



ORDINANCE 2005 A298

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 403-15-001F CONSISTING OF APPROXIMATELY 28.54 ACRES FROM RCU-2A TO C3 AND M1. THIS REZONING IS TO ALLOW FOR 13.62 ACRES OF THE PARCEL TO BE DEVELOPED FOR A CEMENT BLOCK PLANT AND NURSERY WITH M1 ZONING AND 14.92 ACRES FOR THE DEVELOPMENT OF A CEMETERY AND ASSOCIATED BUSINESSES WITH C3 ZONING.

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 2005-06** was filed by Harve Stanley, Dave Vette, and Jim Binick, agents for owners, Cherry Creek Village Co. Inc. for the purpose of rezoning parcel **403-15-001F FROM RCU-2A TO M1 and C3**. The legal descriptions are attached as **Exhibit A**.
- B. The Zoning Map Change was reviewed by the Planning Commission on **March 3, 2005** in public hearing that was advertised and posted according to state law and by the Town Council on **March 23, 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 2005-06** 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 Town's General Plan Land Use Map (1998) shows this parcel as Industrial and the 2004 adopted General Plan shows this property as Mixed Use Com/Ind, therefore the proposed zoning map change is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.
 - C. All development must submit for design/site plan review.
 - D. This property must be annexed into Camp Verde Fire District according to Resolution 2002-530 of the Town of Camp Verde.
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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by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.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 23rd day of March 2005, to be effective when publication and posting, pursuant to ARS 9-813, is completed.

Approved: 
Mitch Dickinson, Mayor

Date: Mar. 25, 2005

Attest:  - 3-31-05
Deborah Barber, Town Clerk

Approved as to form:

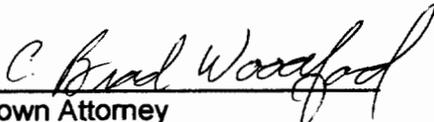

Town Attorney

EXHIBIT A
LEGAL DESCRIPTION

ORDINANCE 2005 A298
MARCH 23, 2005

M-1

BLOCK PLANT

A PARCEL OF LAND IN THE N.W. 1/4 SECTION 9, RANGE 4 E., G&SRB&M, YAVAPAI COUNTY, CAMP VERDE, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH 1/4 OF SAID SECTION 9.

THENCE S. 00° 17' 52" W., ALONG THE MID SECTION LINE, A DISTANCE OF 1166.43 FEET.

THENCE S. 41° 48' 19" E. ALONG THE NORTHERLY R/W LINE OF S.R. 260 HWY. (200' WIDE) A DISTANCE OF 204.07 FEET.

THENCE S. 88° 30' 56" E. A DISTANCE OF 795.46 FEET TO THE TRUE POINT OF BEGINNING.

THENCE CONTINUING S. 88° 30' 56" E. A DISTANCE OF 657.42 FEET.

THENCE N. 16° 21' 24" E. A DISTANCE OF 426.80 FEET.

THENCE N. 75° 18' 45" W., ALONG THE SOUTH R/W LINE OF OLD HWY 279 (66' WIDE) A DISTANCE OF 469.79 FEET.

THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 47° 41' 47", A RADIUS OF 486.02 FEET, A CURVE LENGTH OF 404.59 FEET.

THENCE N. 27° 36' 58" W. A DISTANCE OF 327.67 FEET.

THENCE S. 62° 23' 02" W. A DISTANCE OF 100.00 FEET.

THENCE S. 66° 43' 02" W. A DISTANCE OF 345.39 FEET.

THENCE S. 49° 56' 56" W. A DISTANCE OF 121.20 FEET.

THENCE S. 68° 07' 51" E. A DISTANCE OF 342.68 FEET.

THENCE S. 00° 17' 52" W. A DISTANCE OF 120.00 FEET.

THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 98° 46' 50", A RADIUS OF 280.00 FEET, A CHORD BEARING OF S. 40° 18' 46" E. A CHORD DISTANCE OF 425.13 FEET, A CURVE LENGTH OF 482.73 FEET.

THENCE S. 80° 55' 24" E. A DISTANCE OF 76.93 FEET.

THENCE S. 66° 30' 00" E. A DISTANCE OF 49.91 FEET.

THENCE S. 23° 30' 00" W. A DISTANCE OF 198.55 FEET TO THE TRUE POINT OF BEGINNING.

A PARCEL CONTAINING 13.6230 ACRES MORE OR LESS.

C-3 (INCLUDES CEMETERY)

A PARCEL OF LAND IN THE N.W. 1/4 SECTION 9, RANGE 4 E., G&SRB&M, YAVAPAI COUNTY, CAMP VERDE, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE N. 1/4 OF SAID SECTION 9.

THENCE S. 00° 17' 52" W., ALONG THE MID SECTION LINE, A DISTANCE OF 1166.43 FEET.

THENCE S. 41° 48' 19" E. ALONG THE NORTHERLY R/W LINE OF S.R. 260 HWY (200' WIDE) A DISTANCE OF 204.07 FEET.

THENCE S. 88° 30' 56" E. A DISTANCE OF 795.46 FEET.

THENCE N. 23° 30' 00" E. A DISTANCE OF 198.55 FEET.

THENCE N. 66° 30' 00" W. A DISTANCE OF 49.91 FEET.

THENCE N. 80° 55' 24" W. A DISTANCE OF 76.93 FEET.

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 98° 46' 44", A RADIUS OF 280.00 FEET, A CHORD BEARING OF N. 40° 18' 47" W.; A CHORD LENGTH OF 425.13 FEET, A CURVE LENGTH OF 482.73 FEET.

THENCE RADIAL TO SAID CURVE N. 0° 17' 52" E. A DISTANCE OF 120.00 FEET.

THENCE N. 68° 28' 27" W. A DISTANCE OF 141.84 FEET.

THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 38° 32' 49", A RADIUS OF 145.71 FEET, A CHORD BEARING OF N. 7° 15' 33" E., A CHORD DISTANCE OF 96.19 FEET, A CURVE LENGTH OF 98.03 FEET.

THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 71° 51' 35", A RADIUS OF 282.14 FEET, A CURVE LENGTH OF 353.85 FEET.

THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 54° 17' 26", A RADIUS OF 118.46, A CURVE LENGTH OF 112.24 FEET.

THENCE N. 8° 57' 48" E. A DISTANCE OF 19.89 FEET.

THENCE N. 89° 54' 15" W. A DISTANCE OF 76.04 FEET TO THE POINT OF BEGINNING.

A PARCEL CONTAINING 14.9183 ACRES MORE OR LESS.