



## ORDINANCE 2005 A318

**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 PARCELS 403-21-010A, 403-21-010L, 403-21-200 AND 403-21-012 CONSISTING OF APPROXIMATELY 15.77 ACRES FROM R1-70 TO C2, R2 AND OS. THIS REZONING IS TO ALLOW FOR A COMMERCIAL DEVELOPMENT AND 20 TOWNHOMES.**

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*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 2005-17** was filed by Dugan McDonald, agent for Mark and Terri Ewin owners, for the purpose of rezoning the parcels **403-21-010A, 403-21-010L, 403-21-200 AND 403-21-012** from R1-70 to C2, R2 and OS. The legal description is attached with a map in **Exhibit A**.
- B. The Zoning Map Change was reviewed by the Planning Commission on **October 13, 2005** in public hearing that was advertised and posted according to state law and by the Town Council on **October 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.
- D. The property has been reclassified on the Town's General Plan Land Use Map as Commercial, High Density Residential and Open Space by Resolution 2005-660; therefore, the proposed zoning map change is

consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.

- II. **Zoning Map Change 2005-17** is approved, based upon the following findings:
- A. This development to be subject to final site plan review approval by Design Review.
  - B. All land within the 100 year floodway to be maintained as Open Space.
  - C. A circulation roadway easement to be granted, if required for State Route 260 improvements.
  - D. Development is to be hooked up to sewer as soon as the sewer extension is operational with a temporary use of vault –and-haul system to be approved by Yavapai Environmental Services and Sanitary District.
  - E. As a condition of the rezoning, the property must be annexed into the Camp Verde Fire District.
  - F. If Impact fees approved, the developer will be responsible to pay fees at the time of construction.

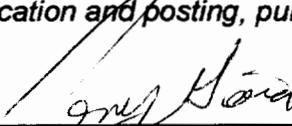
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Section 2. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

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

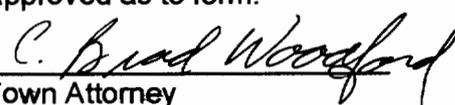
Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

*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 October 2005, to be effective when publication and posting, pursuant to ARS 9-813, is completed.*

Approved:   
Tony Gioia, Mayor

Date: 10/28/05

Attest:  11-3-05  
Deborah Barber, Town Clerk

Approved as to form:  
  
Town Attorney

## EXHIBIT A LEGAL DESCRIPTION

### EXHIBIT "A"

#### Parcel #A:

A portion of parcel 403-21-012 (3.88 acres)  
Currently Zoned R1-70  
Re-zoning to C-2

The following is a description of a parcel of land located within the Southwest quarter of the Northwest Quarter and Lot 7, of Section 24, Township 14 North, Range 4 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, being a portion of that parcel of land described in Book 4032, Page 125, records of the Yavapai County Recorder [Record Source #1 (R1)] said parcel being the WEST 210.00 feet of that parcel of land being more particularly described as follows:

Beginning at the Southwest corner of the Southwest Quarter of the Northwest Quarter;

Thence North 90° 00' 00" East, a distance of 1,630.1 feet, along the South line of the said Southwest Quarter of the Northwest Quarter and Lot 7, to the West Verde River Meander Line;

Thence North 06° 45' 00" West, a distance of 210.10 feet, along said Meander Line;

Thence North 90° 00' 00" West, a distance of 1,605.40 feet, parallel with the South line of the said Southwest Quarter of the Northwest Quarter and Lot 7, to the West line of the said Southwest Quarter of the Northwest Quarter;

Thence South 00° 00' 00" West, a distance of 208.07 feet, along the said West line, to the POINT OF BEGINNING

Subject parcel of land contains 3.88 acres more or less, and is subject to all exceptions, easements and or right-of-ways, of record that may be pertinent to the said subject parcel.

\*\* This legal description was derived and prepared from record information only

EXHIBIT "B"

Parcel #B:

A portion of parcel 403-21-012 (3.60 acres)  
Currently Zoned R1-70  
Re-zoning to R-2

The following is a description of a parcel of land located within the Southwest quarter of the Northwest Quarter and Lot 7, of Section 24, Township 14 North, Range 4 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, being a portion of that parcel of land described in Book 4032, Page 125, records of the Yavapai County Recorder [Record Source #1 (R1)] said parcel being more particularly described as follows:

Beginning at the Southwest corner of the Southwest Quarter of the Northwest Quarter;

Thence North 90° 00'00" East, a distance of 1,630.1 feet along the South line of the said Southwest Quarter of the Northwest Quarter and Lot 7, to the West Verde River Meander Line;

Thence North 06° 45' 00" West, a distance of 210.10 feet, along said Meander Line;

Thence North 90° 00' 00" West, a distance of 1,605.40 feet, parallel with the South line of the said Southwest Quarter of the Northwest Quarter and Lot 7, to the West line of the said Southwest Quarter of the Northwest Quarter;

Thence South 00° 00' 00" West, a distance of 208.07 feet, along the said West line, to the POINT OF BEGINNING

EXCEPT THEREFROM: The WEST 810.00 Feet thereof.

Subject parcel of land contains 3.60 acres more or less, and is subject to all exceptions, easements and or right-of-ways, of record that may be pertinent to the said subject parcel.

\*\* This legal description was derived and prepared from record information only

Parcel# - 403-21-010A  
Currently Zoned: R1-70  
Rezoning To: R2

Parcel# - 403-21-010L  
Currently Zoned: RCU-2-A  
Rezoning To: Open Space

LEGAL DESCRIPTION RECORDED IN BOOK 4032, PAGE 126 IS AS FOLLOWS:

EXHIBIT "A"

Any right, title or interest in property referred to as meander land and known as assessor parcels 403-21-010A and 403-21-010L.

**\*\* This legal description was derived and prepared from record information only**

Page 3 of 4

Parcel# 403-21-200  
Currently Zoned: R1L-70  
Rezoning To: R-2

LEGAL DISCRIPTION RECORDED IN BOOK 4026, PAGE 6 IS AS FOLLOWS:

EXHIBIT "A"

All that portion of the Northwest quarter of the Southwest quarter of Section 24, Township 14 North, Range 4 East of the Gila and Salt River Base and Meridian, described as follows:

Beginning for reference at the West quarter corner of Section 24, Township 14 North, Range 4 East of the Gila and Salt River Base and Meridian;

Thence South 86°40' East, 810.00 feet to the POINT OF BEGINNING;

Thence continuing South 86°04' East, 507.53 feet;

Thence South 1°37' West, 846.97;

Thence North 40°28' West 499.0 feet;

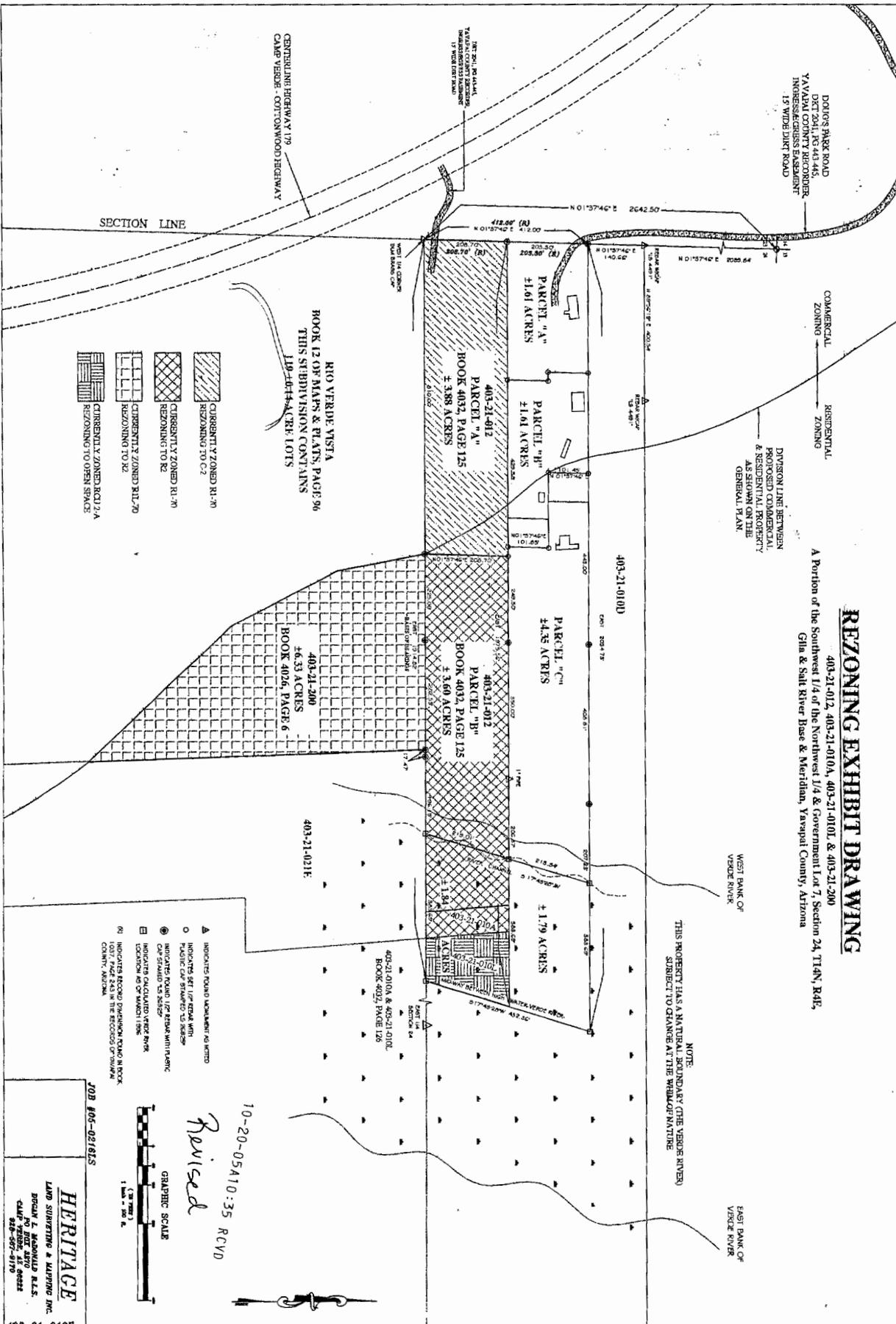
Thence North 25°06' West, 303.3 feet;

Thence North 7°46' West, 223.9 feet to the POINT OF BEGINNING.

**\*\* This legal description was derived and prepared from record information only**

# REZONING EXHIBIT DRAWING

403-21-012, 403-21-010A, 403-21-010L & 403-21-200  
 A Portion of the Southwest 1/4 of the Northwest 1/4 of Government Lot 7, Section 24, T14N, R4E,  
 Gila & Salt River Base & Meridian, Yavapai County, Arizona



- CURRENTLY ZONED R1-70  
REZONING TO C2
- CURRENTLY ZONED R1-70  
REZONING TO R2
- CURRENTLY ZONED R1-70  
REZONING TO R2
- CURRENTLY ZONED R2,70  
REZONING TO OPEN SPACE

RIO VERDE VISTA  
 BOOK 12 OF MAPS & PLATS, PAGE 96  
 THIS SUBDIVISION CONTAINS  
 119-2674 ACRES LOTS

CENTRALINE HIGHWAY 179  
 CAMP VERDE - COTTONWOOD HIGHWAY

DOLIO'S PARK ROAD  
 DET 2041, PG 443-445,  
 YAVAPAI COUNTY RECORDER  
 INDEPENDENT SUBDIVISION  
 13' WIDE DIRT ROAD

COMMERCIAL ZONING  
 RESIDENTIAL ZONING  
 DIVISION LINE BETWEEN  
 PROPOSED COMMERCIAL  
 & RESIDENTIAL PROPERTY  
 AS SHOWN ON THE  
 GENERAL PLAN.

WEST BANK OF  
 VERDE RIVER

EAST BANK OF  
 VERDE RIVER

NOTE:  
 THIS PROPERTY HAS A NATURAL BOUNDARY (THE VERDE RIVER)  
 SUBJECT TO CHANGE IN THE FUTURE.

- ▲ INDICATES FOUND MEASUREMENT AS NOTED
- INDICATES SET (UP) MARK WITH PLASTER CAP STAKED TO SURFACE
- INDICATES FOUND 1/2" PEG MARK WITH PLASTER CAP STAKED TO SURFACE
- ⊠ INDICATES CALCULATED VERDE RIVER LOCATION AS OF MARCH 1, 1996
- ⊡ INDICATES RECORD DIRECTION FROM A BOOK 10317 PAGE 243 IN THE RECORDS OF YAVAPAI COUNTY, ARIZONA



10-20-05A10:35 RCVD  
 Revised

JOB #05-021815

**HERITAGE**  
 LAND SURVEYING & MAPPING INC.  
 1000 N. WASHINGTON AVE. S.E.  
 BOULDER, CO 80501  
 PHONE: 303-440-1170  
 FAX: 303-440-1179

403-21-010L