



ORDINANCE 2018 A432

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA FOR A ZONING MAP CHANGE FROM R1L-70 (RESIDENTIAL: SINGLE FAMILY LIMITED, 70,000 SQUARE-FOOT MINIMUM LOT SIZE) TO C2-PAD (COMMERCIAL: GENERAL SALES & SERVICES, PLANNED AREA DEVELOPMENT). THE PROPERTIES CONSIST OF APPROXIMATELY 67 ACRES LOCATED NORTHWEST OF THE I-17 AND STATE ROUTE 260 INTERCHANGE INCLUDING PARCELS 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-22-021, AND 403-22-018C; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance 2011-A374, approved May 25, 2011, and

WHEREAS, Part 6, Section 600.C.1 of the Planning and Zoning Ordinance allows for the amendment, supplementation or change of zoning boundaries by the Town Council of the Zoning Map of Camp Verde under the Planning & Zoning Ordinance, and

WHEREAS, the Mayor and Council find that the requested re-zoning will be beneficial to the community and is in conformity with the Camp Verde General Plan, and

WHEREAS, the Mayor and Council find that the procedures required by ARS §9-462.03 and 9-462.04 have been complied with in connection with this zoning action, and

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

Section 1. The Town Council hereby finds as follows:

- A. A request for **Zoning Map Change 2018-0001** was filed by Krishan Ginige, Agent for the property owners, to rezone the subject parcels from R1L-70 (RESIDENTIAL: SINGLE FAMILY LIMITED, 70,000 SQUARE-FOOT MINIMUM LOT SIZE) TO C2-PAD (COMMERCIAL: GENERAL SALES & SERVICES, PLANNED AREA DEVELOPMENT) for the following described real property: The legal description is attached as exhibit "A" and the map as exhibit "B". The above described parcel contains an area of approximately 67 acres.
- B. The Planning & Zoning Commission reviewed the request on January 8, 2018 in a public hearing that was advertised and posted according to state law and recommended approval of Zoning Map Change 2018-0001.

- C. The proposed Zoning Map Change Amendment will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
- D. The Waiver of Diminution of Value Claim has been signed by the property owners and is attached as exhibit "C".

Section 2. That this ordinance be hereby expressly conditioned as follows:

1. Red Moon Development and Construction, Inc, acquisition of title to the property described in Exhibit "A";
2. Approval by the Town Council of a Final Development Site Plan to be reviewed by the Planning and Zoning Commission, and approved by the Town of Camp Verde Town Council as required by the Town of Camp Verde Planning and Zoning Ordinance and Subdivision Regulations Section 203 L.2. PAD (Planned Area Development), Scope, Site Plan requirements, Section 400 D.1. prior to issuance of any building permits;


In the event of non-compliance with any of the above conditions, the zoning designation for the described properties shall revert from C2-PAD (COMMERCIAL: GENERAL SALES & SERVICES, PLANNED AREA DEVELOPMENT) back to the original designation of R1L-70 (RESIDENTIAL: SINGLE FAMILY LIMITED, 70,000 SQUARE-FOOT MINIMUM LOT SIZE) in accordance with the procedures set forth in ARS §9-462.01(E).

Section 3. 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 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.

Section 5. This ordinance is effective upon the expiration of a thirty 30-day period following the adoption hereof and completion of publication and any posting as required by law.

PASSED AND APPROVED BY A MAJORITY VOTE OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON THIS 28TH DAY OF FEBRUARY, 2018.


 Charles German - Mayor

Date: March 1, 2018

Approved as to form:

 Bill Sims - Town Attorney

Attest: 
 Judith Morgan, Town Clerk