



ORDINANCE 2004 A286

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE PLANNING AND ZONING ORDINANCE FOR PARCEL 404-28-025B CONSISTING OF 2.32 ACRES FROM R1L-35 TO C2-2. THIS REZONING IS TO ALLOW FOR COMMERCIAL DEVELOPMENT.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987 and,

WHEREAS, Section 113 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning boundaries or zoning text regulations of the Planning and Zoning Ordinance by the Town Council and,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE:

Section 1:

I The Town Council hereby finds as follows:

- A. A request for **Zoning Map Change 2004-06** was filed by Dugan and Brenda McDonald, owners, for the purpose of rezoning parcel **404-28-025B FROM R1L-35 TO C2-2**. The legal description is attached as **Exhibit A**.
- B. The Zoning Map Change was reviewed by the Planning Commission on **October 7, 2004** in public hearing that was advertised and posted according to state law and by the Town Council on **October 27, 2004**.
- C. The proposed use will not constitute a threat to the health, safety, welfare or convenience of the general public and should be approved.

- II. **Zoning Map Change 2004-06** is approved, based upon the following findings:
- A. The zoning map change will not injure the public health safety, or welfare of the general public.
 - B. The property was changed to Commercial in the Town's General Plan Land Use Map by GPAMD 2004-02; therefore, the proposed zoning map change is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.
 - C. All development will be subject to commercial design review.
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Section 2. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 3. This ordinance is effective upon completion of publication and any posting as required by law.

Section 4. 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 thereof.

PASSED AND ADOPTED by a majority vote of the Town Council in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the 27th day of October 2004, to be effective when publication and posting, pursuant to ARS 9-813, is completed.

Approved: *Mitch Dickinson*
Mitch Dickinson, Mayor

Date: Oct. 27, 2004

Attest: *Deborah Barber*
Deborah Barber, Town Clerk

Approved as to form:

11-3-04

C. Brad Woodford
Town Attorney

EXHIBIT "A"

PARCEL NO. 1:

A tract of land in the North half of the Southwest quarter of the Southwest quarter of Section 31, Township 14 North, Range 5 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

BEGINNING at the Northeast corner of the North half of the Southwest quarter of the Southwest quarter of said Section 31;

thence West 165.0 feet along the North line of said North half of the Southwest quarter of the Southwest quarter;

thence South 660.6 feet to the South line of said North half of the Southwest quarter of the Southwest quarter;

thence North 89 degrees 57 minutes East, 165.0 feet along said South line to the Southeast corner of said North half of the Southwest quarter of the Southwest quarter;

thence North 660.5 feet along the East line of said North half of the Southwest quarter of the Southwest quarter to the POINT OF BEGINNING.

PARCEL NO. 2:

A portion of the Southeast quarter of the Southwest quarter of Section 31, Township 14 North, Range 5 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the Northwest corner of said Southeast quarter of the Southwest quarter;

thence South 89 degrees 59 minutes 30 seconds East, along the North line of said Southeast quarter of the Southwest quarter, a distance of 37.29 feet;

thence South 0 degrees 52 minutes 43 seconds East, a distance of 482.86 feet to a point on the Northerly right-of-way of the General Crook Trail, County Highway, said point lying on a non-tangent curve;

thence Southwesterly, along said right-of-way line, and the arc of said curve, concave to the Southeast having a radius of 2897.93 feet and a central angle of 0 degrees 47 minutes 15 seconds East, a distance of 39.83 feet;

thence leaving said curve, on a non-tangent line that bears North 0 degrees 52 minutes 43 seconds West, a distance of 497.43 feet to the TRUE POINT OF BEGINNING.

EXCEPT that portion of Parcel Nos. 1 and 2 above which lie Southeasterly of the following described line:

Line Description:

Commencing at a stone with scribed 1/4 on West face marking the West quarter corner of said Section 31, which bears North 1 degree 45 minutes 29 seconds East 2643.28 feet from a Bureau of Land Management (BLM) brass cap marking the Southwest corner of said Section 31;

thence along the West line of said Section 31, South 1 degree 45 minutes 29 seconds West 2165.63 feet to the POINT OF BEGINNING;

thence from a Local Tangent bearing of North 89 degrees 09 minutes 34 seconds East, along a curve to the left, having a radius of 1537.02 feet, a length of 645.08 feet;

thence North 65 degrees 06 minutes 46 seconds East 98.30 feet;

thence North 89 degrees 51 minutes 05 seconds East 95.58 feet;

thence North 65 degrees 06 minutes 46 seconds East 229.28 feet;

thence North 62 degrees 29 minutes 58 seconds East 455.42 feet;

thence from a Local Tangent bearing of North 71 degrees 38 minutes 34 seconds East, along a curve to the right, having a radius of 2964.79 feet, a length of 368.14 feet;

thence South 87 degrees 33 minutes 06 seconds East 256.25 feet;

thence North 84 degrees 54 minutes 23 seconds East 127.10 feet;

thence North 86 degrees 09 minutes 21 seconds East 30.01 feet;

thence along a curve to the left, having a radius of 17138.73 feet, a length of 409.18 feet to the North-South mid-section line of said Section 31, and the POINT OF ENDING, which bears North 0 degrees 18 minutes 29 seconds West 1093.23 feet from a 5/8 inch rebar marking the South quarter corner of said Section 31.