



ORDINANCE 2005 A291

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 403-23-006E CONSISTING OF APPROXIMATELY 23.29 ACRES FROM RCU-2A TO C3. THIS REZONING IS TO ALLOW FOR COMMERCIAL ACTIVITY.

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 2005-02** was filed by Jim Binick, agent, for 260 Venture, LLP owners, for the purpose of rezoning parcel **403-23-006E FROM RCU-2A TO C3**. The legal description is attached as **Exhibit A**.
- B. The Zoning Map Change was reviewed by the Planning Commission on **January 6, 2005** in public hearing that was advertised and posted according to state law and by the Town Council on **January 26, 2005**.
- C. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

- II. **Zoning Map Change 2005-02** 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 is shown on Town's General Plan Land Use Map as Mixed Use, Low Density 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by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.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 26th day of January 26th, to be effective when publication and posting, pursuant to ARS 9-813, is completed.

Approved: 
Mitch Dickinson, Mayor

Date: JAN. 26, 2005

Attest: 
Deborah Barber, Town Clerk

Approved as to form:

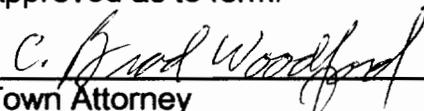

Town Attorney

EXHIBIT A

A part of the North half of Section 15, Township 14 North, Range 4 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more fully described as follows:

COMMENCING at the Northwest corner of Section 15, Township 14 North, Range 4 East, (a GLO brass cap), from which the North quarter corner of Section 15, (a GLO brass cap), lies, South 88 degrees 36 minutes 00 seconds East, a distance of 2,643.52 feet;

Thence South 88 degrees 36 minutes 00 seconds East, a distance of 1,828.16 feet, to a ½ inch rebar with no identification. Said point being on the Southwesterly right of way line of Hwy 260 and a point of curvature. Said curve being concave to the Southwest, with a radius of 7,539.44 feet, and a central angle of 05 degrees 03 minutes 43 seconds, a chord bearing of South 31 degrees 10 minutes 31 seconds East, a chord distance of 665.98 feet;

Thence along the arc of said curve, a distance of 666.09 feet;

Thence South 28 degrees 38 minutes 09 seconds East, along said right of way line, a distance of 1,734.12, to the TRUE POINT OF BEGINNING. Said point being, the intersection of Hwy 260 right of way line with the proposed new alignment of Cherry Road;

Thence continuing, South 28 degrees 38 minutes 09 seconds East, along said right of way line, a distance of 458.27 feet, to a point of curvature. Said curve being concave to the Northeast, with a radius of 7,739.52 feet, and a central angle of 03 degrees 22 minutes 54 seconds, a chord bearing of South 30 degrees 19 minutes 27 seconds East, a chord distance of 456.72 feet;

Thence along the arc of said curve and said right of way line, a distance of 456.79 feet, to a ½ inch rebar and cap stamped LS 14184;

Thence leaving said right of way line, North 85 degrees 07 minutes 01 seconds West, along the Mid-Section line, a distance of 2,865.68 feet, to a ½ inch rebar and cap stamped, LS 14184;

Thence North 78 degrees 22 minutes 59 seconds East, a distance of 1,409.10 feet, to a ½ inch rebar and cap stamped, LS 14184, at the

**Southeast corner of a parcel as recorded in Book 3883, page 530,
Yavapai County Records;**

**Thence continuing, North 78 degrees 22 minutes 59 seconds East, a
distance of 687.63 feet, to a point of curvature. Said curve being
concave to the Northwest, with a radius of 1,265.94 feet, a central
angle of 17 degrees 01 minutes 12 seconds, a chord bearing of North
69 degrees 38 minutes 54 seconds East, a chord distance of 374.67
feet;**

**Thence along the arc of said curve, a distance of 376.05 feet to the
TRUE POINT OF BEGINNING.**