

ORDINANCE NO. 06-23

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, AMENDING THE TOWN OF DEWEY-HUMBOLDT ZONING MAP FOR APN 402-02-003G REZONING OF APPROXIMATELY 2 ACRES FROM R1L-70 (RESIDENTIAL, SINGLE FAMILY LIMITED) TO C2-4 (COMMERCIAL, GENERAL SALES AND SERVICE) FOR THE CONSTRUCTION OF 17,860 SQUARE FEET OF RETAIL SPACE CONSISTING OF A CONVENIENCE STORE AND OTHER RETAIL USES.

WHEREAS, the Town of Dewey-Humboldt has adopted a Planning and Zoning Ordinance and Zoning Map to govern the development of property within the Town limits; and

WHEREAS, the Planning and Zoning Commission of the Town of Dewey-Humboldt has recommended adopting the requested Zoning Map change Z-06-01; and

WHEREAS, this requested amendment has been properly noticed for public hearing and the necessary hearing were completed on March 21, 2006; and

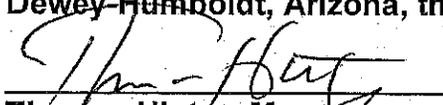
WHEREAS, the adopted the Planning and Zoning Ordinance for the Town of Dewey-Humboldt, Arizona will enhance the health, safety, and welfare of the community; and

NOW THEREFORE, be it ordained by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona that:

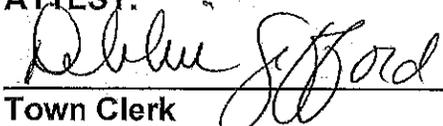
Section 1: Adoption of an amendment to the Town of Dewey-Humboldt Zoning Map. The Town of Dewey-Humboldt Zoning Map, a copy of which is on file with the Town Clerk, is hereby amended with stipulations as listed in Exhibit "A".

Section 2: Authorization to Prepare Documents. The Town Manager, Town Clerk, Town Engineer, Town Attorney and any other necessary persons are hereby authorized to prepare the agreements, forms and instruments contemplated to be used by the Town in implementing the provisions of the Town Planning and Zoning Ordinance.

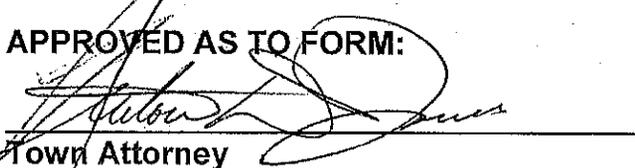
PASSED AND ADOPTED by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona, this 4 day of April, 2006.

  
Thomas Hintze, Mayor

ATTEST:

  
Town Clerk

APPROVED AS TO FORM:

  
Town Attorney

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**EXHIBIT "A"**

**The following stipulations accompany the approval of Z-06-01:**

1. The development of the property shall conform to all Town, county, state and federal regulations and requirements.
2. The final engineered site plan shall be in concert with the preliminary site plan. Any significant departure to the preliminary site plan must return to the Planning and Zoning Commission for site plan approval. The final site plan must dimension areas for parking, circulation, screening from adjacent residential properties, and any other elements required by the Planning and Zoning Ordinance.
3. All retail operations shall be confined to the interior of buildings. No outdoor displays or storage is permitted.
4. Parking lot, building and security lighting must conform to 'dark sky' requirements of the Planning and Zoning Ordinance.
5. A comprehensive sign package shall be submitted for approval and adhered to to provide uniformity in signage throughout the site. This sign package shall include only one free-standard, monument sign to be shared by all businesses/tenants on the site.
6. Any improvements to State Route 169 must be approved by the Arizona Department of Transportation and installed or bonded for concurrent with the first construction phase of the project.
7. All wiring for the electric and other utilities shall be placed underground commencing at the property boundary.

**LAND DESCRIPTION**  
**(PARCEL 1, Lease parcel)**

All that portion of Section 2, Township 13 North, Range 1 East, Gila and Salt River Meridian, Yavapai County, Arizona described as follows:

Commencing at the Southeast Corner of said Section 2, a G.L.O. brass cap monument;

THENCE N 89°33'05"W, (Basis of bearing), 1071.18 feet along the southerly line of said Section to a 1/2" rebar capped R.L.S. 26405;

THENCE N 00°01'05"E, 314.97 feet to a point on a non tangent curve concave to the northwest having a radius of 3207.58 feet, from which the radius point bears N 19°37'09"E and the TRUE POINT OF BEGINNING, said point being marked by a 1/2" rebar capped R.L.S. 40321;

THENCE southwesterly along the arc of said curve 357.74 feet, through a central angle of 06°23'25" to a 1/2" rebar capped R.L.S. 40321;

THENCE N 00°01'05"E, 250.00 feet to a point on a non tangent curve concave to the northwest having a radius of 2964.79 feet, from which the radius point bears N 14°20'10"W said point being marked by a 1/2" rebar capped R.L.S. 40321 ;

THENCE northeasterly along the arc of said curve 360.48 feet, through a central angle of 06°57'59" to a 1/2" rebar capped R.L.S.26405;

THENCE S 00°01'05"W, 259.15 feet to the TRUE POINT OF BEGINNING.

Containing 2.00 acres more or less.

