Unified Development Ordinance)," including amendments to the Subdivision Regulations. (Joshua Cook, Development Services Director)

Recommended Action: Approve Ordinance 2020-885 amending the Chino Valley Town Code Title XV, Land Usage, Chapter 154, Unified Development Ordinance, adopting by reference the "September 2020 Amendments to the Chino Valley Town Code Chapter 154 (Unified Development Ordinance)," including amendments to the Subdivision Regulations.

Joshua Cook, Development Services Director, presented the following:

- Staff began rewriting subdivision regulations in November and staff had held seven meetings, including two study sessions to review the draft language.
- Staff had not received any public comments on the draft language. The citizens present at the July 22nd Study Session had provided some comments, but nothing that changed the draft language.
- Staff had been working with the UDO Subcommittee and the Town Attorney to draft the final language.
- Staff had drafted a definition for "parent parcel" to accommodate the individuals that felt the Town had drawn a line. Staff was proposing a one time "parent parcel" reset with the changes to the code. That would mean that every single existing parcel that was legally split, would be considered a "parent parcel."
- The Planning Commission had brought up three main issues.
 - The first was a septic question. The language in the preliminary plat include language that required the developer to bring percolation tests results to the Public Works Director. Staff contacted the County and found that this should not be a requirement. The preliminary plat was a conceptual level drawing that should not require a developer to spend a lot of money. Staff was proposing that for the preliminary plat, the developer would need to state whether they would be using septic, sewer or an alternative method for waste management.
 - The second question was regarding the turning radius for cul-de-sacs. Staff had developed a number they thought was sufficient to allow for fire trucks and buses to turn in a cul-de-sac, but at the request of the P&Z Commission staff verified that number. Through the verification process, staff had increased the number from 41 feet to 48 feet to accommodate buses and fire trucks.
 - The last issue was two words that had been in the draft text that needed to be deleted. This had been done by staff.
- These were the only changes made to the text.

Staff and Council Members discussed the following:

- "Public Way" was stricken from the text and the word "easement" was defined in the definition of streets, which was included in the Town Code. A subdivision using an easement would be considered a private street. Staff reviewed the requirements for streets for various lot developments. Staff read the definition of streets for Councilmembers.
- A Councilmember wanted to change the subgrade requirement on page 46 to a subgrade of four inches and surface depth of two inches to have a total of six inches. Staff did not see that as a problem with the requested change, as that section applied to developments with two to three lots.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to approve Ordinance 2020-885 amending the Chino Valley Town Code Title XV, Land Usage, Chapter 154, Unified Development Ordinance, adopting by reference the "September 2020 Amendments to the Chino Valley Town Code Chapter 154 (Unified Development Ordinance)," including amendments to the Subdivision Regulations as discussed, making the modification to the subgrade and surface depth changes.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

6 - 0 PASSED - Unanimously

- b) Consideration and possible action to approve the Cooperative Purchasing Agreement with Motorola Solutions, Inc. for the purchase of 25 new Motorola APX 4000 VHF MHZ Model 2 Portable Radios in the amount of \$58,370.75. (Chuck Wynn, Police Chief)

Recommended Action: Approve the Cooperative Purchasing Agreement with Motorola Solutions, Inc. for the purchase of 25 new Motorola APX 4000 VHF MHZ Model 2 Portable Radios in the amount of \$58,370.75.

Chuck Wynn, Police Chief presented the following:

- This had initially been budgeted over two budget years, but they had received a grant from the Attorney General's Office that allowed the department to purchase some needed radios. The radios would replace the handed down radios from the fire department, which were outdated.
- An incident with a local police officer unable to use his radio during a suspect chase was described and shared with Council.
- With the grant, the Department would be able to purchase all the radios in the current budget cycle.
- The radios were the newest technology and could be converted to digital in the future.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to approve the Cooperative Purchasing Agreement with Motorola Solutions, Inc. for the purchase of 25 new Motorola APX 4000 VHF MHZ Model 2 Portable Radios in the amount of \$58,370.75.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

6 - 0 PASSED - Unanimously

- c) Consideration and possible action to exercise the authority granted in Governor Ducey's Executive Order 2020-43 allowing or denying organized public events of more than 50 people, effective until the Governor rescinds the Executive Order. (Cecilia Grittmann, Town Manager)

Recommended Action: Deny or approve organized public events of more than 50 people, effective until the Governor rescinds Executive Order 2020-43.

(Council heard this item before item 6(a), but is retained here for clarity.)

MOVED by Councilmember Annie Perkins, seconded by Councilmember Cloyce Kelly that the Town would continue to deny organized public events over 50 people on Town-owned property until Governor Ducey rescinds his Executive Order 2020-43.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

6 - 0 PASSED - Unanimously

7) ADJOURNMENT

MOVED by Councilmember Lon Turner, seconded by Vice-Mayor Jack Miller to adjourn the Regular Meeting at 7:18 p.m.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

6 - 0 PASSED - Unanimously

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the _____ day of _____, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2020.

Jami C. Lewis, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. a.

Meeting Date: 09/22/2020
Contact Person: Dan Trout, Building Official
 Phone: (928) 636-2646 x-1219
Department: Development Services
Item Type: Action-Presentation
Estimated length of staff presentation:
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to adopt Ordinance No. 2020-886, adopting the "International Fire Code, 2018 Edition" and "Central Arizona Fire and Medical Authority 2018 International Fire Code Amendments" by reference, and amending the Town Code Title XV Land Usage, Chapter 153 Fire Prevention and Protection, Section 153.001 International Fire Code Adopted. (Dan Trout, Chief Building Official)

RECOMMENDED ACTION:

Approve Ordinance No. 2020-886, adopting the International Fire Code, 2018 Edition" and "Central Arizona Fire and Medical Authority 2018 International Fire Code Amendments by reference, and amending the Town Code Title XV Land Usage, Chapter 153 Fire Prevention and Protection, Section 153.001 International Fire Code Adopted.

Fiscal Impact

Fiscal Impact?: None
If Yes, Budget Code:
Available:
Funding Source:

Attachments

ORD - 2020-886 - IFC Amendments

ORDINANCE NO. 2020-886

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, ADOPTING BY REFERENCE THE “INTERNATIONAL FIRE CODE, 2018 EDITION” AND “CENTRAL ARIZONA FIRE AND MEDICAL AUTHORITY 2018 INTERNATIONAL FIRE CODE AMENDMENTS”; AMENDING THE CHINO VALLEY TOWN CODE CHAPTER 153 RELATING TO FIRE PREVENTION AND PROTECTION; ESTABLISHING AN EFFECTIVE DATE AND PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, the Central Arizona Fire and Medical Authority (“CAFMA”) provides fire protection services to the Town of Chino Valley; and

WHEREAS, the CAFMA has adopted the International Fire Code, 2018 Edition and amendments thereto and has requested that the Town of Chino Valley (the “Town”) adopt the same code for purposes of fire prevention and protection; and

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the “Town Council”) desires to provide for public safety by adopting the International Fire Code, 2018 Edition and CAFMA’s amendments thereto;

WHEREAS, Chapter 153 of the Chino Valley Town Code specifies the fire code that is to be followed within the corporate limits of the Town; and

WHEREAS, the Town Council desires to amend the Chino Valley Town Code, Chapter 153 (Fire Prevention and Protection) to amend provisions relating to the codification of the previously-adopted International Fire Code, 2012 Edition, to adopt the most-current edition of the code.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. The recitals above are hereby incorporated as if fully set forth herein.

Section 2. Those certain documents known as the “International Fire Code, 2018 Edition (the “2018 Code”) and the “CAFMA 2018 International Fire Code Amendments” (the “CAFMA Amendments”) (the 2018 Code and the CAFMA Amendments are collectively referred to herein as the “Fire Codes”) one paper copy and one electronic copy maintained in compliance with ARIZ. REV. STAT. § 44-7041 of which are on file in the office of the Town Clerk as required by ARIZ. REV. STAT. § 9-802 and are available for public use and inspection during normal business hours, which Fire Codes are hereby declared to be public records, which public records are hereby referred to, adopted and made a part hereof as if fully set forth in this Ordinance and which are hereby ordered to remain on file with the Town Clerk.

Section 3. The Chino Valley Town Code, Chapter 153 (Fire Prevention and Protection), Section 153.01 (International Fire Code Adopted), is hereby amended to reflect the adoption of the International Fire Code, 2018 Edition, as follows:

§ 153.01 INTERNATIONAL FIRE CODE ADOPTED.

That certain document entitled International Fire Code, ~~2012~~ 2018 Edition, together with appendices A, D, I, AND J ~~through I~~ published by the International Code Council, as amended by the ~~Chino Valley Fire District 2012~~ CAFMA 2018 International Fire Code Amendments is hereby adopted as the Fire Code of the Town of Chino Valley to regulate and govern the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises and said fire code is hereby referred to and made a part hereof as though fully set forth in this section. ~~Three copies~~ ONE PAPER COPY AND ONE ELECTRONIC COPY, MAINTAINED IN COMPLIANCE WITH ARIZ. REV. STAT. § 44-7041, of said fire code shall be kept on file and available for public use in the office of the Town Clerk and Community Development Department.

Section 4. Any person found guilty of violating any provision of the Fire Codes shall be guilty of a civil infraction as set forth in Section 10.99 of the Chino Valley Town Code. Each day that a violation continues shall be a separate offense.

Section 5. This Ordinance shall become effective 30 days after its passage.

Section 6. 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, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 7. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 22nd day of September, 2020.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2020-886 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on September 22, 2020, and that quorum was present, and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. b.

Meeting Date: 09/22/2020

Contact Person: Joshua Cook, Development Services Director
Phone: 928-636-4427 x-1217

Department: Development Services

Item Type: Action

Estimated length of staff presentation: 15 minutes

Physical location of item: Undeveloped portions of the Bright Star Subdivision located off of East Road 2 North.

AGENDA ITEM TITLE:

Consideration and possible action to amend the existing Planned Area Development (PAD) of the Bright Star Subdivision containing approximately 277.42 acres of real property. (Joshua Cook, Development Services Director)

RECOMMENDED ACTION:

Approve amendment to the existing Planned Area Development (PAD) of the Bright Star Subdivision containing approximately 277.42 acres of real property.

SITUATION AND ANALYSIS:

See attached Staff Report

Fiscal Impact

Fiscal Impact?: None

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Bright Star PAD Staff Report
House layout 1
House layout 2
House layout 3
ORD 2020-887



TOWN OF CHINO VALLEY PLANNING AND ZONING COMMISSION

Staff Report September 1, 2020

APPLICATION SUMMARY

File Number: ZC20-006 & PA20-001

Assessor's Parcel Number: Multiple

Site Location: Located off East Road 2 North in the undeveloped portions of the Bright Star Subdivision.

Owners of Record: Estrella Vista Enterprises LLC (Michael Fann)

Applicant: Michael Fann

Request: Request to amend the existing Planned Area Development (PAD) of the Bright Star subdivision containing approximately 277.42 acres of real property consisting of 91 lots in Unit 2 Phase 3 and (1) parcel with an APN of 306-02-671. The proposed amendment is to allow for the modification of setbacks and offsite easements.

Request to amend the final plat of the Bright Star Unit 2 Phase 3 containing approximately 25.8 acres of real property consisting of 91 lots.

SITE DATA

Existing Zoning	MR-1/CL
Lot Size	Approximately 277.42 acres (12084415.2 Square Feet)
Subdivision	Bright Star Subdivision Unit 2 Phase 3
General Plan Land Use Designation	Medium Density Residential (2 ac or less)
Existing Land Use	Vacant with platted subdivision

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	MR-1/CL & SR-1	Medium Density Residential (2 ac or less) and Future Growth Areas: Industrial / Agri-business/ Contained/Planned Communities	Storage Units & Century Ranch Subdivision
East	AR-4	Future Growth Areas: Industrial / Agri-business/ Contained/Planned Communities	Antelope Ridge Estates and 7 Bar Subdivision
South	State and SR-2	Future Growth Areas: Industrial / Agri-business/ Contained/Planned Communities	Vacant
West	SR-2	Medium Density Residential (2 acre or less)	Chino Meadows Unit 5

BACKGROUND

SITE DESCRIPTION

The subject property is located off the eastern most portion of East Road 2 North and is accessed through multiple local roads with in the Bright Star Subdivision. The site consisting of approximately 277.42 acres has a zoning classification of MR-1/CL (Multifamily Residential and Commercial Light) and has a General Plan land use designation of Medium Density Residential (2 acres or less). The properties in question are currently vacant are part of the Master Plan for the Bright Star Subdivision. (**See Attachment: Vicinity Map**)

The subject properties are part of the high density single-family residential Bright Start Development and the surrounding area consists of low/medium/high density single-family residential development and vacant land. The properties to the north are zoned MR-1/CL (Multifamily Residential and Commercial Light) and contain the Bright Star ministorage complex and they undeveloped Century Ranch Subdivision. The property to the east are zoned AR-4 (Agricultural Residential 4-acre minimum) and contain the Antelope Ridge Estates and the 7 Bar Subdivision. To the south the properties are zoned State and SR-2 (Single-Family Residential 2-acre minimum) and are currently vacant. The properties to the west are zoned SR-2 (Single-Family Residential 2-acre minimum) and contains the Chino Meadow 5 subdivision. (**See Attachment: Zoning Map**)

PROJECT HISTORY

This project has had a long history with the Town of Chino Valley and has been in the works since the early 2000's when the projects name was Meadow Ridge Ranch. The project has also changed hands several times since the preliminary stages of the development. There have been multiple contributions made to the Town by the developer that includes funding for both the water reclamation plant and community pool. Just recently the developer has completed building out the most recent phase of this development and is ready to move on to the next phase.

PROJECT DESCRIPTION

The applicant is requesting approval of an amendment to both the existing planned area development and existing final plat.

Planned Area Development

The applicant is requesting to amend the existing Planned Area Development (PAD) of the Bright Star subdivision containing approximately 277.42 acres of property that consists of approximately 91 lots in Unit 2 Phase 3 and (1) parcel with an APN of 306-02-671. This amendment was requested to allow for the modification of setbacks and offsite easements.

Setback Modifications

Per the applicant, the setback modification is necessary for the development to continue as the current product they are now building no longer fits within the previously approved building setbacks.

Proposed Setback Table

*The yellow highlighted portions indicate setback changes

Setback Type for Lots 1-44	Current PAD Setbacks	Proposed PAD Setbacks
Front Yard	20 feet from property line	11 feet from property line or 20 feet from garage door to back of curb
Interior Side Yard	10 feet from property line	10 feet from property line
Street Side Yard	20 feet from property line	20 feet from property line
Rear Yard	20 feet from property line	15 feet from property line

Setback Type for Lots 45-54, 73-84	Current PAD Setbacks	Proposed PAD Setbacks
Front Yard	20 feet from property line	11 feet from property line or 20 feet from garage door to back of curb
Interior Right Side Yard	10 feet from property line	5 feet from property line
Interior Left Side Yard	5 feet from property line	10 feet from property line
Rear Yard	15 feet from property line	15 feet from property line

Setback Type for Lots 57-72, 86-91	Current PAD Setbacks	Proposed PAD Setbacks
Front Yard	20 feet from property line	11 feet from property line or 20 feet from garage door to back of curb
Interior Right Side Yard	10 feet from property line	10 feet from property line
Interior Left Side Yard	5 feet from property line	5 feet from property line
Rear Yard	15 feet from property line	15 feet from property line

Setback Type for Lot 55	Current PAD Setbacks	Proposed PAD Setbacks
Front Yard	20 feet from property line	11 feet from property line or 20 feet from garage door to back of curb
Interior Right Side Yard	10 feet from property line	5 feet from property line
Street Left Side Yard	20 feet from property line	20 feet from property line
Rear Yard	15 feet from property line	15 feet from property line

Setback Type for Lots 56 and 85	Current PAD Setbacks	Proposed PAD Setbacks
Front Yard	20 feet from property line	11 feet from property line or 20 feet from garage door to back of curb
Interior Left Side Yard	5 feet from property line	5 feet from property line
Street Right Side Yard	20 feet from property line	20 feet from property line
Rear Yard	15 feet from property line	15 feet from property line

Temporary Easements

The applicant is additionally asking for temporary easements for drainage, slope, sewer, water and turnarounds. These temporary easements are intended to be in place only until the abutting phases of Bright Star are completed. All of these easements are contained within the subdivision and the applicant owns all impacted property. **(See Attachment: Final Plat)**

Final Plat Amendment

In addition to the requested PAD amendment, the applicant is also requesting to amend the final plat of Bright Star Unit 2 Phase 3 containing 91 lots of approximately 25.8 acres. This request is to make minuscule changes to lot size and positioning as well as update the language on the plat to reflect the desired changes through the PAD amendment. **(See Attachment: Final Plat)**

CITIZENS REVIEW & PUBLIC HEARING PROCESS

As the PAD and Final Plat had previously been through the Citizens Review Process, Staff determined that the nature of these amendments did not require further Citizen Review. Staff did however physically post notices to the major ingress and egress points of the development as well as published notices in the Daily Courier.

To date only one phone call regarding this project has been received, the individual's questions revolved primarily around paving East Road 2 North, traffic and the amount of units being developed.

PLANNING COMMISSION MEETING

The Planning Commission met on September 1, 2020 to discuss the proposed PAD and Final Plat Amendments. The major question that came up revolved around why the setbacks needed to allow the home to be placed so close to the property line. Staff response at the time stated that the reduced setbacks would allow for potentially larger homes and while the body of the home may be closer to the property line the garage would still be a minimum of 20-feet from back of curb to face of garage.

Since the Planning Commission meeting staff has discussed the proposed housing plans that would require the modified setbacks and spoke with a representative of Mandalay Homes. The setbacks would indeed accommodate large homes, but would also allow homes to vary their placement on the lot to help undulate the streetscape. Further, multiple garage options were discussed and included the garage door being placed behind the main body of the home, or side loaded.

The Planning Commission voted 6-1 to recommend approval of the PAD Amendment and 7-0 to recommend approval of the Final Plat Amendment.

STAFF ANALYSIS AND RECOMMENDATION

GENERAL PLAN CONFORMANCE

The property has a General Plan land use designation of Medium Density Residential-2 acres or less. **(See attachment 5: General Plan Land Use Map)**. The applicant is requesting modifications to the existing Planned Area Development and existing Final Plat, both of which conform to the General Plan.

ZONING

The area where the proposed amendments are located are already zoned for a high-density development with a Planned Area Development. Both amendments conform to both the zoning entitlements and the existing PAD.

PLANNING AND ZONING COMMISSION AND STAFF RECOMMENDATION FOR THE PLANNED AREA DEVELOPMENT AMENDMENT

Planning and Zoning Commission and Staff recommend the Town Council approve the Planned Area Development Amendment to amend the existing Planned Area Development (PAD) of the Bright Star subdivision containing approximately 277.42 acres of real property consisting of 91 lots in Unit 2 Phase 3 and (1) parcel with an APN of 306-02-671 to allow for setback flexibility to be noted on the amended final plat.

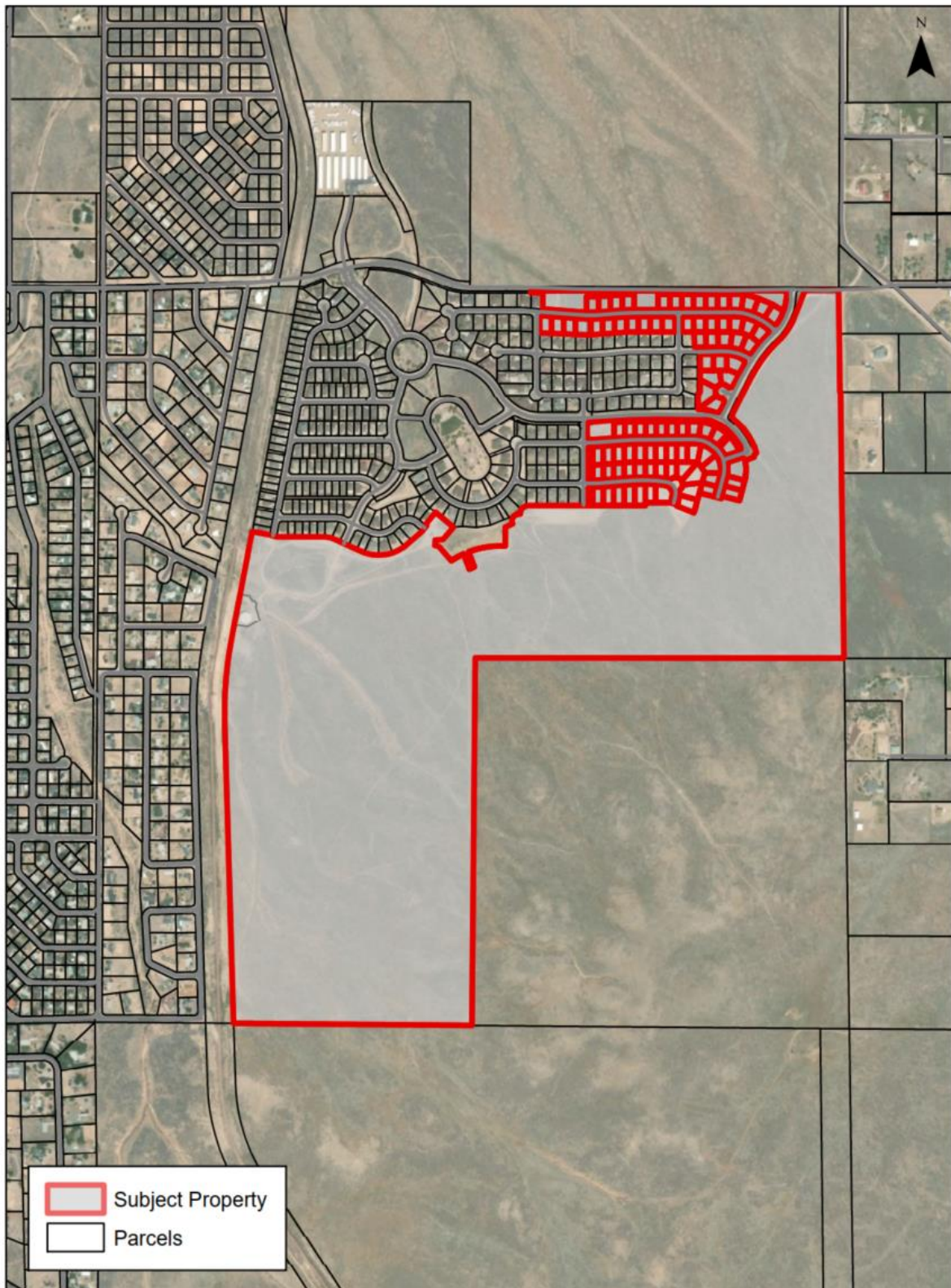
PLANNING AND ZONING COMMISSION AND STAFF RECOMMENDATION FOR THE FINAL PLAT AMENDMENT

Planning and Zoning Commission and Staff recommend the Town Council approve the proposed amendment to the final plat of the Bright Star Unit 2 Phase 3 containing approximately 25.8 acres of real property consisting of 91 lots with the following condition:

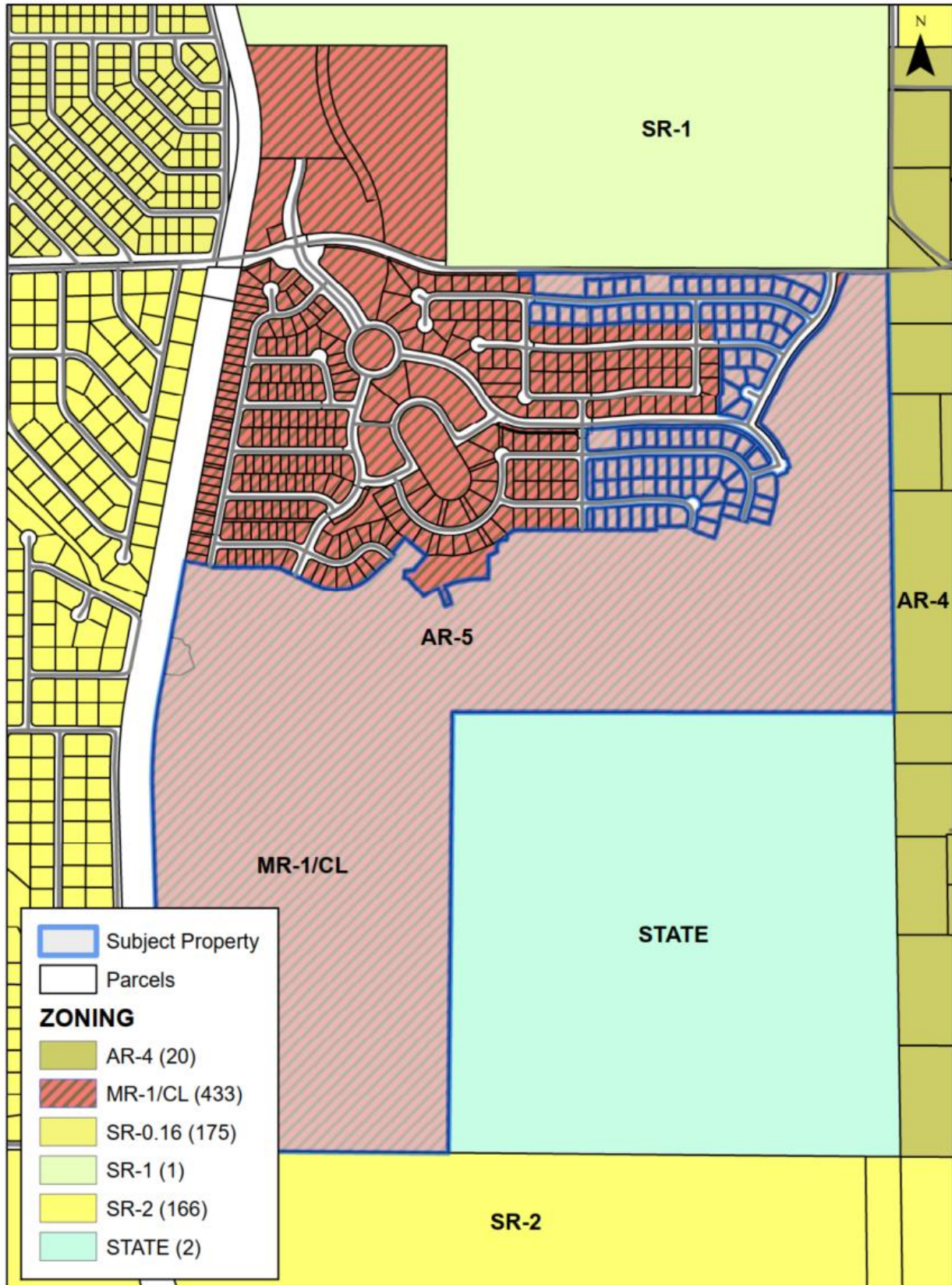
1. Temporary Access License language on the final plat be modified in accordance with the Town Attorney's recommendation.

ATTACHMENTS

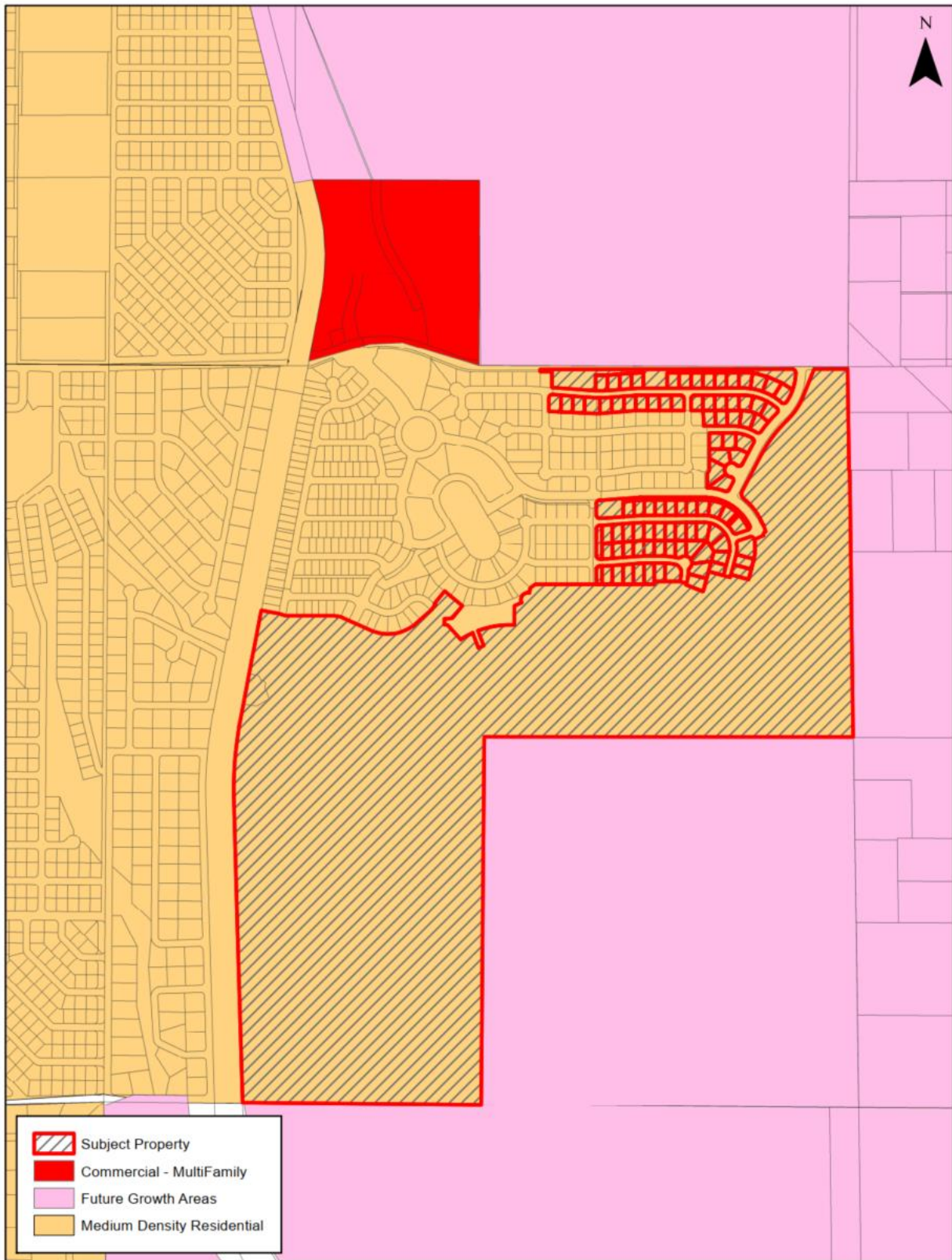
VICINITY MAP



ZONING MAP

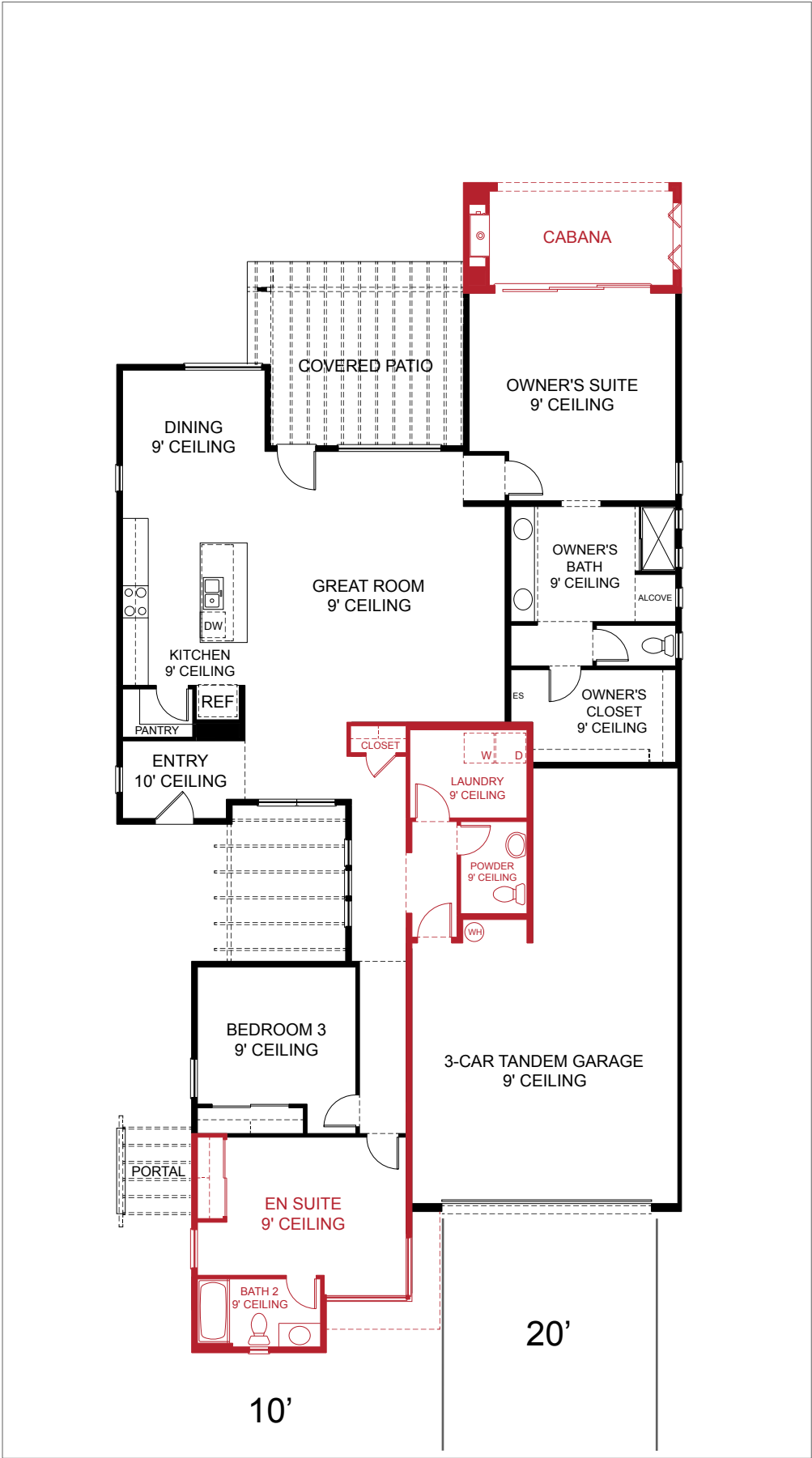


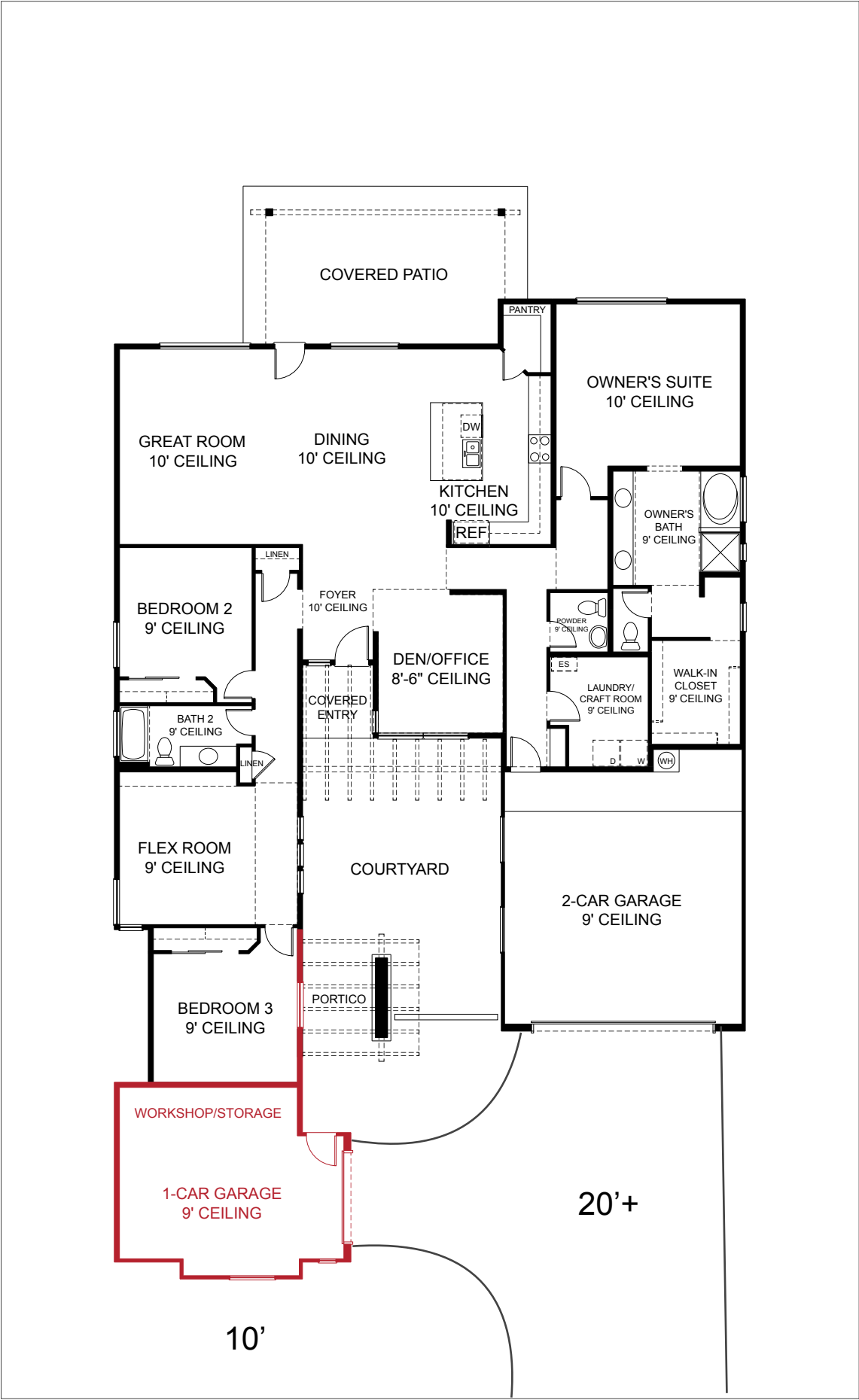
GENERAL PLAN LAND USE MAP

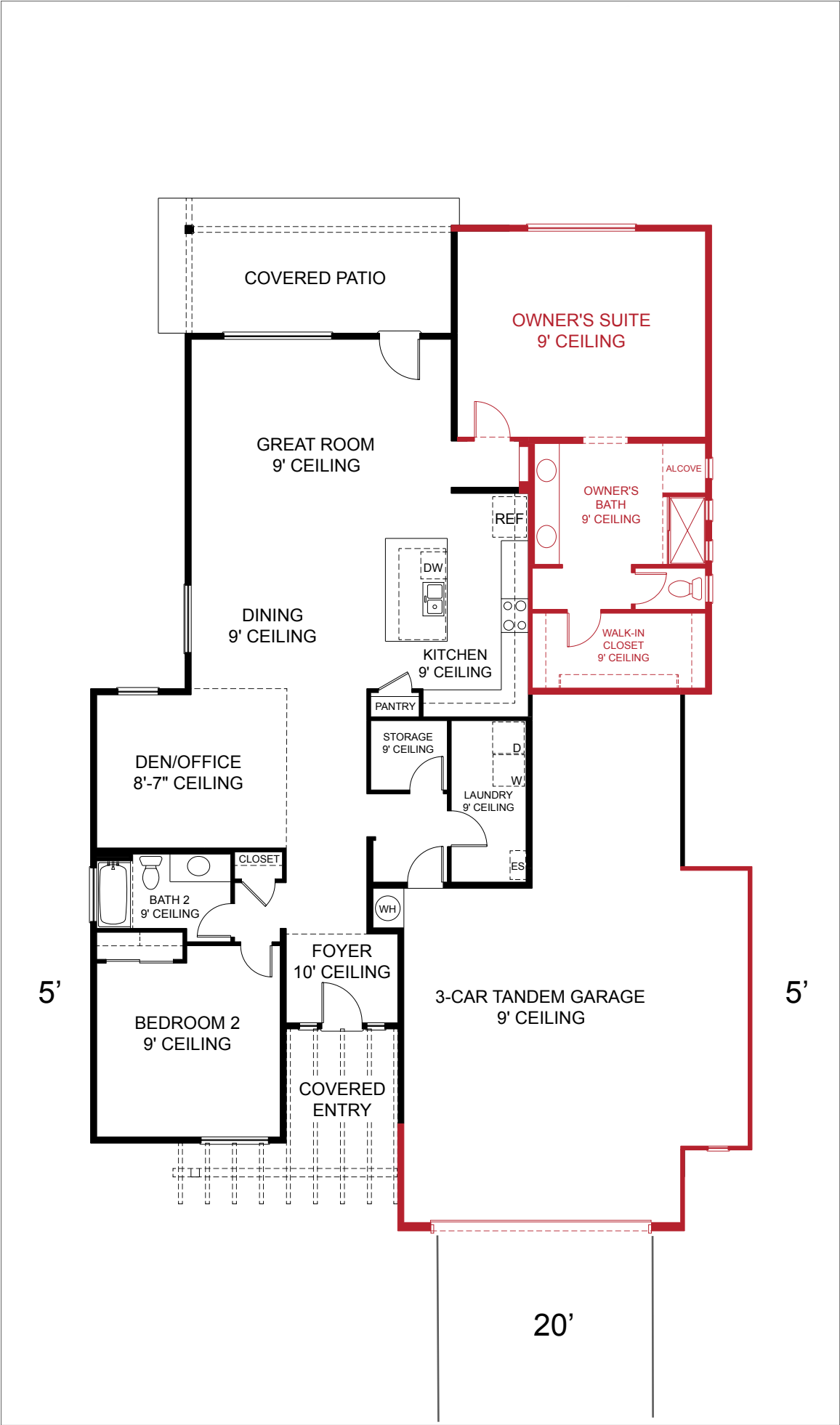


Final Plat

[illegible]







ORDINANCE NO. 2020-887

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE TO THE PLANNED DEVELOPMENT OVERLAY FOR THE BRIGHT STAR DEVELOPMENT FOR APPROXIMATELY 277.42 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE INTERSECTION OF EAST ROAD 2 NORTH AND BRIGHT STAR BOULEVARD, TO MODIFY THE BUILDING SETBACKS FOR CERTAIN LOTS THEREIN.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the “Town Council”) desires to amend the Planned Development Overlay for the Bright Star Development for a 277.42 acre parcel, to amend the building setback requirements for certain lots therein as set forth in the staff report presented to the Town Council on September 22, 2020 (the “PAD Amendment”); and

WHEREAS, the Town Council has determined that the PAD Amendment conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, 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 recommended approval of the rezoning; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Arizona Constitution, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. The recitals above are hereby incorporated as if fully set forth herein.

Section 2: The PAD Amendment is hereby approved, subject to the following stipulation:

1. Except as specifically set forth in the PAD Amendment, all terms and conditions of the Bright Star Planned Development Overlay shall remain in full force and effect.

Section 3: The Town Manager or her authorized designee is directed, upon the effective date of this Ordinance, to cause the PAD Amendment to be reflected in the official records of the Town related to the zoning of the property.

Section 4: If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5: The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 22nd day of September, 2020.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Andrew McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2020-887 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on September 22, 2020, and that quorum was present, and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2020-887

[Legal Description]

See following pages.

LEGAL DESCRIPTION

All that portion of land lying within Section 24, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

(The "Basis of Bearings" for this description is South 89° 55' 04" West as measured between a GLO brass cap at the north east corner of said Section 24 and a GLO brass cap at the north quarter corner of said Section 24 as shown on the Final Plat for "Bright Star Unit 1, Phase 3 and Unit 2, Phase 3" recorded in Book 61 of maps and plats, Page 15, Yavapai County Recorder's Office, Yavapai County, Arizona.)

COMMENCING at a GLO brass cap at the north east corner of said Section 24;

Thence South 01° 04' 08" East, along the east line of said Section 24, a distance of 35.01 feet to the TRUE POINT OF BEGINNING;

Thence continuing South 01° 04' 08" East, along said east line, a distance of 2610.81 feet to a found GLO brass cap at the east quarter corner of said Section 24;

Thence North 89° 57' 19" West, along the east-west center section line, a distance of 2667.00 feet to a found 1/2" rebar, RLS 27738, at the center corner of said Section 24;

Thence South 00° 26' 13" East, along the north-south center section line, a distance of 2639.62 feet to a found GLO brass cap at the south quarter corner of said Section 24;

Thence North 89° 46' 47" West, along the south line of said Section 24, a distance of 1704.31 feet to a point on the east right of way line of the abandoned Atchison, Topeka & Santa Fe Railroad as recorded in Book 2800 of Official Records, Page 832 and in Book 3927 of Official Records, Page 137, Yavapai County Recorder's Office, Yavapai County, Arizona;

Thence North 01° 52' 37" West, along said east right of way line, a distance of 2140.07 feet;

Thence along a tangent curve, along said east right of way line, concave to the southeast, having a radius of 2765.39 feet, a central angle of 12° 30' 03", an arc length of 603.35, a chord bearing of North 04° 22' 24" East, and a chord length of 602.15 feet;

Thence North 10° 37' 04" East, along said east right of way line, a distance of 106.42 feet;

Thence South 82° 59' 12" East, a distance of 96.11 feet;

Thence North 60° 50' 35" East, a distance of 100.97 feet;

Thence North 19° 40' 47" West, a distance of 94.73 feet;

Thence North 13° 25' 54" East, a distance of 30.84 feet;

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Thence North 45° 40' 22" West, a distance of 20.00 feet;

Thence North 83° 24' 04" West, a distance of 18.12 feet;

Thence North 29° 10' 21" West, a distance of 35.42 feet;

Thence North 79° 25' 12" West, a distance of 69.87 feet to a point on said east right of way line of the abandoned Atchison, Topeka & Santa Fe Railroad;

Thence North 10° 37' 04" East, along said east right of way line, a distance of 465.39 feet;

Thence South 79° 23' 15" East, a distance of 120.20 feet;

Thence South 72° 43' 45" East, a distance of 50.34 feet;

Thence North 90° 00' 00" East, a distance of 346.79 feet;

Thence South 81° 25' 55" East, a distance of 46.89 feet;

Thence South 65° 42' 56" East, a distance of 255.17 feet;

Thence South 74° 52' 53" East, a distance of 55.00 feet;

Thence South 84° 50' 00" East, a distance of 50.82 feet;

Thence North 84° 49' 14" East, a distance of 59.18 feet;

Thence North 75° 29' 27" East, a distance of 40.03 feet;

Thence North 67° 12' 28" East, a distance of 48.08 feet;

Thence North 58° 10' 00" East, a distance of 48.08 feet;

Thence North 49° 22' 39" East, a distance of 67.49 feet;

Thence North 48° 12' 54" East, a distance of 102.51 feet;

Thence North 39° 35' 16" East, a distance of 50.00 feet;

Thence North 50° 24' 44" West, a distance of 11.57 feet;

Thence North 39° 35' 16" East, a distance of 115.27 feet;

Thence South 50° 24' 44" East, a distance of 165.00 feet;

Thence South 39° 35' 16" West, a distance of 115.27 feet;

Thence South 85° 34' 49" West, a distance of 54.92 feet;

Thence along a non-tangent curve, concave to the northwest, having a radius of 125.00 feet, a central angle of $17^{\circ} 44' 29''$, an arc length of 38.71, a chord bearing of South $04^{\circ} 27' 03''$ West, and a chord length of 38.55 feet;

Thence South $76^{\circ} 40' 43''$ East, a distance of 27.40 feet;

Thence South $41^{\circ} 47' 06''$ East, a distance of 137.11 feet;

Thence along a non-tangent curve, concave to the southeast, having a radius of 635.00 feet, a central angle of $08^{\circ} 55' 44''$, an arc length of 98.96, a chord bearing of North $61^{\circ} 15' 46''$ East, and a chord length of 98.86 feet;

Thence South $20^{\circ} 39' 40''$ East, a distance of 114.62 feet;

Thence North $66^{\circ} 53' 54''$ East, a distance of 40.04 feet;

Thence North $20^{\circ} 39' 40''$ West, a distance of 114.18 feet;

Thence along a non-tangent curve, concave to the southeast, having a radius of 635.00 feet, a central angle of $20^{\circ} 35' 04''$, an arc length of 228.13, a chord bearing of North $79^{\circ} 37' 52''$ East, and a chord length of 226.91 feet;

Thence North $89^{\circ} 55' 24''$ East, a distance of 37.45 feet;

Thence North $00^{\circ} 04' 36''$ West, a distance of 136.49 feet;

Thence North $65^{\circ} 50' 50''$ East, a distance of 56.65 feet;

Thence along a non-tangent curve, concave to the southeast, having a radius of 50.00 feet, a central angle of $124^{\circ} 55' 17''$, an arc length of 109.01, a chord bearing of North $38^{\circ} 18' 28''$ East, and a chord length of 88.67 feet;

Thence North $10^{\circ} 45' 44''$ East, a distance of 36.06 feet;

Thence North $54^{\circ} 57' 59''$ East, a distance of 44.46 feet;

Thence North $89^{\circ} 55' 24''$ East, a distance of 850.00 feet;

Thence North $00^{\circ} 04' 36''$ West, a distance of 20.34 feet;

Thence North $89^{\circ} 54' 47''$ East, a distance of 180.94 feet;

Thence South $70^{\circ} 30' 54''$ East, a distance of 50.00 feet;

Thence along a non-tangent curve, concave to the northwest, having a radius of 246.00 feet, a central angle of $02^{\circ} 00' 31''$, an arc length of 8.62, a chord bearing of South $20^{\circ} 29' 21''$ West, and a chord length of 8.62 feet;

Thence South $68^{\circ} 30' 23''$ East, a distance of 130.00 feet;

Thence along a non-tangent curve, concave to the northwest, having a radius of 376.00 feet, a central angle of $06^{\circ} 29' 17''$, an arc length of 42.58, a chord bearing of North $18^{\circ} 14' 59''$ East, and a chord length of 42.55 feet;

Thence North $15^{\circ} 00' 20''$ East, a distance of 104.98 feet;

Thence South $74^{\circ} 59' 40''$ East, a distance of 160.00 feet;

Thence North $15^{\circ} 00' 20''$ East, a distance of 19.72 feet;

Thence South $74^{\circ} 59' 40''$ East, a distance of 130.00 feet;

Thence North $15^{\circ} 00' 20''$ East, a distance of 133.17 feet;

Thence along a tangent curve, concave to the northwest, having a radius of 364.00 feet, a central angle of $24^{\circ} 46' 06''$, an arc length of 157.35, a chord bearing of North $02^{\circ} 37' 17''$ East, and a chord length of 156.13 feet;

Thence North $66^{\circ} 28' 02''$ East, a distance of 69.68 feet;

Thence along a non-tangent curve, concave to the southeast, having a radius of 25.00 feet, a central angle of $83^{\circ} 43' 07''$, an arc length of 36.53, a chord bearing of North $29^{\circ} 53' 46''$ East, and a chord length of 33.37 feet;

Thence North $18^{\circ} 14' 40''$ West, a distance of 50.00 feet;

Thence along a non-tangent curve, concave to the northwest, having a radius of 25.00 feet, a central angle of $06^{\circ} 47' 44''$, an arc length of 2.97, a chord bearing of South $75^{\circ} 09' 12''$ West, and a chord length of 2.96 feet;

Thence along a non-tangent curve, concave to the southwest, having a radius of 452.00 feet, a central angle of $30^{\circ} 04' 16''$, an arc length of 237.23, a chord bearing of North $36^{\circ} 28' 23''$ West, and a chord length of 234.52 feet;

Thence along a reverse tangent curve, concave to the northeast, having a radius of 40.00 feet, a central angle of $78^{\circ} 59' 08''$, an arc length of 55.14, a chord bearing of North $12^{\circ} 00' 57''$ West, and a chord length of 50.88 feet;

Thence North $27^{\circ} 28' 37''$ East, a distance of 295.36 feet;

Thence along a tangent curve, concave to the southeast, having a radius of 946.00 feet, a central angle of $18^{\circ} 53' 43''$, an arc length of 311.98, a chord bearing of North $36^{\circ} 55' 28''$ East, and a chord length of 310.56 feet;

Thence along a reverse tangent curve, concave to the northwest, having a radius of 479.00 feet, a central angle of $24^{\circ} 32' 37''$, an arc length of 205.19, a chord bearing of North $34^{\circ} 06' 01''$ East, and a chord length of 203.62 feet;

Thence North $21^{\circ} 49' 43''$ East, a distance of 210.62 feet;

Thence North 89° 55' 04" East, a distance of 239.56 feet to the TRUE POINT OF BEGINNING.

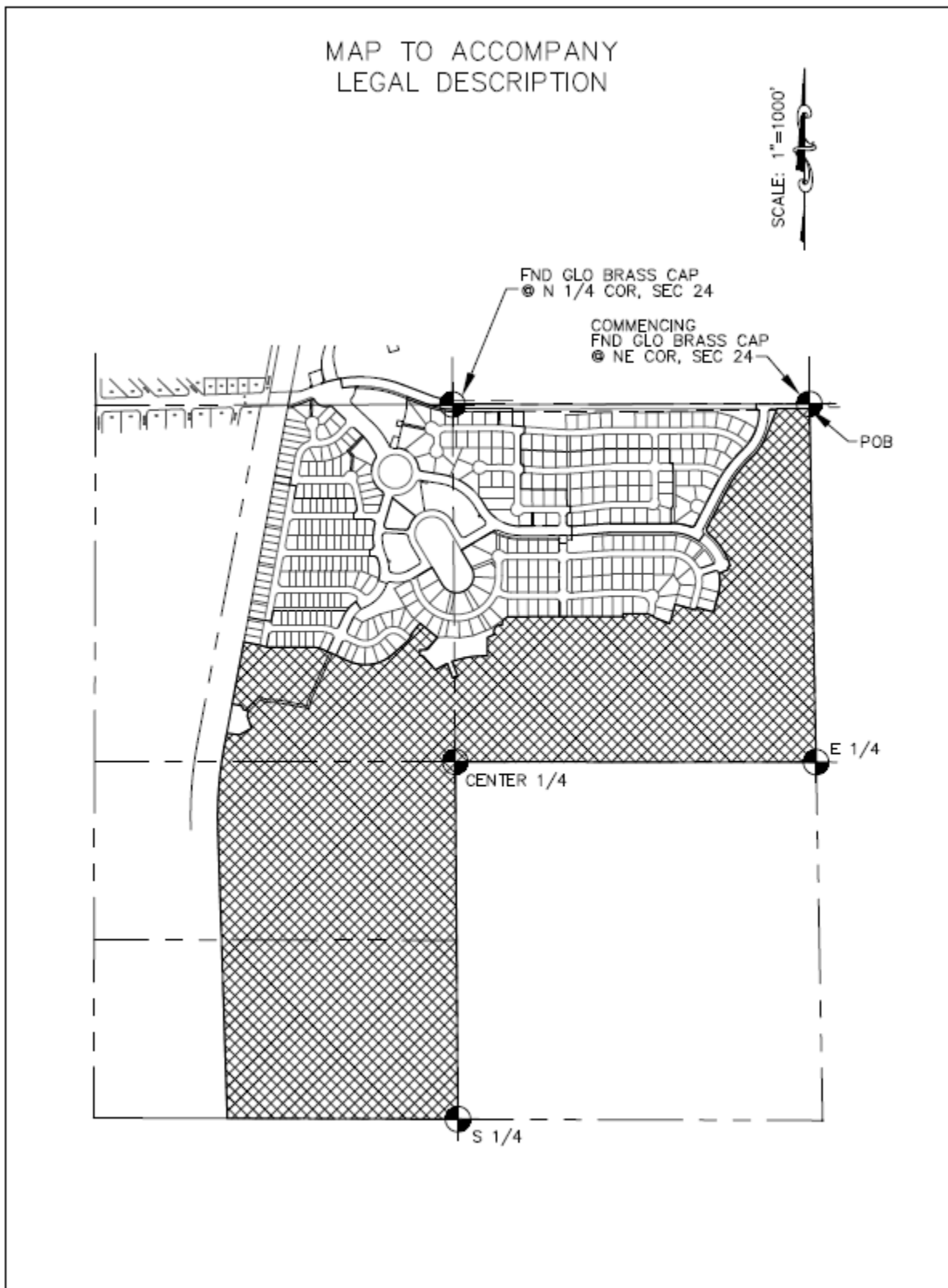
Containing 9,567,838.16 square feet or 291.65 acres, more or less.

09/17/20

LE #291-28

291-28 Remainder Rezone.doc





LEGAL DESCRIPTION

All that portion of land lying within Section 24, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

(The "Basis of Bearings" for this description is North 89° 55' 04" East as measured between a GLO brass cap at the north quarter corner of said Section 24 and a GLO brass cap at the northeast corner of said Section 24 as shown on the Final Plat for "Bright Star Unit 1, Phase 3 and Unit 2, Phase 3" recorded in Book 61 of maps and plats, Page 15, Yavapai County Recorder's Office, Yavapai County, Arizona.)

COMMENCING at a GLO brass cap at the north quarter corner of said Section 24;

Thence South 00° 04' 56" East, a distance of 35.00 feet;

Thence North 89° 55' 04" East, a distance of 441.76 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 89° 55' 04" East, a distance of 1957.19 feet;

Thence South 21° 49' 43" West, a distance of 210.62 feet;

Thence along a tangent curve, concave to the northwest, having a radius of 479.00 feet, a central angle of 24° 32' 37", an arc length of 205.19, a chord bearing of South 34° 06' 01" West, and a chord length of 203.62 feet;

Thence along a reverse tangent curve, concave to the southeast, having a radius of 946.00 feet, a central angle of 18° 53' 43", an arc length of 311.98, a chord bearing of South 36° 55' 28" West, and a chord length of 310.56 feet;

Thence South 27° 28' 37" West, a distance of 295.36 feet;

Thence along a tangent curve, concave to the northeast, having a radius of 40.00 feet, a central angle of 78° 59' 08", an arc length of 55.14, a chord bearing of South 12° 00' 57" East, and a chord length of 50.88 feet;

Thence along a reverse tangent curve, concave to the southwest, having a radius of 452.00 feet, a central angle of 30° 04' 16", an arc length of 237.23, a chord bearing of South 36° 28' 23" East, and a chord length of 234.52 feet;

Thence along a non-tangent curve, concave to the northwest, having a radius of 25.00 feet, a central angle of 06° 47' 44", an arc length of 2.97, a chord bearing of North 75° 09' 12" East, and a chord length of 2.96 feet;

Thence South 18° 14' 40" East, a distance of 50.00 feet;

Thence along a non- tangent curve, concave to the southeast, having a radius of 25.00 feet, a central angle of $83^{\circ} 43' 07''$, an arc length of 36.53, a chord bearing of South $29^{\circ} 53' 46''$ West, and a chord length of 33.37 feet;

Thence South $66^{\circ} 28' 02''$ West, a distance of 69.68 feet;

Thence along a non- tangent curve, concave to the northwest, having a radius of 364.00 feet, a central angle of $24^{\circ} 46' 06''$, an arc length of 157.35, a chord bearing of South $02^{\circ} 37' 17''$ West, and a chord length of 156.13 feet;

Thence South $15^{\circ} 00' 20''$ West, a distance of 133.17 feet;

Thence North $74^{\circ} 59' 40''$ West, a distance of 130.00 feet;

Thence South $15^{\circ} 00' 20''$ West, a distance of 19.72 feet;

Thence North $74^{\circ} 59' 40''$ West, a distance of 160.00 feet;

Thence South $15^{\circ} 00' 20''$ West, a distance of 104.98 feet;

Thence along a tangent curve, concave to the northwest, having a radius of 376.00 feet, a central angle of $06^{\circ} 29' 17''$, an arc length of 42.58, a chord bearing of South $18^{\circ} 14' 59''$ West, and a chord length of 42.55 feet;

Thence North $68^{\circ} 30' 23''$ West, a distance of 130.00 feet;

Thence along a non-tangent curve, concave to the northwest, having a radius of 246.00 feet, a central angle of $02^{\circ} 00' 31''$, an arc length of 8.62, a chord bearing of North $20^{\circ} 29' 21''$ East, and a chord length of 8.62 feet;

Thence North $70^{\circ} 30' 54''$ West, a distance of 50.00 feet;

Thence South $89^{\circ} 54' 47''$ West, a distance of 180.94 feet;

Thence South $00^{\circ} 04' 36''$ East, a distance of 20.34 feet;

Thence South $89^{\circ} 55' 24''$ West, a distance of 415.00 feet;

Thence North $00^{\circ} 04' 36''$ West, a distance of 575.10 feet;

Thence along a tangent curve, concave to the southeast, having a radius of 25.00 feet, a central angle of $91^{\circ} 15' 52''$, an arc length of 39.82, a chord bearing of North $45^{\circ} 33' 20''$ East, and a chord length of 35.74 feet;

Thence along a reverse tangent curve, concave to the northeast, having a radius of 368.00 feet, a central angle of $01^{\circ} 15' 52''$, an arc length of 8.12, a chord bearing of South $89^{\circ} 26' 40''$ East, and a chord length of 8.12 feet;

Thence North $00^{\circ} 04' 36''$ West, a distance of 68.00 feet;

Thence along a non- tangent curve, concave to the northwest, having a radius of 300.00 feet, a central angle of $04^{\circ} 26' 03''$, an arc length of 23.22, a chord bearing of North $87^{\circ} 42' 22''$ East, and a chord length of 23.21 feet;

Thence North $85^{\circ} 29' 20''$ East, a distance of 239.66 feet;

Thence along a tangent curve, concave to the southeast, having a radius of 300.00 feet, a central angle of $04^{\circ} 25' 26''$, an arc length of 23.16, a chord bearing of North $87^{\circ} 42' 03''$ East, and a chord length of 23.16 feet;

Thence North $89^{\circ} 54' 47''$ East, a distance of 450.92 feet;

Thence along a tangent curve, concave to the southwest, having a radius of 432.00 feet, a central angle of $00^{\circ} 24' 55''$, an arc length of 3.13, a chord bearing of South $89^{\circ} 52' 46''$ East, and a chord length of 3.13 feet;

Thence North $00^{\circ} 04' 36''$ West, a distance of 105.46 feet;

Thence North $32^{\circ} 27' 18''$ East, a distance of 29.12 feet;

Thence North $00^{\circ} 04' 42''$ West, a distance of 310.00 feet;

Thence South $89^{\circ} 54' 47''$ West, a distance of 20.99 feet;

Thence North $00^{\circ} 04' 36''$ West, a distance of 109.99 feet;

Thence South $89^{\circ} 55' 24''$ West, a distance of 90.00 feet;

Thence South $89^{\circ} 54' 28''$ West, a distance of 50.00 feet;

Thence South $89^{\circ} 54' 47''$ West, a distance of 345.00 feet;

Thence South $85^{\circ} 27' 58''$ West, a distance of 255.77 feet;

Thence South $88^{\circ} 16' 17''$ West, a distance of 25.01 feet;

Thence North $87^{\circ} 23' 03''$ West, a distance of 340.38 feet;

Thence North $00^{\circ} 04' 36''$ West, a distance of 95.28 feet;

Thence along a tangent curve, concave to the southeast, having a radius of 25.00 feet, a central angle of $94^{\circ} 23' 36''$, an arc length of 41.19, a chord bearing of North $47^{\circ} 07' 12''$ East, and a chord length of 36.68 feet;

Thence North $04^{\circ} 19' 00''$ East, a distance of 50.00 feet;

Thence North $85^{\circ} 41' 00''$ West, a distance of 7.90 feet;

Thence North $00^{\circ} 04' 36''$ West, a distance of 113.79 feet;

Thence South $89^{\circ} 55' 04''$ West, a distance of 85.00 feet;

Thence North $00^{\circ} 04' 36''$ West, a distance of 15.00 feet to the TRUE POINT OF BEGINNING.

Containing 1,533,243.47 square feet or 35.20 acres, more or less.

09/17/20

LE #291-28

291-28 Unit 2B Rezone.doc

JASON O'BRIEN, R.L.S.



EXPIRES 6/30/22

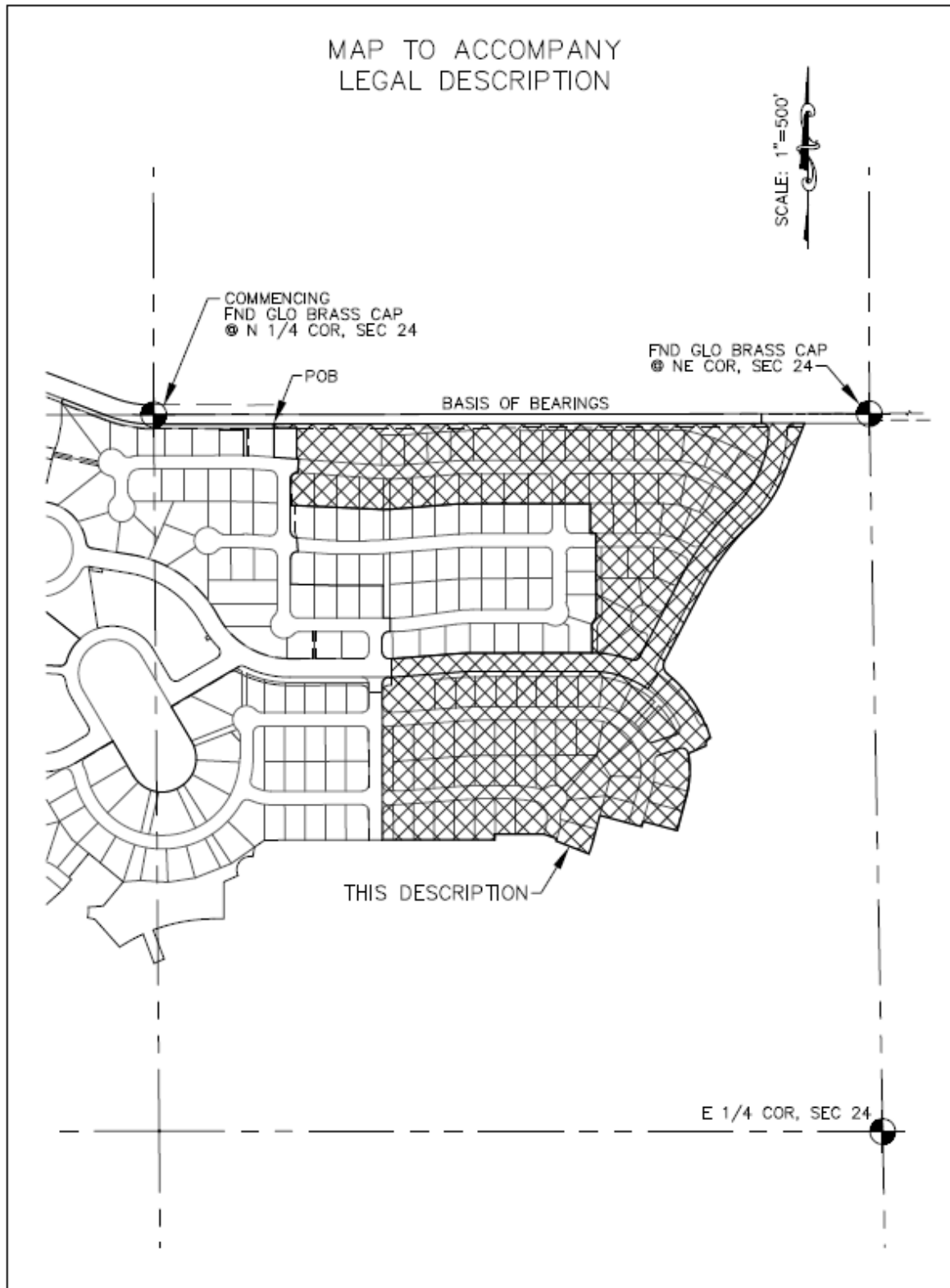
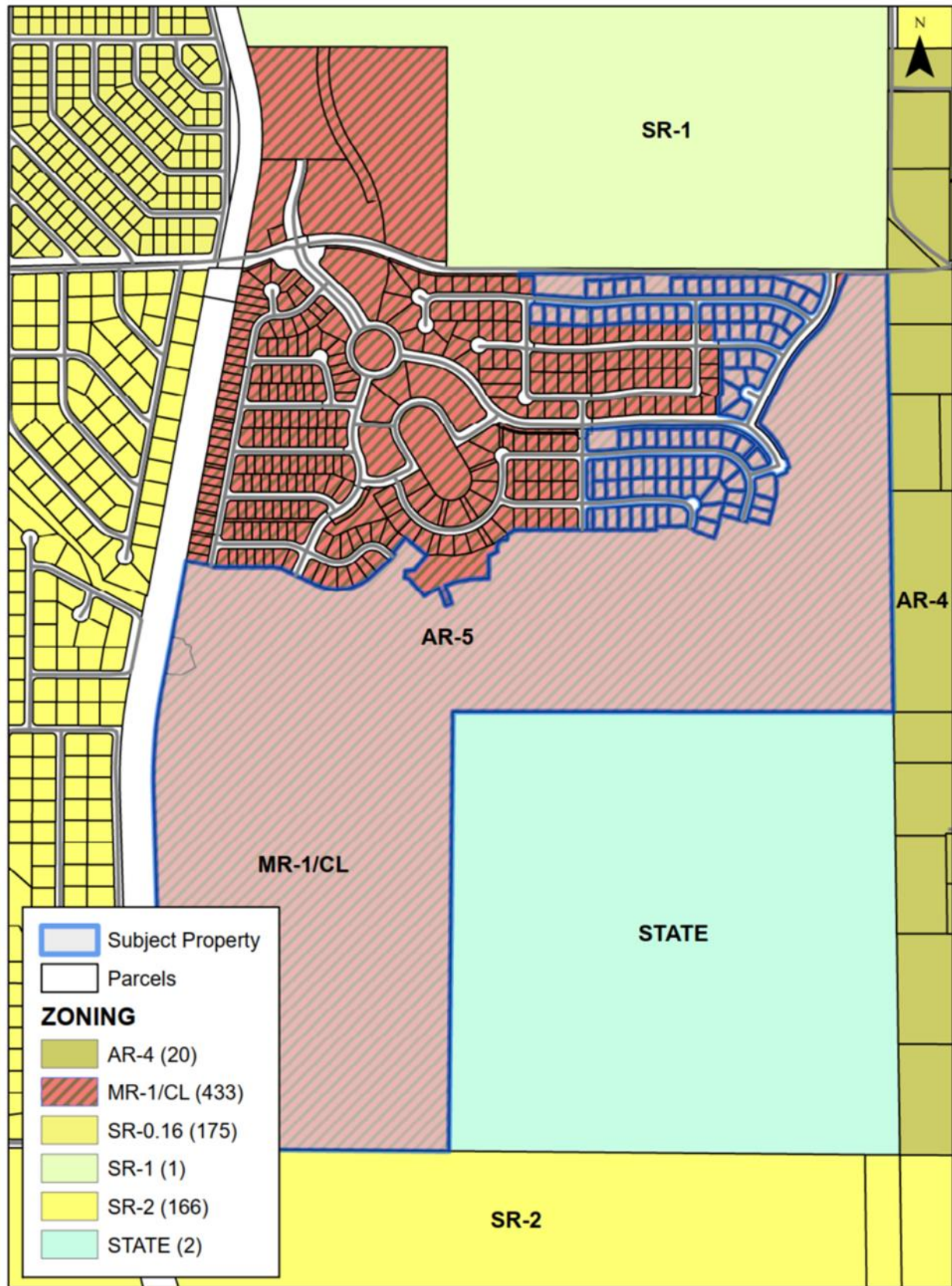


EXHIBIT 2
TO
ORDINANCE 2020-887

[Zoning Exhibit]

See following page.





TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. c.

Meeting Date: 09/22/2020

Contact Person: Joshua Cook, Development Services Director
Phone: 928-636-4427 x-1217

Department: Development Services

Item Type: Action

Estimated length of staff presentation: 5 minutes

Physical location of item: Undeveloped portion of the Bright Star Subdivision located off of East Road 2 North.

AGENDA ITEM TITLE:

Consideration and possible action to amend the Final Plat of Bright Star Unit 2 Phase 3 containing approximately 25.8 acres of real property. (Joshua Cook, Development Services Director)

RECOMMENDED ACTION:

Approve amendment to the existing Final Plat of Bright Star Unit 2 Phase 3 containing approximately 25.8 acres of real property.

SITUATION AND ANALYSIS:

See Item 6b) PAD Staff Report and Exhibits

Fiscal Impact

Fiscal Impact?: None

If Yes, Budget Code:

Available:

Funding Source:

Attachments

No file(s) attached.