

AGENDA



**REGULAR SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, JANUARY 26, 2005
at 6:30 P.M.**

1. **Call to Order**

As a reminder, if you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time to minimize disruption of tonight's meeting.

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.

a) **Approval of the Minutes:**

1) January 19, 2005 – Regular Session

b) **Set Next Meeting, Date and Time:**

1) Regular Session – February 2, 2005 at 6:30 p.m.

2) Regular Session – February 16, 2005 at 6:30 p.m.

3) Council Hears Planning & Zoning – February 23, 2005 at 6:30 p.m.

c) **Discussion, consideration, and possible approval of Resolution 2004-626, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting Final Plat 2005-01 for Pebble Rock Subdivision located on 15.63 acres consisting of parcel 404-02-004B. This project is located off McCracken Lane.**

Public Participation:

Public Input is encouraged on matters that are not administrative in nature. If you wish to address the Council during this meeting, you **MUST** complete a **Speaker Request Form** in its entirety, and submit it to the Clerk as soon as possible. Your name will be called when it is your turn to speak. Forms are available at the door and on the podium.

Public participation enables the public to address the Council about an item that is NOT listed on the agenda. However, state law prevents the Council from taking any action on items that are not listed on the agenda, except to respond to criticism made by those who have addressed the public body, ask staff to review a matter, or ask that a matter be included on a future agenda.

5. **Call to the Public for Items not on the Agenda.**

6. **Discussion, consideration, and possible approval of Resolution 2005- 625, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting fees for Town Services.**

7. **Discussion, consideration, and possible approval of 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.** The parcel is located at the intersection of Cherry Road and SR 260.
- **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - a. **Call for APPLICANT'S STATEMENT**
 - b. **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - c. **Call for APPLICANT'S REBUTTAL (if appropriate)**
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
8. **Discussion, consideration, and possible approval of Ordinance 2005-A292, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 108 of the Zoning Ordinance amending Subsections K – Land Division by requiring a Minor Land Division Permit and Subsection L – Streets and Alleys providing for development on private easements and construction standards for private easements.**
- **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - a. **Call for APPLICANT'S STATEMENT**
 - b. **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - c. **Call for APPLICANT'S REBUTTAL (if appropriate)**
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
9. **Discussion, consideration, and possible approval of Ordinance 2005-A293, an ordinance of the Mayor and Common Council of the Town of Camp Verde amending Section 103 of the Zoning Ordinance amending definitions.**
- **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - a. **Call for APPLICANT'S STATEMENT**
 - b. **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - c. **Call for APPLICANT'S REBUTTAL (if appropriate)**
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
10. **Discussion, consideration, and possible approval of Ordinance 2005-A294, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 108 of the Zoning Ordinance amending the height limits and set back requirements.**
- **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - a. **Call for APPLICANT'S STATEMENT**
 - b. **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - c. **Call for APPLICANT'S REBUTTAL (if appropriate)**
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
11. **Discussion, consideration, and possible approval of Ordinance 2005-A295, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 109 of the Zoning Ordinance amending C3 Zoning District Uses.**
- **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - a. **Call for APPLICANT'S STATEMENT**
 - b. **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**

- c. **Call for APPLICANT'S REBUTTAL (if appropriate)**
- **Declare PUBLIC HEARING CLOSED**
- **Call for COUNCIL DISCUSSION**

12. **Call to the Public for Items not on the Agenda**

There will be no Public Input on the following items:

13. **Advanced Approvals of Town Expenditures**

14. **Manager/Staff Report**

15. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.

16. **Adjournment**

Posted by: A. Barber

Date/Time: 1-21-05 - 9:40 a.m.

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

STAFF REPORT:

COUNCIL

MEETING OF: JANUARY 26, 2005

TITLE: **RESOLUTION 2005-626:** A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING FINAL PLAT 2005-01 FOR PEBBLE ROCK SUBDIVISION LOCATED OFF OF MCCRACKEN LANE ON PARCEL 404-02-004B CONSISTING OF 15.63 ACRES THAT WILL INCLUDE 10 LOTS AND TRACT A.

DESCRIPTION:

The proposed project site is located on the west side of McCracken Lane and borders the Verde River. The current zoning is R1L-35. This zoning will allow for only site-built homes. The ten lots will be accessed off of McCracken Lane by Amber Way. This roadway will be constructed by the developer and dedicated to the Town. The proposed ROW will be 50' in width and the pavement will be 24' from edge of pavement to edge of pavement. Because of the narrow width of the roadway, staff is recommending that the developer post the street with signs indicating "No One Street Parking Allowed". This will allow for safe access for emergency vehicles. Tract A is to be dedicated for the water facilities and distribution purpose according to the language on the plat.

This parcel is being developed at its current zoning of R1L-35; therefore, no rezoning was required. The preliminary plat was approved by Council on October 27, 2004 by Resolution 2004-617. The Final Plat is in agreement with the Preliminary Plat design and layout for this subdivision.

At the time of the preliminary plat approval, the applicant had the intention of using a private well to serve all parcels. Since then, the Camp Verde Water District indicated that they could not support this development with a communal well. The developer has now designated this subdivision as a dry subdivision and each property owner will be responsible for their own well. The plat indicates easements between two parcels to enable them to share a well.

The preliminary plat contained the following stipulations:

1. No sidewalks would be required

Submitted with this application is an Application of Exception. The developer is requesting the elimination of the sidewalks. The construction plans show the curbs to be a rolled curb construction.

Agency Responses:

13 Agency Notices were sent out. The following are the comments received:

Yavapai County Flood Control: The project site is impacted by a delineated floodplain and also by drainage basin greater than 80 acres thus will be regulated by Yavapai County Flood Control District regulations. The District requires a detailed floodway delineation to be shown on the Final Plat and not an approximate delineation. This will determine the exact location for building envelopes, which must show a minimum of a 20' setback from the floodway. The Final Plat does not show the required Yavapai County Drainage Criteria Manual notes as shown on page 2.25 of the Manual. Also to be included on the Final Plat is the note on page 4.1, section 4.2b of the Manual. They are requesting that these changes be included on the Final Plat prior to Council approval.

Camp Verde Streets Dept: The roadway section is not to Town Standards. This would include the paved width, AC thickness, and the ABC thickness. Also due to the pavement width, it is recommended that "No on Street Parking" should be posted and noted in the CCR's. A question was asked about the purpose of the existing CMP on the south line.

Town Engineer: Staff received approval of the final construction plans with the note that Yavapai Flood Control concerns must be addressed.

Camp Verde Trails Committee: Didn't have time to review the submitted plat.

US Forest Service – Coconino: Any needed improvements of McCracken Lane will need to be coordinated with the Forest Service if within the road easement on Forest Service land. Any utility improvements or needs within the National Forest area will require appropriate planning with no guarantee of approval. The adjacent National Forest is proposed for sale; therefore, boundary should be clearly marked to avoid encroachment or boundary disputes.

ATTACHMENTS: Yes

PREPARED BY: Nancy Buckel, Senior Planner

RESOLUTION 2004-626

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING FINAL PLAT 2005-01 FOR PEBBLE ROCK SUBDIVISION LOCATED ON 15.63 ACRES CONSISTING OF PARCEL 404-02-004B. THIS PROJECT IS LOCATED OFF OF McCracken Lane.

WHEREAS, a request for a final plat (2005-01) approval was filed by Mr. Dugan McDonald, agent, for McCracken Loop LLC, owners of the 15.63 acres consisting of tax parcel 404-02-004B, for Pebble Rock Subdivision, and

WHEREAS, a revised preliminary plat was heard by the Planning Commission on October 7, 2004 and by the Common Council on October 27, 2004 in public hearings that were advertised and posted according to state law, and

WHEREAS, the purpose of the Final Plat is to allow for the development of a residential subdivision and to subdivide 15.63 acres consisting of parcel 404-02-004B into 10 lots and

WHEREAS, the construction plans have been reviewed and approved by the town engineer, Arizona Engineering and

WHEREAS, the proposed subdivision will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved;

NOW THEREFORE THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE RESOLVE, TO ADOPT FINAL PLAT 2005-01 FOR PEBBLE ROCK SUBDIVISION WITH THE FOLLOWING STIPULATIONS AS AGREED UPON BY THE DEVELOPER:

1. Requirements sidewalks have been waived and the developer will install rolled curbs.
2. Amber Way will be posted by the developer as "NO ON STREET PARKING ALLOWED" because of the narrow width of pavement.

PASSED AND APPROVED by a majority vote of the Town Council of Camp Verde, Arizona, this 26TH day of January 2005.

Mitch Dickinson, Mayor

Date: _____

Approved as to Form:

Town Attorney

Attest: _____
Deborah Barber, Town Clerk

CASE NO. 2005-01

PROJECT NO. FP 05-01

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 710 • 473 S. MAIN STREET, SUITE 108
CAMP VERDE, ARIZONA 86322
(928) 567-8513 • FAX (928) 567-7401
SUBDIVISION PLAT APPLICATION

REQUEST:	PRELIMINARY PLAT	<u>X</u>	12-02-04P01:42 REVD
	FINAL PLAT	<u>X</u>	APPLICATION DATE _____
	CONCEPTUAL PLAN	_____	ASSESSOR'S PARCEL NO. <u>404-02-004B</u>
	AMENDED PLAT	_____	PRESENT ZONING <u>R1K-35</u>
	RESUBDIVISION	_____	TAKEN BY <u>B. Quinn</u>
	REVERSION TO ACREAGE	_____	FEES <u>350⁰⁰</u>
	SUBDIVISION NAME _____		HEARING DATE _____
	TRACT _____		

OWNER/DEVELOPER Mc Cracker Loop L.L.C. PHONE 567-9055 FAX 567-5195
ADDRESS 1490 Riarden Ranch CITY Flagstaff STATE AZ ZIP 86001
CONTACT PERSON James T. Peoble

ENGINEER Luke Setton (S.E.C.) PHONE 282-7787 FAX 282-0731
ADDRESS 20 Stutz Bearcat CITY Sedona STATE AZ ZIP 86376
CONTACT PERSON _____

PROPOSED LAND USE	NET ACREAGE (SQ FT.)	NO. LOTS OR TRACTS	MINIMUM LOT SIZE	MINIMUM LOT WIDTH	OTHER
SINGLE FAMILY	<u>13.56 Ac.</u>	<u>10</u>	<u>0.81 Ac.</u>	<u>135' +/-</u>	
MULTIPLE FAMILY					
MANUFACTURED HOME					
COMMERCIAL					
INDUSTRIAL					

RESIDENTIAL DENSITY (SEE REVERSE SIDE) _____ LINEAR FT OF STREETS _____



HERITAGE

Land Survey & Mapping Inc.

08-11-04P01:08 RCVD

Town of Camp Verde
Community Development Dept.
PO Box 710
473 S. Main St. Suite 108
Camp Verde, Arizona

Aug. 2, 2004

RE: Pebble Rock Subdivision:

Attention Nancy Buckel, (Town Planner):

Pebble Rock Subdivision is the result of the planning and development of parcel number 404-02-004B. This 15.63 acre parcel will be divided into 10 individual Lots of not less than 35,000 square feet each.

This development shall require that only site built homes be constructed on the large lots within the limits of this subdivision. This will lessen any impact on the surroundings and will maintain the integrity and open rural environment that is so appreciated within the Town of Camp Verde.

PROJECT LOCATION:

Pebble Rock Subdivision is located just West of Mc Cracken Lane, 1/2 mile Northeasterly from the intersection of Mc Cracken Lane and HWY. 260, Camp Verde Arizona.

Sincerely,

James T. People
Mc Cracken Loop L.L.C.

Town of Camp Verde
Post Office Box 710
Camp Verde, AZ 86322
(520) 567-6631

**Special Power of Attorney
Authorization for Permit Application**

Parcel Number: 404-02-004B Date: 7-28-04
Owner: Mc Cracken Loop L.L.C.
Address: 1490 RIORDAN RANCH STREET
Phone: () 567-9055

WHEREAS, the above property owner is seeking to develop or improve real property within the municipal limits of the Town of Camp Verde, Yavapai County, Arizona, which will require the filing, processing, and payment of certain zoning, construction and inspection permits and reports, both from the Town and related agencies, and

WHEREAS, the owner elects to designate an agent with authority to file and process all necessary permits and information related to property zoning and improvement, including the authority to pay fees and consent to inspections,

NOW THEREFORE, the undersigned owner hereby designates _____
DUGAN Mc DONALD, as agent to file the permit applications and related documents with the Town of Camp Verde, with such authority to continue to Dec, 2004, or the application process is complete, whichever is later, or as may be earlier revoked in writing.

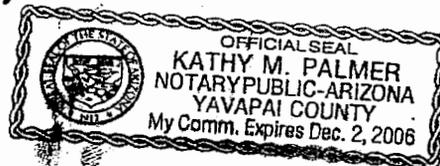
J. T. Peoble
_____, Owner(s)

State of Arizona
County of Yavapai, ss.

The foregoing special power of attorney for construction and zoning permit application was acknowledged before me this 2nd day of August, 2004, by J. T. Peoble, who is/are personally known by me or have produced identification.

Kathy M. Palmer Notary Public

My Commission Expires: 12-02-06



**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT**

PERMISSION TO ENTER PROPERTY

HEARING APPLICATION: _____ PARCEL NO.: 404-02-004B

DATE: 7/28/04 LEGAL DESCRIPTION: _____

NAME: James T. Peoble / Mc Cracker Loop L.L.C.

ADDRESS: _____

I, the undersigned, hereby give permission to the Town of Camp Verde Community Development Department or Public Official, in the discharge of duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the application made under the terms of the Town of Camp Verde Planning and Zoning Ordinance. Such investigation may be made to determine whether or not any portion of such property, building or other structure is being placed, erected maintained, constructed or used in violation of the Town of Camp Verde Planning and Zoning Ordinance. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer, or renewal of the application. Such entry shall be limited between the hours of 7AM and 6PM MST. I understand that this permission to enter property is **OPTIONAL** and **VOLUNTARILY GIVEN** and may be withdrawn or revoked (either in writing or orally) at any time.

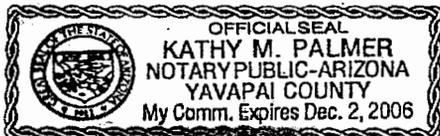
J. T. Peoble _____ 7/28/04
Applicant's Signature Date

Agent for: _____

State of Arizona
Town of Camp Verde

On this 2nd day of August, 2004 before me, the undersigned Notary Public, personally appeared J. T. PEOBLE
Who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal.



Kathy M. Palmer
Notary Public
12-02-06
Date Commission Expires

DIRECTIONS TO PROPERTY

ASSESSOR'S PARCEL NUMBER: 404-02-004B

APPLICANT'S NAME: James T Peoble

PROPERTY ADDRESS: _____

DIRECTIONS TO PROPERTY: Hwy 260 Southeast To
Mc Cracken Lane; Northeast on Mc Cracken
Lane For 1/2 Mile, Subdivision is Located
To The West of Mc Cracken Lane.

APPLICATION OF EXCEPTION

Note: Subdivision Regulations III.L.10. (Any waiver or variance from approved construction standards or these regulations such as zoning, roads, flood control, etc. shall be in the form of an application of exception specifying each requested waiver or variance and associated justification.)

ASSESSOR'S PARCEL NO. 404-02-00413 PRESENT ZONING R1L-35

SUBDIVISION Pebble Rock EXISTING USE OF PROPERTY Vacant

ADDRESS OF PROPERTY Mc Cracken Lane

REQUESTED WAIVER OR VARIANCE:

The side walk requirements
For The Proposed Roadway, within Pebble Rock
Subdivision, "Amber Way" be waived

.....
JUSTIFICATION

The Conc. Sidewalks would deducted significantly
From The Rural atmosphere we are trying to
preserve within This subdivision

.....
I hereby file the above request and declare that all information submitted is true and correct to the best of my knowledge and belief. I further acknowledge that any omission of information or any error in my application may be cause for delay in it's normal scheduling.

[Signature] 7-10-04
Signature of Applicant Date



- SINCE 1974 -

SOUTHWESTERN
ENVIRONMENTAL
CONSULTANTS, INC.

E-mail: info@sec-landmgt.com
www.sec-landmgt.com

12-29-04A09:14 RCVD

December 13, 2004

Ms. Nancy Buckel, Senior Planner
Community Development
473 South Main Street, Suite 108
Camp Verde AZ 86322

RE: Final Design on Pebble Rock Subdivision, APN 404-02-004A & 004B

Dear Ms. Buckel:

This letter is to notify you of the design on said subdivision for water and drainage issues.

To provide water to this subdivision we went with shared wells, two lots to one well.

The Drainage Study showed that the off-site runoff for the 100-year event was 278.51-cfs. We did a simple HEC-RAS model of the Verde River to simulate a flooding event at the site and concluded that the 10-year through the 100-year events flooded the site. This means that the off-site drainage runoffs within these events directly enter the River. The 5-year event runoff for the off-site basin is 95.79-cfs and currently the existing drainage system on-site is able to handle this. So any increase in runoff in the 10-year and above events due to the development is negated since the site is flooded during these events.

I met with two members of the Diamond S Ditch Committee onsite on November 19, 2004, to review the impact of the development on the irrigation ditch. They had concerns of the runoffs from the development entering their ditch and I explained to them the conclusions we came up with from the drainage study. I also wrote a letter to the Ditch Committee President, Dick Tinlin, (a copy included with the Drainage Study) to reiterate the meeting and explain the drainage and access issues.

If you have questions, please call me at 928-634-5889, ext. 1022.

Sincerely,

Brando Pusher
Design Engineer

04-0307CE



Growth is inevitable...it's planning that makes the difference.

825 COVE PARKWAY, SUITE A, COTTONWOOD, ARIZONA 86326 ■ 928-634-5889 FAX: 928-634-2222

**MINUTES
COUNCIL HEARS PLANNING & ZONING
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 27, 2004
6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.
Input is placed after Council motion to facilitate future research.
Public input, where appropriate, is heard prior to the motion.

1. Call to Order

The meeting was called to order at 6:30 p.m.

2. Roll Call

Mayor Dickinson, Vice Mayor Reddell, Councilors Baker and Kovacovich were present; Councilor Gioia arrived at 6:35 p.m.; Parrish was absent due to illness, and Teague was out of town.

Also Present:

Community Development Director Will Wright, Sr. Planner Nancy Buckel, Planner Wendy Escoffier and Recording Secretary Margaret Harper.

3. Pledge of Allegiance

The Pledge was led by Reddell.

4. Consent Agenda – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.

a) Approval of the Minutes:

1) Work Session – October 21, 2004

b) Set Next Meeting, Date and Time:

1) Executive Session – October 26, 2004 at 12:00 p.m.

2) Regular Session – November 3, 2004 at 6:30 p.m.

3) Regular Session/Council Hears P&Z – November 17, 2004 at 6:30 p.m.

4) Council Hears Planning & Zoning – November 24, 2004 – **CANCELLED**

On a motion by Reddell, seconded by Kovacovich, the Consent Agenda was unanimously approved, with the following correction: Minutes of October 21, 2004, Page 2, "Dickinson Lane" corrected to reflect "Dickison Circle."

Mayor Dickinson reviewed the meetings scheduled, and requested a correction to the Minutes of the Work Session on October 21, changing the reference on Page 2 to Dickinson Lane to correctly reflect Dickinson Circle.

5. Call to the Public for Items not on the Agenda.

Robert Johnson spoke regarding the playground at Verde Lakes Clubhouse where the equipment from Burger King will be installed and the Town will be taking over maintenance of the playground, including some fencing and lighting. Mr. Johnson said it was a very good thing that Burger King and the Town are doing.

6. Public Hearing on the 2004 General Plan, and discussion and possible approval of Resolution 2004-614, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona adopting the Camp Verde 2004 General Plan as prepared by the Planning Agency of the Town of Camp Verde, Arizona; and submitting the Camp Verde General Plan to the voters of the Town of Camp Verde.

On a motion by Baker, seconded by Reddell, the Council voted unanimously to table this item to a future meeting.

STAFF PRESENTATION

Community Director Wright briefly comments on the process that the Town has been going through with the General Plan following the failure of the Plan when it was presented to the voters early in 2004. It is now scheduled for the election to be held in March, 2005; the mandatory agencies' reviews have been completed and their comments are included in the agenda packets. Planner Escoffier then described the additional public workshops held, the meetings with different community groups, the written comments received, all of which it is felt was very productive and educational for everyone involved. Escoffier also reviewed the agencies' comments and the Town's responses. With the input from those various sources and acknowledging that some compromises were necessary, changes have been made to the General Plan, all of which Escoffier reviewed in detail including reference to the maps on display. Escoffier also reviewed the changes that the Planning & Zoning Commission had recommended.

PUBLIC HEARING OPEN

There was no public input.

PUBLIC HEARING CLOSED

COUNCIL DISCUSSION

Mayor Dickinson commented that working on the General Plan has been a learning process and that the recent vote had been very close, adding that some serious compromises have now been made, several of which have made it much simpler to understand the intent and content of the Plan. In connection with those compromises, Dickinson pointed out the resulting percentages of public lands, agricultural, and open space making a total of only 41% of all of the land in the Town. He also said that the total of only 2.7% of the land designated for mixed-use commercial and industrial raises some concerns, and that some future council may need to find some additional industrial area, but acknowledged that good government calls for compromises. Other changes and clarifications were reviewed in connection with major and minor land amendments to the General Plan, water use and commercial water consumption, mixed use, the commercial corridor along Highway 260 and future development, and the issue of water resources. Dickinson concluded his remarks expressing his hope that the Council would support the proposed General Plan as a group and carry it forward as a good compromise.

Councilor Gioia brought up and discussed in detail with staff and Council several issues that he expressed concerns about, including water needs and uses, the water resource and environmental elements, agency comments, Forest Service land and future development, conservation easements, the growth area element and policies, and especially the Ruskin land trade issue. Following a brief discussion by the Council regarding those concerns, some of which it was suggested may not be well founded or reasonable in light of current information or projections available, it was agreed that there would not be the majority vote necessary to adopt the General Plan at this time. The Council moved to table the item to a future meeting after expressing disappointment over not yet being able to adopt the General Plan as presented and apparently approved by the community, including no further public comment at the meeting.

7. **Discussion, consideration, and possible approval of Resolution 2004-616, a resolution of the Town Council of the Town of Camp Verde, Arizona approving General Plan Amendment 2004-02 that amends the Land Use Map of the General Plan for parcel 404-28-025B Residential/Agriculture to Commercial. This amendment is to accommodate the rezoning of this parcel to commercial.**

On a motion by Baker, seconded by Reddell, the Council unanimously approved Resolution 2004-616, a resolution of the Town Council of the Town of Camp Verde, Arizona approving General Plan Amendment 2004-02 that amends the Land Use Map of the General Plan for parcel 404-28-025B Residential/Agriculture to Commercial. This amendment is to accommodate the rezoning of this parcel to commercial.

STAFF PRESENTATION

Community Director Wright said the amendment is being requested in order to facilitate a rezoning, to be heard in the next item, to place an office building along the new 260 bypass. ADOT has stated that a permit will be required in order to access the highway; concern has also been expressed regarding what appears to be "commercial creep" in the area. No other opposition has been received, and the Planning & Zoning Commission has recommended approval.

PUBLIC HEARING OPEN

Applicant's Statement

Dugan McDonald spoke briefly, describing the location of the property and confirming the request for rezoning that will allow construction of a professional office building on the property.

COMMENT FROM OTHER PERSONS

There were no comments.

APPLICANT'S REBUTTAL

There was no need for rebuttal.

PUBLIC HEARING CLOSED

COUNCIL DISCUSSION

Mayor Dickinson pointed out that the request comes forward as a part of the Town's existing General Plan, and expressed the opinion that the property is an adequate location for the planned use, and would not appear to be desirable for a residence and perhaps does not fall into the category of commercial creep. The applicant confirmed that he has now received a letter from ADOT allowing permission for the highway access; a 10,000 square-foot building is anticipated, the design of which will be developed once the rezone is approved. The concept is for a handsome two-story building, faced with natural stone. There was further brief discussion regarding the highway access as well as the drainage issue.

8. **Discussion, consideration, and possible approval of Ordinance 2004-A286, 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 404-28-025B consisting of 2.32 acres from R1L-35 to C2-2. This rezoning is to allow for commercial development. The site is located on the north side of SR 260 Bypass, west of Cliffs Parkway, and south of the Verde Cliffs subdivision. This rezoning will allow for commercial development of a professional office space.**

On a motion by Reddell, seconded by Kovacovich, the Council unanimously approved Ordinance 2004-A286, 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 404-28-025B consisting of 2.32 acres from R1L-35 to C2-2. This rezoning is to allow for commercial development.

STAFF PRESENTATION

Director Wright explained that this is the rezoning request in connection with the amendment requested in the prior item. A comment has been received from Yavapai County Environmental Services regarding the need to meet the requirement for an on-site wastewater disposal system, and suggested that Mr. McDonald could indicate what the plans are to satisfy that concern. No letters of opposition have been received; the Planning & Zoning Commission has recommended approval of the rezoning requested.

PUBLIC HEARING OPEN

Applicant's Statement

Dugan McDonald addressed the comment regarding the wastewater disposal, confirming that the plan is to connect into what was the original Cliffs sewer alignment.

COMMENT FROM OTHER PERSONS

There were no comments.

APPLICANT'S REBUTTAL

There was no need for rebuttal.

PUBLIC HEARING CLOSED

COUNCIL DISCUSSION

There was no further discussion.

9. **Discussion, consideration, and possible approval of Ordinance 2004-A287, 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 a portion of parcel 403-14-004B consisting of approximately 2 acres from RCU-2A to M1. This rezoning is to allow for industrial development.**

On a motion by Reddell, seconded by Baker, the Council unanimously approved Ordinance 2004-A287, 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 a portion of parcel 403-14-004B consisting of approximately 2 acres from RCU-2A to M1; this rezoning is to allow for industrial development; with the stipulation that there must be a well on the subject property, or connection to the City water system.

STAFF PRESENTATION

Director Wright said that the subject parcel is owned by Mr. Van McDonald with the anticipation of transferring ownership upon the successful rezoning to allow for construction of a manufacturing/showroom facility proposed by Mr. Harvey Stanley in connection with a product he produces. The project has the potential of providing jobs for the community. Yavapai County Environmental Services has confirmed that septic systems are common in the area; if the applicant wishes to reuse treated wastewater a permit must be obtained from ADEQ. No other comments or letters of opposition have been received. The project fits into the area which is predominantly a manufacturing area. A letter has been received from the Camp Verde Water System; Jim Bullard from the water company is present to address that issue. The Planning & Zoning Commission has recommended approval of the rezoning to M-1.

PUBLIC HEARING OPEN

Applicant's Statement

Harvey Stanley said that the zoning change has been requested in order to allow three basic goals: one is to manufacture the project; two, provide a showplace for Sustainable Arizona, a group dedicated to developing a green building program, renewable energy, water conservation program; and in particular a showplace for the building method represented by the applicant. Mr. Stanley described the composition and environmental benefits of the product that he proposes to manufacture for use in building homes and industrial and commercial buildings, and provided a representative sample for the Council members to inspect. The plan is to construct a storage building for the product, an office building, and an area for pre-assembly of the panels for transportation to building sites. Mr. Stanley said the plan for building and fencing is also to prove that an industrial facility can be an attractive addition to the area.

COMMENT FROM OTHER PERSONS

Jim Bullard, of the Camp Verde Water System, said that he understands that the applicant plans to use water from a well on another property, and that is not allowed by law; they can use a well on their own property, but not on another.

APPLICANT'S REBUTTAL

Mr. Stanley explained that the land that he has an option on will be right next to the water line, and if necessary a meter can be put in at that point. However, he added that Sustainable Arizona is working to conserve water, and part of the demonstration unit would be to harvest water from

the roof of the industrial building and store it in tanks, as well as a wastewater treatment system that will allow re-use of the treated output, adding that water needs are therefore very small.

PUBLIC HEARING CLOSED

COUNCIL DISCUSSION

There was some discussion regarding the issue of Arizona law preventing the use of a well on an adjoining parcel. The applicant agreed that as an alternate to possibly connecting to the city water system, if he were allowed to put a well on the subject parcel he would be glad to do so in order to satisfy any concern regarding access to water. Director Wright pointed out during the discussion that the Planning & Zoning Commission had requested a restriction be added to the deed transferring ownership to eliminate the possibility of a junkyard or adult entertainment, which the applicant had agreed to. The Council expressed appreciation for the proposed business coming in to the Town, briefly discussed the planned method of treating the wastewater, and agreed that approval should be contingent upon resolving the water issue as discussed.

- 10. Discussion, consideration, and possible approval of Resolution 2004-617, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2004-05 for the purpose of developing Pebble Rock Subdivision on parcel 404-02-004B consisting of approximately 13.56 acres and 10 lots. The site is located on the west side of McCracken Lane adjacent to the Verde River.**

On a motion by Reddell, seconded by Baker, the Council unanimously approved Resolution 2004-617, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2004-05 for the purpose of developing Pebble Rock Subdivision on parcel 404-02-004B consisting of approximately 13.56 acres and 10 lots, with the water issues of the Camp Verde Water Company, the issue of a well or wells on the properties, and some drainage issues that have been discussed, as well as the exception of the sidewalk as noted, all to be addressed before the final plat is presented for approval.

STAFF PRESENTATION

Director Wright said that several issues were addressed at a project conference on the proposed development of the 10 lots, primarily how the subdivision will tie into McCracken. A portion of the subject property was actually McCracken, so the applicant has agreed to deed it over to the Town for maintenance when the subdivision goes through the approval process. Camp Verde Water Company has indicated that the water issue is in question; there had been some discussion that the small subdivision would be served by a community well, although the size of each lot would allow a well on each. There is also the issue of fire protection. The Planning & Zoning Commission has recommended approval of the preliminary plat with the provisions set forth in the documents before the Council.

PUBLIC HEARING OPEN

Applicant's Statement

Dugan McDonald together with Luke Sefton, professional engineer, said that his firm had prepared the preliminary plat for Mr. Poebel. Mr. McDonald first addressed the water issue, explaining that the closest water to the subdivision is about one-half mile away, on the opposite side of the highway, and they feel the request of the Water Company is somewhat unreasonable in light of the expense to connect to the subdivision. If necessary, a well could be drilled on each individual parcel, although they would prefer not to have to do that. Although unable to discuss the legal issues, the applicant's understanding is that a community well, as proposed, would be allowed and maintained by the community association, although the water cannot be sold since that would be in conflict with the water company.

COMMENT FROM OTHER PERSONS

Jim Bullard expressed the concern of the water company regarding the issue of fire protection, questioning whether the proposed storage of the water for the use of the subdivision would also be adequate for fire protection.

APPLICANT'S REBUTTAL

Mr. McDonald said that the issue of fire protection had been discussed with the Fire Department, and were told that it was not an issue, having the amount of water storage that was needed.

PUBLIC HEARING CLOSED

COUNCIL DISCUSSION

There was further discussion about the concept of the shared community well being acceptable in other developments, and what the applicant feels is the prohibitive cost of connecting to the existing water system. Since it was felt there is a need for a legal opinion clarifying the use of a community well, and since the request is for preliminary approval, the applicant agreed to a stipulation regarding resolution of the water issue. The Council also addressed the drainage plan for the subdivision, and advised the applicant to consult the ditch companies before the final plat comes forward. The application for a sidewalk exception was also discussed.

11. Call to the Public for Items not on the Agenda.

There was no public input.

12. Advanced Approvals of Town Expenditures

There were no advanced approvals of Town expenditures.

13. Manager/Staff Report

There was no Manager/Staff report.

14. Council Informational Reports

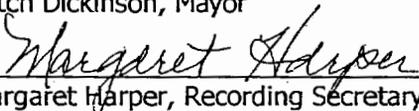
Vice Mayor Reddell said that he needed input from Dickinson and Gioia regarding the resolutions for the League of Cities and Towns.

15. Adjournment

On a motion by Reddell, seconded by Kovacovich, the meeting was adjourned at 8:37 p.m.



Mitch Dickinson, Mayor



Margaret Harper, Recording Secretary

CERTIFICATION:

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the regular meeting of the Town Council of Camp Verde, Arizona, held on the 27th day of October, 2004. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 19 day of November, 2004



Deborah Barber, Town Clerk

STAFF REPORT

Council meeting of: January 26, 2005

Title: Discussion, consideration, and possible approval of Resolution 2005-625, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting fees for Town Services.

Budgeted item: N/A

Description of Item: Council addresses fees for services each year in January. This resolution establishes fees charged by various departments for services provided.

Staff Recommendation: Approve the resolution.

Comments:

Staff suggests the following new and/or increased fees:

Administrative Services

- **Notary Services** – Staff spends a great amount of time providing notary services to the public at no charge. Staff recommends that fees be instated as permitted by statute to offset some of the related expenses.

Currently, fees are set at \$2.00 per signature for acknowledgements and jurats, \$2.00 per page for certifications, and \$2.00 for oaths or affirmations without a signature.

- **Copying Rates** – Minutes are reduced to 25 cents per page, all other public documents are \$1.00 per page.
- **Casual Business License Fee** – \$10.00 per day, waived if vendor rents booth for community event.

Parks & Rec Fees

- **Added Community Center Set-up Fee** to Fee Schedule. Clarified language in the Rules and Regulations.

Community Development

- **Site or Design Review - \$350.00**
- **Minor Land Division –**
 1. Existing Right-of-Way - \$100.00
 2. Private Drives or Easements - \$200.00
 3. Purchase/Installation of Signs - \$75.00
- **Building Permit Fees to be based on ICC**

Attachments: Yes

Prepared by: Bill Lee/db



RESOLUTION 2005-625

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
ADOPTING FEES FOR TOWN SERVICES**

WHEREAS, the Town Council is authorized by sections of the Town Code to set fees for business licenses (Section 9-1-5 and Section 9-3-7), and for use of public facilities (Section 13-1-2), to be adopted by resolution, and

WHEREAS, departments have submitted to Council recommended fees for services to the public as set forth in Exhibit A incorporated herein by reference,

**NOW THEREFORE THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE
RESOLVE TO ADOPT THE FOLLOWING FEE SCHEDULES:**

1. *Departmental Fees.* Fees for services to the public as set forth in Exhibit A are hereby adopted, effective March 1, 2005.
2. *Copying.* Current agenda packets for the Council or a commission are \$.10 per page (first 3 pages free). All other copies of a public record are \$.25 per page, unless the request is for documents or records greater than 60 days old, which will be charged at \$1.00 per page. Library copy fees are \$.10 per page.
3. *Prior Resolutions and Fee Schedules.* Any prior fee schedule established under the Town Code is hereby replaced.
4. *Exceptions for Candidates and Agenda Items.* Council and Mayor candidates may be given agenda packets, budget information, and such other material as may assist them in assuming their position should they be elected, without charge, and any person or organization which has an item on an agenda may be given a copy of that agenda packet without charge.

PASSED AND APPROVED by majority vote of the Common Council at the regular meeting of January 19, 2005:

Mitch Dickinson, Mayor

Date: _____

Attest:

Approved as to form:

Deborah Barber, Town Clerk

Town Attorney

Administrative Services 2005 Fee Schedule

Notary Services:

\$2.00 per signature for acknowledgements
\$2.00 per signature for jurats
\$2.00 for oaths or affirmations without signature
\$2.00 per page for certifications

Duplication Rates:

Agenda: 10 cents per page after three pages
Minutes: 25 cents per page
All other public documents: \$1.00 per page
Recordings: \$2.00 per CD
\$1.00 per tape

Casual Business Permits:

One-day Permit \$10.00 (waived if vendor purchases booth for community events.)

ARTICLE 10. CAMPAIGN CONTRIBUTIONS AND EXPENSES; STANDING POLITICAL COMMITTEES SECTION**R2-12-1001. Filing Fees**

- A. A fee of \$250.00 shall accompany the filing of a Statement of Organization that declares the status of a Standing Political Committee. Regardless of the date of filing of a Statement of Organization, the annual registration of all Standing Political Committees shall expire midnight on December 31.
- B. A fee of \$250.00 shall be submitted to the Secretary of State for the annual renewal of a Standing Political Committee's status. Annual renewal fees are due and payable on or before January 1.
- C. All fees shall be made payable to the Office of the Secretary of State. Fees paid to the Secretary of State for Standing Political Committee status are non-returnable and non-transferable.

Historical Note

New Section adopted by final rulemaking at 6 A.A.R. 3567, effective August 23, 2000 (Supp. 00-3).

ARTICLE 11. NOTARY PUBLIC BONDS AND FEES**R2-12-1101. Definitions**

The following definitions shall apply in this Article unless the context otherwise requires:

"Acknowledgment" means the same as defined in A.R.S. § 41-311(1).

"Bond" means a surety bond to the state, with sureties approved by the clerk of the superior court in the county in which the individual is being commissioned as a notary public.

"Copy certification" means the same as defined in A.R.S. § 41-311(3).

"Credible person" means a person used to identify a signer when the signer does not have other satisfactory evidence of identity as specified in A.R.S. § 41-311(11).

"Jurat" means the same as defined in A.R.S. § 41-311(6).

"Oath" or "affirmation" means the same as defined in A.R.S. § 41-311(10).

"Satisfactory evidence of identity" means the same as defined in A.R.S. § 41-311(11).

Historical Note

New Section adopted by emergency rulemaking at 6 A.A.R. 2956, effective July 18, 2000 (Supp. 00-3). Emergency rulemaking renewed at 7 A.A.R. 672, effective January 13, 2001 (Supp. 01-1). Section made by final rulemaking at 7 A.A.R. 2141, effective May 1, 2001 (Supp. 01-2).

R2-12-1102. Notary Public Fees

Notaries public may charge the following fees:

1. For acknowledgments, \$2 per signature;
2. For jurats, \$2 per signature;
3. For copy certifications, \$2 per page certified;
4. For oaths or affirmations without a signature, \$2.

Historical Note

New Section adopted by emergency rulemaking at 6 A.A.R. 2956, effective July 18, 2000 (Supp. 00-3). Emergency rulemaking renewed at 7 A.A.R. 672, effective January 13, 2001 (Supp. 01-1). Section made by final rulemaking at 7 A.A.R. 2141, effective May 1, 2001 (Supp. 01-2).

R2-12-1103. Notary Public Bonds

- A. Notaries public shall purchase a bond in the amount of \$5,000 before being commissioned as a notary public. The original bond shall be filed with the clerk of the superior court in the applicant's county of residence. A copy of the bond shall be filed with the applicant's application form submitted to the Secretary of State's Office.
- B. The bond shall contain, on its face, the oath of office for the notary public as specified in A.R.S. § 38-233(B). This oath shall be as specified in A.R.S. § 38-231. The notary shall endorse the oath on the face of the bond, immediately below the oath, by signing the notary's name under which the person has applied to be commissioned as a notary and exactly as the name appears on the notary application form filed with the Secretary of State's Office.

Historical Note

New Section adopted by emergency rulemaking at 6 A.A.R. 2956, effective July 18, 2000 (Supp. 00-3). Emergency rulemaking renewed at 7 A.A.R. 672, effective January 13, 2001 (Supp. 01-1). Section made by final rulemaking at 7 A.A.R. 2141, effective May 1, 2001 (Supp. 01-2).

ARTICLE 12. ELECTRONIC NOTARY

Article 12, consisting of Sections R2-12-1201 through R2-12-1209, made by final rulemaking at 9 A.A.R. 2085, effective August 1, 2003 (Supp. 03-2).

R2-12-1201. Application and Renewal

Each applicant for an electronic notary commission or a renewal of an electronic notary commission shall:

1. Submit to the Secretary of State a verified application on a form furnished by the Secretary of State that provides the following information about the applicant:
 - a. Full name and any former names used by the applicant;
 - b. Physical address and telephone number;
 - c. Mailing address and telephone number;
 - d. Business address, telephone number, fax number and email address, if applicable;
 - e. County of residence;
 - f. Gender;
 - g. Date of birth;
 - h. The previous commission number of the applicant if previously an electronic notary or notary public appointed under A.R.S. §

TOWN OF CAMP VERDE

To: Bill Lee



From: Virginia Jones

Date: January 12, 2005

Re: Casual Business License Fee

The fee for a Casual Business License is currently \$1.00 per day for a maximum of three days. This amount has not been increased since 1992. The following is a review of the surrounding communities' regarding Casual Business License or Peddler Fee.

- Clarkdale – does not have any provisions for Peddler or Casual Business License.
- Sedona – does not require any type of Business license.
- Jerome – No peddlers allowed.
- Cottonwood - \$10.00 per day per person.

I spoke with Lynda Moore and Dane Bullard for their opinion on the increase. It is agreed the fee should be increased and suggested \$10.00 per day, however if a person is participating in a Town event, such as Fort Verde Days, Crowdad Festival, etc the fee be waived, or considered a part of the booth fee. Currently we have peddlers who know when are large events are, but do no wish to participate so they stop at Town Hall, get a casual business license for up to three days, pay the \$3.00 and compete against our vendors and local businesses.

**Municipal Court
2005 Fee Schedule**

MUNICIPAL COURT FILING FEES

Effective August 25, 2004

HB 2128, Chapter 3

The filing fee schedules offered through this web page reflect the state fees established by statute.
Please check with the court for additional local fees.

A.R.S. § 22-404		
CLASS	DESCRIPTION	BASE FEE
E	MINIMUM CLERK FEE	\$17.00
	RESEARCH IN LOCATING A DOCUMENT	17.00
	RECORD DUPLICATION	17.00
F	PER PAGE FEE	\$0.50
G	SPECIAL FEES	
	INJUNCTION AGAINST HARASSMENT	N/C
	DOMESTIC VIOLENCE, ORDER OF PROTECTION PURSUANT TO SECTION §13-3602	N/C
A.R.S. § 12-284		
CLASS	DESCRIPTION	BASE FEE
G	SPECIAL FEES	
	MARRIAGE LICENSE (Includes covenant marriages) (1)	\$50.00

(1) Pursuant to A.R.S. § 25-127, if a city or town is more than 4 miles from the county seat, the clerk of the superior court may allow a city or town clerk within the county to issue marriage licenses.

NOTE: Fee to convert an existing marriage to a covenant marriage - courts are advised to charge the superior court's \$18 minimum clerk fee "Demand for notice, filing paper, or performing any act for which a specific fee is not provided by statute."



Bill # Search

Forty-sixth Legislature - Second Regular Session

[ARS TITLE PAGE](#) [NEXT DOCUMENT](#) [PREVIOUS DOCUMENT](#)

22-404. Disposition of fines and forfeitures

A. All fines and forfeitures that are collected in a municipal court maintained by a city or town that pays of the municipal court officers shall be paid to the treasurer of the city or town in which the court is located.

B. Except as otherwise provided by law, fees for the municipal court shall be established and classified as follows:

Class	Description	Fee
E	Minimum clerk fee	\$ 17.00
	Research in locating a document	17.00
	Record duplication	17.00
F	Per page fee	
	Copies of any documents per page	\$ 0.50

C. Excluding the monies that are kept by the court pursuant to subsection D of this section, the municipal court shall monthly transmit all monies that are collected pursuant to subsection B of this section to the city or town. The city or town treasurer shall distribute or deposit all of the monies received pursuant to this subsection as follows:

1. 19.18 per cent to the state treasurer for deposit in the judicial collection enhancement fund established in 1992.

2. 72.51 per cent to the city or town general fund.

D. 8.31 per cent of the monies transmitted pursuant to subsection C of this section shall be kept and used by the court in collecting the fees in the same manner as the seven dollars of the time payment fee prescribed by section 22-404, subsection B.

E. A city or town may establish and assess fees for court programs and services.

**Camp Verde Community Library
Fee Schedule
January 2005**

- Photocopies \$.10 per copy
- Printouts from Public access computers \$.10 per page
- Temporary library card for seasonal residents \$25.00
- Replacement of lost cards \$3.00
- Overdue items (from our library) \$.05 per item per day
- Overdue videotapes (from our library) \$.50 per tape per day
- Overdue items (from other libraries) Varies from library to library
- Items placed on hold and not picked up after 8 days \$1.00 Per item
- Lost book, magazine, or other library item Replacement cost of the item plus \$5.00 processing fee and any overdue fines.

**Community Development
2005 Fee Schedule**



TOWN OF CAMP VERDE

Arizona's Territorial Town

P.O. Box 710 ♦ 473 S. Main Street ♦ Camp Verde, Arizona 86322 ♦ (928) 567-6631 FAX 567-9061

Marshal 567-6621 ♦ Parks & Recreation 567-0534 ♦ Community Development 567-8513 ♦ www.cvaz.org

DATE: January 10, 2005

TO: Members of the P&Z Commission and Camp Verde Town Council

THROUGH: Bill Lee, Town Manager

FROM: Will Wright, ^{WWR}Community Development Director

SUBJECT: Annual Review of Fees for the Community Development Department

Staff is not proposing any increases to the planning and zoning fees for 2005. All adjustments are meant to clarify what the town is doing or what staff has been asked to do by the Commission and/or the Council in our duties regarding assigned tasks. For example, the current General Plan indicates that a site plan review will occur in areas with the mixed use designation and several amendments to the General Plan have been approved this year with the stipulation that staff would perform site or design review when a project is brought for town consideration. Since our Design Review regulations have not been put into place, staff thought it wise to assign a fee before someone actually comes in to request this task and the fee proposed is \$350.

The Commission and Council have been working with staff on a minor land division permitting process that is also being considered at this time. Staff would propose a fee of \$100 for any parcels divided or split on an existing street right-of-way (ROW), while any splits occurring on private drives or easements will entail more work and, therefore, the fee of \$200 for that permit is recommended. In addition, we are requiring with certain criteria that these newly created private drives or easements be named and would propose a fee of \$75 for the town to make up, install and maintain a sign for these access ways. Exhibit 1 shows the fee schedule proposed for Commission and Council consideration including those noted in this memo for consideration for the 2005.

Another area to consider for fees is what the town charges for building permits. These new ICC regulations did not provide a formula for figuring these building fees and therefore, the town uses the Building Safety Journal for calculating fees. These fees are compiled on information from throughout the nation and provide each state with an adjustment factor. Additionally, these fees are updated annually to include minor increases for building industry costs. At this time the Building area will continue to simply apply this annual factor to adjust the building fee schedule as a standard operating procedure, unless Council has any concern or issues with this approach and brings those to staff so we can adequately address them.

Further, it has been my experience that the longer an entity keeps its fees the same, the more difficult it is to bring those fees up to the costs actually being incurred for the work involved with those services, since the change would be so dramatic to bring them into line with actual costs. It is, in my opinion, a better approach to make fee changes on an incremental basis. These monies naturally offset the costs of doing business, including meeting staff training requirements as well as keeping staff apprised of any new code changes.



EXHIBIT 1
TOWN OF CAMP VERDE
2005 PLANNING AND ZONING FEES

SERVICE/APPLICATION	FEE*
BOA Appeals	\$100
Variance Fees:	\$200
Additional Variance/Same Application	\$50
Non-conforming Use Hearing	\$200
Copies for Maps (plotted or color)	
Large	\$25
11" x 17"	\$10
8" x 11"	\$5
General Plan Amendment	
Minor	\$ 500
Major	\$1,000
Map Change for Zoning (ZMC):	
To Agriculture zone	\$350
Residential to Residential	\$350/50 acres + \$50 /acre additional
Residential to Commercial or Commercial to Industrial	\$500/ 5 acres + \$75/acre additional
PAD and PUD	\$350/1 acre + \$50/acre up to 10 acres + \$2/acre over 10 acres
Major Amendment	\$350/1 acre + \$50/acre up to 10 acres + \$2/acre over 10 acres
To Mixed Use/Low Density	-0-
Minor Land Division	
Parcels Fronting ROW (right-of-way)	\$100
Parcels not Fronting on ROW	\$250
Subdivision Plats:	
Preliminary Plat	\$500 for 10 lots + \$10/lot over 10 lots
Final Plat	\$350 for 10 lots + plus \$10/lot over 10 lots, \$3,500 maximum fee
Amended Plat	\$350 for 10 lots + plus \$10/lot over 10 lots, \$3,500 maximum fee
Final Site Plan PAD Review	\$500
Time Extensions	\$100
Commercial Site/Design Review	\$350
Golf Course w/out Subdivision	-0-
Community Facilities District	\$50,000
Development Agreement:	
Revision to amend	Hourly wage of employees and cost of materials for project.
Reconsideration	Hourly wage of employees and cost of materials for project.

Use Permits:	
Open Space Uses	\$200
Residential Uses	\$200
Commercial (RCD, RS, C1 & C2)	\$500
Heavy Commercial/Industrial Uses	\$500
Heavy Industrial	\$500
Mobile Home Parks	\$500/10 spaces +\$15/space up to 100 spaces + \$10 for each additional space
RV Parks	\$500/10 spaces +\$15/space up to 150 spaces + \$5 for each additional space
Mini Storage	\$500/20,000 sq. ft of enclosed storage + \$10/1,000 sq. ft. addition
RV Storage	\$500/50 storage or parking spaces + \$5 for each additional space
Mining	\$500/ 5 acres + \$50/acre up to 50 acres + \$10 for each additional acre
Continuance of Hearing	
Before advertising	\$50
After advertising	\$100
Sign	
Non-illuminated	\$1/sq. foot – minimum \$10 fee
Illuminated	\$1/sq. foot – minimum \$10 fee
Mural	\$25
Off Premise Sign	\$300
Street Abandonment	\$100
Street Sign (private drive/easement)	\$75
Underground Utilities Exemption	\$25
Wireless Communication	\$200
Administrative Review	
Administrative Review w/comment	\$500
Applications Requiring Special UP	
Towers Less than 99'	\$1,000
Towers 100' to 199'	\$1,500
Towers 200' and above	\$2,000
Zoning clearance for building permits	
Accessory buildings-residential remodel	\$25
Commercial remodel	\$100
Commercial	\$0.10 per square foot
Fence	\$0.05 per linear ft./minimum \$10
Houses	\$75
Manufactured Home	\$50

- In addition to the standard fee associated with an application, the applicant will bear any charges encumbered by the Town for any plans sent out for technical or professional review, which the Town is subsequently charged.
- Further, any service or application provided in the Town of Camp Verde Zoning Ordinances that requires public notification and is not mentioned within this fee structure will be charged a flat \$200 fee.

Parks and Recreation 2005 Fee Schedule & Policies

**Charges for use of Town of Camp Verde
Parks and Recreation Facilities and Special Event Permits
Rules, Regulations and Rental Charges**

I. APPLICATION - PRIORITIES

- (a) The primary use of municipal public recreation building and facilities is for activities of a constructive recreational nature, organized and conducted by the Parks and Recreation Division.
- (b) Town activities, Town sponsored groups and Town agencies will have priority use of the facilities over other applications for the facility space. When conflict occurs, facility use permits held by non-sponsored groups may be cancelled as authorized by the Director of Parks and Recreation.
- (c) The application for use of Parks and Recreation facilities or special event vendor permits will be made at least one week before the anticipated use. If a deposit is required, the facility will not be considered reserved until deposit is made.
- (d) Any request for exception to rules or service charges for use of buildings or facilities must be presented in writing to the Parks and Recreation Division no later than one (1) month prior to the date requested. Request will be presented to Camp Verde Town Council for review and determination of request.
- (e) The use of the building or facility shall not be granted when, as determined by the Director of Parks and Recreation, such use of the building or facility is not in the best interest of the Town. Anyone refused use of building may appeal the decision of the Parks and Recreation Director. Appeal must be presented before Town Council. Council Meetings are the First and Third Wednesday of each month. Item must be on the agenda to be discussed. Forms for putting items on the Agenda can be picked up at Town Hall.
- (f) Application shall be issued to responsible adults (over 21 years of any) only, who shall be in attendance when application is made.

II. APPROVAL / REVOCATION - RULES OF CONDUCT FOR ACTIVITIES

At the discretion of the Director of Parks and Recreation, all activities may be required to be under competent, adult supervision, with the organization using the facility assuming full responsibility for any damage to the facility or the equipment. If a Parks and Recreation Division employee is on duty, he/she shall exercise authority over the organization or its activities. If the adult supervision is inadequate, it shall be the responsibility of the recreation leader on duty to report same to the Parks and Recreation Director. Cleanup of the contracted area will be the responsibility of the user. The permit holder shall be charged on an hourly basis to pay for cleanup if it is necessary for the Town to provide additional cleanup services.

- (a) All permits shall be immediately revocable by the Director of Parks and Recreation upon his determination that a violation of any rules, this code, or other Town Ordinance or State Statute has occurred. If notice of cancellation of a request is not received at the office of Parks and Recreation at least forty-eight (48) hours prior to the date of the event, the permit holder may be held responsible for all charges at the discretion of the Director. Also, any person or persons guilty of violating any of the following provisions may be prohibited, at

- the discretion of the Director of Parks and Recreation, from future use of facilities.
- (b) No apparatus (scenery, etc.) furniture or equipment shall be moved into a Parks and Recreation Facility unless special permission is granted in advance and so stated in the permit. Such apparatus, furniture, or equipment (provided by the holder of the permit) shall be removed from the Parks and Recreation Facility promptly after use and before 8:30 a.m. the following morning so there shall not be any interference with normal Parks and Recreation programs. Failure to comply may prohibit such groups from using facilities at a later date.
 - (c) The organization using facilities shall indemnify the Town for any and all damage to the facility by any person or persons attending the activity, and all liability and damages to any person for injuries, including death. When the Director of Parks and Recreation requires insurance, the Organization shall furnish to the Town of Camp Verde a certificate of insurance naming the occurrence and \$100,000.00 property damage/each occurrence. Responsibility for loss, breakage, or need for repair of any piece of furniture, equipment or portion of the facility rest sole with the person in charge (the individual signing the agreement) who shall report same to the Director of Parks and Recreation.
 - (d) Building facilities and public park areas must be vacated by 10 p.m. unless permission is granted specifically in the permit. It is the responsibility of the permit holder to assure that this policy is administered. Programs shall be concluded on time to provide for cleanup and clearance of the facility as stated in the permit.
 - (e) The following specific rules shall be observed while using any facility, and the permit holder shall be held responsible for any loss or damage growing out of such violation.
 - (1) The use of tobacco in any facility in any form is prohibited.
 - (2) Functions shall be confined to the specific part of the facility assigned to the permit holder.
 - (f) Glass beverage containers are not permitted in any of the public parks or facilities.
 - (g) Alcohol consumption is by permit only, and may not be sold unless issued a State Special Liquor Permit.
 - (h) Amplified music without authorization is prohibited. The Camp Verde Noise Ordinance is strictly enforced.
 - (i) Overnight camping without authorization is prohibited.
 - (j) Ramada reservation is by permit only and is required for all Town Ramada's. The fee for Ramada reservation will be set forth in the attached fee schedule. All same day reservations need to be completed before 12 noon on the day of the event; all weekend reservations need to be completed before Friday noon before the event. Key for the bathrooms can be picked up with a \$20.00 Deposit.
 - (k) The total number of people admitted for any usage shall not exceed the seating capacity of the facility involved, as determined by the Town of Camp Verde Fire Department.
 - (l) All statutes and ordinances of the Federal, State, County and Town shall be obeyed.
 - (m) At the discretion of the Director of Parks and Recreation, a minimum of one Parks and Recreation Division employee shall be on duty at all times, and no organization using a Parks and Recreation facility shall make any payment to such employee unless contracted through the Town of Camp Verde. The Director of Parks and Recreation may require any person, group or organization to reimburse

the Town for any expense incurred as direct result from an activity sponsored by said person, group or organization within a recreational facility. The Director of Parks and Recreation may specify the number of required Parks and Recreation employees.

- (n) The use of Town owned special equipment shall be permitted only when operated by Parks and Recreation division employees, or other persons specifically authorized in the permit. When used by other than Parks and Recreation employees, and so stated in the permit, the special equipment must be returned in the condition it was found (with exception of normal wear) or the user shall be responsible for repair or replacement charges.
- (o) No material of any kind shall be attached to any part of the facility or area without express written approval from the Director of Parks and Recreation.
- (p) If control personnel, parking attendant etc. are necessary, the permit holder shall supply such personnel. The Director of Parks and Recreation, Town Marshal or others, as determined by the Town Manager, shall specify when control personnel are necessary.
- (q) Concession rights shall be reserved unless specifically stated otherwise in the permit.
- (r) No Parks and Recreations Division Kitchen Facility shall be used except as specifically outlined by the Parks and Recreation Division. The usual rental charge shall be consistent with actual cost incurred by the Town. Facilities must be cleaned after use and approval inspection given.
- (s) Continuous use of facilities by clubs or enterprises shall be permitted through signed agreements, which may be re-issued annually, by the Town Council. No permit shall exceed a one-year period of time. Permits may be re-issued each year with the approval of the Director of Parks and Recreation.
- (t) When an application for use of facilities has been approved by the Director of Parks and Recreation, the notification section shall contain the date, hours of usage, age of group, type of activity and anticipated number of participants.
- (u) No person shall make a false statement on any application as provided for in this Chapter.
- (v) Control of lights, keys, locks and locking of doors, gates etc. will be the responsibility of the permit holder, unless a Parks and Recreation Employee or Employees attend the facility.
- (w) Use of facility shall not include business or commercial activities, except by special agreement with the Department.
- (x) All admission fees and prices charged are subject to the approval of the Parks and Recreation Commission and Town Council.

III. CLASSIFICATIONS

Class A - Town co-sponsored organized groups or agencies. These organizations may be exempt from rental fees with the agreement of community service of some kind. (Discretion of Parks and Recreation Director)

Class B - Nonprofit, individuals, groups or organization using facilities whose purpose is clearly of a non-profit nature and benefits the Town in part or whole. These organizations may be exempt from rental fees with the agreement of community service of some kind. (Discretion of Parks and Recreation Director)

Class C - Profit making individuals, groups or organization using facilities for raising money or whose purpose is clearly of a profit making status.

V. SWIMMING POOL ADMISSION

	<u>Per Visit</u>	<u>Season</u>	<u>10 Visits</u>
Adults (18 & Over)	\$2.00	\$60.00	\$15.00
Children	\$1.50	\$50.00	\$12.50
Family Pass (immediate family only)		\$100.00	\$25.00

(Season passes can be paid in two payments: 1/2 on June 1st and 1/2 on July 1st)

Season passes for open swim and Family Nights only. Lap swimmers and Aerobics may purchase 10 visit passes or pay by the visit.

Swim Lessons \$21.00 - 30 minutes

Private use: Sundays only. \$25.00 per hour plus staff wages. \$100.00 refundable cleaning deposit.

\$50.00 deposit on event due upon reservation - non-refundable. Applied towards rental fee only.

Weight Room Fees - Individual membership

Daily	\$ 3.00	Monday through Sunday
Monthly	\$ 15.00	8:00 a.m. to 8:00 p.m.
3 Months	\$ 30.00	
Annual	\$100.00	

Specialty classes: Town Sponsored:

20% of fees generated to Town and 80% to Instructor (adult programs)

15% of fees generated to Town and 85% to Instructor (youth programs)

RESERVATION PERMIT FEE AND DEPOSIT SCHEDULE

	Class A	Class B	Class C
Ball Fields	No charge or by agreement	No charge or by agreement	\$10 hr. rental
Field Preparation	\$15 per day	\$15 per day	\$25 per day
Soccer Fields	No charge or by agreement	No charge or by agreement	\$10 hr. rental
Field Preparation	\$25 each time	\$25 each time	\$50 each time
Lights (per hour)	No charge or by agreement	\$10 per hour	\$20 per hour

Cancellations of light reservations must be made 24 hours prior to reservation date or the hourly fee will be charged.

Key Deposit	\$20.00	\$20.00	\$20.00
Community Center	No Charge or by agreement	\$25 per hour	\$40 per hour
Cleaning Deposit Community Center	\$400.00	\$400.00	\$400.00
Set up Fee in Community Center	\$50.00	\$75.00	\$100.00
Meeting Room Rental	No Charge	\$10 per class	\$20 per class
Set up of Table and Chairs in Meeting Rooms	\$15 per event	\$25 per event	\$40 per event
Park or Town Parade Reservation	\$5.00	\$5.00	\$20.00
Table Rentals with 8 chairs	By agreement	\$5.00 per table	N/A
Chair Rentals	By agreement	\$.50 each	N/A
Dunk Tank and Castle Jump		\$100.00 Per Day	
Sno-Cone Machine	By Agreement	\$25.00 per day	N/A
Popcorn Machine	By Agreement	\$25.00 per day	N/A

Staff Report

Council Meeting of:

January 26, 2005

Title:

Ordinance 2005 A 291: Zoning Map Change 2005-02 request filed by Jim Binick, agent for 260 Venture LLP, owners of parcel 403-23-006E requesting a zoning map change from RCU-2A to C3 for a commercial and retail development that will compliment other development currently in the immediate area.

Description:

The parcel is located at the Cherry Road and 260 intersection and consists of 23.29 acres. The 1998 General Plan shows this parcel to be Mixed Use/Low Density. The newly adopted General Plan shows this parcel to be Commercial and it is also within the Growth Area that was approved on December 1, 2004. Therefore, this zoning map change request does not require a general plan amendment.

The current land use surrounding this property is as follows:

East: Forest Service Land

West: County Complex, Verde Valley Business Park and Out of Africa.

North: Highway 260/Industrial activity

South: Forest Service Land, and Commercial/Industrial activity along Cherry Road.

Staff

Recommendation: Staff has no objection to this zoning map change as it follows the general plan designation and corresponds with the current proposed growth area. Additionally, commercial activity is expected along the Hwy 260 corridor. We would request that the applicant be held to submitting site plan for Design review at the time of development.

Agency

Responses:

Ten agencies have been notified of this proposed rezoning and the following have responded at this time.

Yavapai County Flood Control: The project is not impacted by any delineated floodplains, nor is it impacted by watercourses with tributary drainage areas of 80 acres or larger. Thus, the Flood Control District has no objection to this proposed ZMC.

Yavapai County Environmental Services: All state and local codes and ordinances regarding septic system soil testing and system design and installation requirements must be followed. Septic systems are common in this area.

Community Development Director: This request is not accompanied by a specific project, though Mr. Binick indicated in his letter of intent, it is much easier to market parcels already zoned for commercial use. This corridor along SR 260 was designated for growth and coincides with the General Plan.

300' Letters: Five letters were sent out notifying the surrounding property owners and as of the writing of this report, no responses have been received.

Commission Recommendation: At their meeting of January 6, 2005, the Planning and Zoning Commission voted unanimously to recommend approval of this rezoning to C3 with the stipulation that all development be submitted for design review.

Attachments: Yes

Submitted by: Nancy Buckel, Senior Planner



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.
-

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: _____

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.**

12-03-04P03:52 RCVD

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 710 / 473 S. MAIN STREET, SUITE 108
CAMP VERDE, ARIZONA 86322
OFFICE (928) 567-8513 FAX (928) 567-7401
CHANGE OF ZONING MAP OR DENSITY APPLICATION

APPLICATION DATE 12-3-04 TAKEN BY [Signature]
ASSESOR'S PARCEL NO. 403-23-006E FEES \$ 1925.-
PRESENT ZONING RCU-2A HEARING DATE 1-6-05 & 1-26-05

ADDRESS OF PROPERTY SOUTHWEST CORNER OF CHERRY ROAD
AND SR 260 INTERSECTION

REQUEST:
ZONING MAP CHANGE FOR APPROXIMATELY 23.29 ACRES OF LAND TO
C-3 ZONING.

OWNER 260 Venture, L.L.P. Phone (928) 254-9588 Fax _____
ADDRESS 7735 Shadow Mountain Road CITY PARADISE VALLEY STATE AZ ZIP 85253
CONTACT PERSON ROBERT CRISTALL

If the applicant is not the property owner, the owner shall complete and sign the following statement.
I hereby authorize SHEPHARD-WESNITZER, INC. to act as my agent in the application.

Name of Agent

[Signature]
Signature of Owner

12/3/04
Date

AGENT SHEPHARD-WESNITZER, INC. PHONE (928) 639-2712 FAX (928) 639-2713

ADDRESS 703 S. MAIN STREET, SUITE 15 CITY COTTONWOOD STATE AZ ZIP 86326

CONTACT PERSON JAMES BINICK

I hereby file the above request and declare that all information submitted is true and correct to the best of my knowledge and belief. I further acknowledge that any omission of information or any error in my application may be cause for delay in it's normal scheduling.

[Signature]
Signature of Owner

12/3/04
Date

SHEPHARD-WESNITZER, INC.

CIVIL ENGINEERING AND SURVEYING, NATURALLY

Town of Camp Verde
Community Development Department
P.O. Box 710
Camp Verde, AZ 86322

December 03, 2004
Ref. No. 04772

Re: Zoning Map Change 23.29 Acres, SR 260 and Cherry Road
Letter of Intent

Dear Sirs:

On Behalf of 260 Venture, L.L.C., Shephard-Wesnitzer, Inc. is providing a narrative description of the proposed Zoning Map Change for a property located at the southwest corner of State Route 260 and Cherry Road.

Property Description:

The property is Yavapai County Assessor's Parcel No. 403-23-006E. The site encompasses approximately 23.29 acres. The site is triangular in configuration and is fronted on two sides by Cherry Road and State Route 260. The third side of the property fronts the Prescott National Forest.

Existing and New General Plan:

The Town of Camp Verde General Plan adopted September 23, 1998 assigns the property a designation of Mixed Use/Low Density. The General Plan is currently being updated and on December 1, 2004, the Town Council adopted a revised General Plan which changes the land use designation to Commercial. The new General Plan is scheduled to be presented for voter approval in March 2005.

Existing Land Uses:

Existing land uses to the west and north are heavy and light industrial, commercial and public facilities. Some of these uses include Rinker Materials, the Yavapai County Courthouse and Jail, truck maintenance shop and cement plant operations. Recent new improvements have also been occurring for a commercial subdivision and new wildlife park adjacent the County facilities. Lands to the east and south are undeveloped. No existing residential development will be impacted by the proposed use.

Proposed Land Uses:

The proposed land use of the property will be within the use parameters assigned C-3 zoning district as defined in the Town of Camp Verde Zoning Ordinance. The proposed uses are compatible with the other commercial, industrial and public facility land uses which are occurring on adjacent and nearby properties. The continuation of a residential use classification on the site is less desirable due to its immediate location adjacent to State Route 260; the establishments of the future highway interchange at the intersection of Cherry Road and SR 260 and the current land uses which have been developed in the vicinity. A separate site plan submittal will be required with the end users.

Existing Zoning:

Existing zoning of the property is RCU-2A. This zoning classification is a general zoning assignment which has been commonly used for properties which have been incorporated or annexed into the town of Camp Verde. The current zoning classification does not reflect the existing mixed use capabilities of the property or the new General Plan Classification of commercial uses for the property.

Proposed Zoning:

Proposed zoning is for C-3. The proposed zoning enables a wide range of commercial activities to be conducted on the property, however, will not enable the industrial type uses which are occurring on other nearby properties.

Access:

Access to the site is from Cherry Road, a designated major arterial route connection to SR 260. Proposed improvement by the Arizona Department of Transportation will enable significant capacity for traffic generated from the property. Currently ADOT planning and on going roadway design work indicates that this road intersection will be one of very few access points allowed to connect to the new four lane highway.

Utilities:

Utilities available to the site include electric (APS), water (Camp Verde Water System), and telephone (Qwest). The larger acreage of the site is expected to enable the placement of a septic system.

Prior Off-site Zoning Map Revisions:

The proposed zoning map change is similar in nature and location to a recently approved July 28, 2004 zoning map revision conducted by Groseta Ranches LLC (ZMC 04-05). The Groseta request involved properties designated for potential commercial uses and fronted State Route 260.

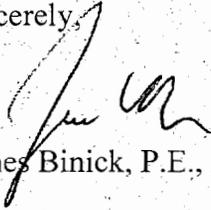
Town of Camp Verde
December 03, 2004
Page 3

Summary

The zoning map revision is being requested at this time due to the increased interest in the Verde Valley communities by national, regional and expanding local commercial users. The site selection process followed by these commercial groups, include consideration of existing zoning, infrastructure and adjacent land uses dynamics. The property already has the necessary infrastructure and land use dynamics in place. The updating of the current zoning to commercial provides a highly desirable site for a commercial user. The property will have a distinct advantage for attracting new sales tax generating entities over other properties in other municipalities which may require a zoning map update and infrastructure development.

If you have any questions, please contact our Cottonwood office.

Sincerely,



James Binick, P.E., R.L.S.

Town of Camp Verde
Post Office Box 710
Camp Verde, AZ 86322
(928) 567-6631

**Special Power of Attorney
Authorization for Permit Application**

Parcel Number: 403-23-006E Date: 12/03/04
Owner: 260 VENTURE, L.L.P.
Address: 7735 SHADOW MOUNTAIN ROAD, PARADISE VALLEY, AZ 85253
Phone: (928) 254-9588

WHEREAS, the above property owner is seeking to develop or improve real property within the municipal limits of the Town of Camp Verde, Yavapai County, Arizona, which will require the filing, processing, and payment of certain zoning, construction and inspection permits and reports, both from the Town and related agencies, and

WHEREAS, the owner elects to designate an agent with authority to file and process all necessary permits and information related to property zoning and improvement, including the authority to pay fees and consent to inspections,

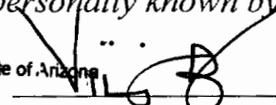
NOW THEREFORE, the undersigned owner hereby designates SHEPHARD-WESNITZER, INC., as agent to file the permit applications and related documents with the Town on Camp Verde, with such authority to continue to APRIL, 2005, or the application process is complete, whichever is later, or as may be earlier revoked in writing.


_____, Owner (s)

State of Arizona
County of Yavapai, ss.

The foregoing special power of attorney for construction and zoning permit application was acknowledged before me this 3rd day of December, 2004, by Robert Cristall, who is/are personally known by me or have produced identification.




_____, Notary Public
Notary Public State of Arizona
Yavapai County
Virginia Denny
Expires February 04, 2008

My Commission Expires:

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT

PERMISSION TO ENTER PROPERTY

Hearing Application: ZMC 05-02

Parcel No. 403-23-006E

Date: 12/03/04

Legal Description: APN: 403-23-006E

Name: 260 VENTURE, L.L.P.

Address: 7735 SHADOW MOUNTAIN ROAD, PARADISE VALLEY, AZ 85253

I, the undersigned, hereby give permission to the Town of Camp Verde Community Development Dept. Or Public Official, in the discharge of duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the application made under the terms of the Town of Camp Verde Planning and Zoning Ordinance. Such investigation may be made to determine whether or not any portion of such property, building or other structure is being placed, erected, maintained, constructed or used in violation of the Town of Camp Verde Planning and Zoning Ordinance. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer, or renewal of the application. Such entry shall be limited between the hours of 7 AM and 6 PM MST. I understand that this permission to enter property is OPTIONAL and VOLUNTARILY GIVEN and may be withdrawn or revoked (either in writing or orally) at any time.



Owner's Signature

12/3/04
Date

Agent for: _____

State of Arizona
Town of Camp Verde

On this 3rd day of December, 2004, before me, the undersigned

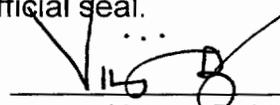
Notary Public, personally appeared Robert Cristall

_____ who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal.



Notary Public State of Arizona
Yavapai County
Virginia Denny
Expires February 04, 2008


Notary Public

2/04/08
Date Commission Expires

DIRECTIONS TO PROPERTY

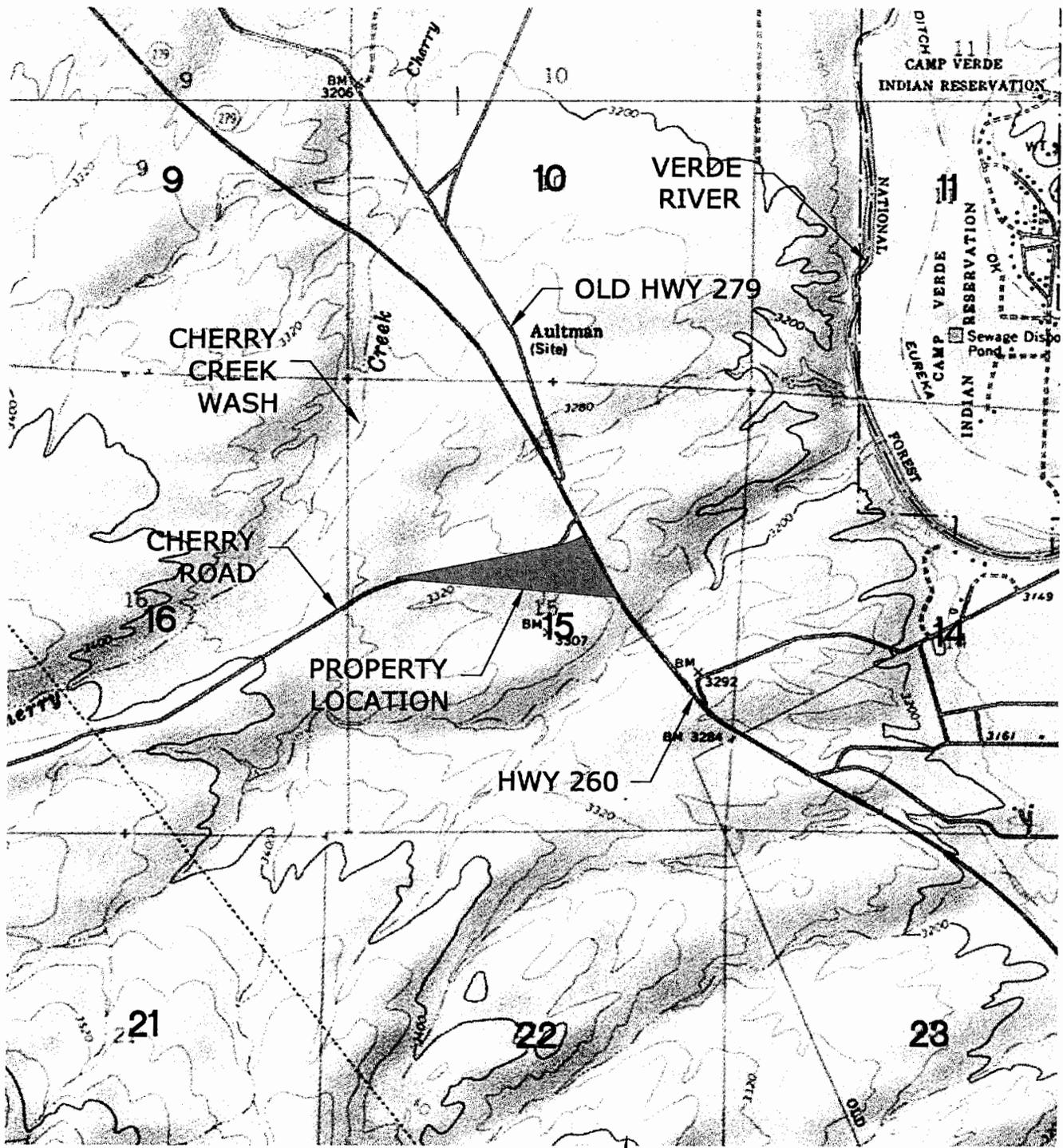
ASSESSOR'S PARCEL NUMBER 403-23-006E

APPLICANT'S NAME 260 VENTURE, L.L.P.

PROPERTY ADDRESS SW CORNER OF CHERRY ROAD AND SR 260

DIRECTIONS TO PROPERTY FROM CAMP VERDE, TAKE SR 260 WEST
TO INTERSECTION OF CHERRY ROAD. TURN LEFT AND PROCEED PAST
REVERSE CURVES ON ROAD. PROPERTY IS ON THE LEFT SIDE.

VICINITY MAP



1" = 2000'



P:\2004\260 VENTURE\8X11-USGS.dwg, 12/2/2004 4:23:44 PM, B. ALDRICH

SHEPARD - WESNITZER, INC.
 CIVIL ENGINEERING AND SURVEYING
 703 S. MAIN ST., COTTONWOOD, AZ 86326
 (928) 639-2712

JOB NO:	04772
DATE:	DEC 2004
SCALE:	1"=2000'
DRAWN:	BAA
DESIGN:	JB
CHECKED:	JB

260 VENTURE
 CAMP VERDE
 ARIZONA
U.S.G.S.
7.5' MAP
S15, R4E, T14N

SHEET	1
OF	1



TOWN OF CAMP VERDE

Arizona's Territorial Town

P.O. Box 710 ♦ 473 S. Main Street ♦ Camp Verde, Arizona 86322 ♦ (928) 567-6631 FAX 567-9061

Marshal 567-6621 ♦ Parks & Recreation 567-0534 ♦ Community Development 567-8513 ♦ www.cvaz.org
January 11, 2005

TO: Members of the Camp Verde Town Council

THROUGH: Bill Lee, Town Manager

FROM: Will Wright, Community Development Director

SUBJECT: Amendments to Section 108 Land Division and Streets Standards and Section 103 Definitions

This memo is to briefly review the recommended revisions to Section 108 K – Land Division and L – Street and Easement Standards, including the recent suggestions of the Town Attorney, which were presented to the P&Z Commission on the 7th and 14th of January. Section 108 K – Land Division provides for a minor land division permit process to assist town staff in being proactive as people consider dividing their land into 2 or 3 lots or parcels to ensure width/depth and area requirements are met as well as to ensure access to the proposed parcels.

The Town Attorney indicated, however, that the State statutes only authorize the town to review lot splits of 2.5 acres or less. Therefore, any lot larger than 2.5 acres will not be subject to the provisions under the new minor land division process recommended by town staff. This will mean that town staff will continue to be somewhat reactive as we review development plans for lots or parcels larger than 2.5 acres after they have already been created and recorded at the county. It should be noted that the 2.5 acres size limit was a part of the original ordinance, since the State had provided that this size of parcel was eligible for regulatory review by cities/towns.

Proposed changes to Section 108 L – Street and Easement Standards have the effect of legalizing development along private drives or easements under certain conditions. As you may recall, staff felt that the previous ordinance language actually required lots less than 2.5 acres to front onto a town street. However, development of 2 or 3 lots may now occur on private drives or easements with standards being prescribed in this ordinance for those access ways based on a sliding scale which is correlated to the number of potential structures that could be located on the private drive or easement.

The work group established a sliding scale of standards for private drives or easements based on the number of potential dwelling units. For example, a private drive with the potential for less than five (5) lots or parcels would only have to establish an easement 24 feet wide with two 10 foot travel lanes and 4 inches of aggregate base course (abc) for a surface improvement. The construction standards for private easements naturally increase with a greater number of lots or parcels, which means more traffic and other potential safety issues.

There was considerable discussion regarding what the town would do with parcels along existing private drives or easements. The Town Attorney felt that the original language granting a parcel on an existing private easement a right by stating “shall be afforded a grandfathered right that will permit ongoing development” was both superfluous and a potential Pandora’s box because it would lead to legal challenges. He recommended that the town perhaps adopt a process that would grant an exception or variance when the existing easements are substandard and could lead to potential liability for the town by allowing ongoing development to occur. The Board of Adjustment is currently the body that handles all variances for the Town of Camp Verde.

The members of the P&Z Commission felt, however, that pushing this important decision to the Board of Adjustment was not the best approach in this instance. Subsection 4 provides criteria to protect the development rights along these existing easements, while meeting many of the town’s needs by requiring a recorded easement to ensure access, a road maintenance agreement is stipulated, the naming of the private drive or easement, and finally the Fire District provides a letter indicating they can meet the public safety service needs on the existing easement. This approach generally protects both the town and those with property along existing easements.





ORDINANCE 2005A292

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA AMENDING SECTION 108 OF THE ZONING ORDINANCE AMENDING SUBSECTIONS K - LAND DIVISION BY REQUIRING A MINOR LAND DIVISION PERMIT AND SUBSECTION L – STREETS AND ALLEYS PROVIDING FOR DEVELOPMENT ON PRIVATE EASEMENTS AND CONSTRUCTION STANDARDS FOR PRIVATE EASEMENTS.

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,

WHEREAS, the Town Council has an abiding interest in protecting the public health, safety, and welfare by establishing requirements for provisions of the Planning and Zoning Ordinance.

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

SECTION 108.K – LAND DIVISION

- I. K. **LAND DIVISION** ~~into lots results in creation of new roadways, additional homes the establishment of population densities and the need for Town necessity to provide services. Thus It is important to for the public welfare that such land division has and the results of it need proper guidance and control. In no way is it intended by this subsection to prohibit the division of land as authorized by Arizona State Law and the Town's subdivision regulations that pertain to the creation of four or more lots or parcels of tracts of land. Any lot or parcel established within the Town limits containing 2.5 acres or less will be subject to review by the Community Development Director Department and will require a minor land division permit, if the parcels do not fall under the subdivision regulations.~~

Table 1
Town of Camp Verde
Private Drive or Easement Construction Standards

Index of Potential Development	Level 1 5 or less Dwelling Units	Level 2 6 to 10 Dwelling Units	Level 3 More than 10 Dwelling Units	Level 4 Commercial/Minor Manufacturing Uses
Width of Drive or Easement	24 feet	32 feet	40 feet	50 feet
Number/width of travel lanes	Two 10 foot Travel lanes	Two 12 foot Travel lanes	Two 12 foot lanes and may require a turn lane	Two 12 foot lanes & a 10 foot turn lane
Type of Surface Improvement	Four inches of compacted aggregate base course (abc)	Four to Six inches of abc and may require some surface improvement	Six inches of abc subbase and surface improvements such as chip-seal or asphalt depending on analyses of data	Soils test with engineered base and drainage study and improved surface determined by types of traffic and volume

3. **Easement Setback Requirements:** Shall be the lines from which setbacks for structures (other than signs, fences and free-standing walls) shall be measured to comply with the District requirements, and no structure shall be located or extended nearer to the lot boundary than the setback from this dedicated right-of-way or the boundary of the public/private access easement to avoid future problems as development occurs adjacent to these access or ingress/egress easements.

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

Approved: _____
Mitch Dickinson, Mayor

Date: _____

Attest: _____
Deborah Barber, Town Clerk

Approved as to form:

Town Attorney

- b. Private easements shall adhere to the following conditions to ensure access to all property within the town:
1. Be a minimum of twenty four feet (24') in width and meet established construction standards (see Table 1 – Private Drive and Easement Construction Standards), connect to an existing street or a private easement and establish a cul-de-sac or turnaround at terminus of the private access to accommodate emergency vehicles;
 2. Property owners shall establish a road maintenance agreement to be recorded with each lot split or newly created parcel to ensure access to all parcel(s) within the town limits is provided as stipulated by the town;
 3. Where two or more residences are located on a private drive or easement, the applicant is responsible for naming the access, subject to town review and approval, as well as any associated fees for signage of the private street; and
 4. The following criteria for permitting construction or development on existing parcels created and recorded by February 26, 2005 shall apply:
 - a. The parcel must have a legally recorded easement;
 - b. The Camp Verde Fire District shall approve in writing any private drive or easement to ensure public safety services can be provided to any existing lot or parcel;
 - c. An approved and executed road maintenance agreement for the private drive or easement which may include the petitioner agreeing to accept sole responsibility to maintain the private road;
 - d. The Director shall not deny a building permit on parcels on existing private drives or easements when such denial is based solely upon legal access that meets the above criteria of paragraph 4; and
 - e. The Town will encourage compliance with the private drive or easement standards and is in no way obligated to maintain or improve these private drives or easements, since they are private property.

4. **Subdivision Plat Approval:** The subdivision of land into four or more lots shall be contingent upon the recording of an approved subdivision plat, the features of which shall conform to the provisions of the subdivision ordinance and other provisions of this ordinance. Such plat shall first be submitted to the Planning and Zoning Commission for review and recommendations.

Approval shall be withheld (until acceptable corrections are made) if the creation of lots has been determined to be not suitable due to such features or conditions as flooding or poor drainage, steep slopes, rock problems, sanitary deficiencies, poor design, improper access to public roadway, or other conditions likely to effect public health, safety, convenience and general welfare.

- II. **L. ~~STREETS, AND ALLEYS, OR PRIVATE EASEMENT STANDARDS:~~** ~~In this ordinance when the term "street" is used, the term is defined as a street right of way dedicated for public use or a street easement dedicated for public use, except as may be indicated otherwise on an approved and recorded plat.~~

1. **Frontage Requirement:** ~~Any No~~ lots smaller than 2.5 acres shall be established requesting a and no building permits issued for new or existing lots without dedication of any necessary right of ways shall front onto a publicly dedicated street or a private easement recorded for access or ingress/egress purposes. This regulation ensures access to any and all lots within the town. Streets are governed by the Uniform Standard Specifications and Uniform Standard Details adopted by the Town Council in 1994. A private easement shall be attached to the deed of any parcel granting access to cross private property to provide ingress/egress to another private property. Newly created lots or parcels are required to obtain an approved Minor Land Division permit as noted in subsection K of Section 108 to ensure access to all parcel(s) within the town.

2. **Right-Of-Way or Easement(s) Widths and Standards:** New street widths shall correspond with standards established in the Camp Verde, Arizona supplement to the Uniform Standard Specifications and Uniform Standard Details.

- a. The Director or his/her designee will determine the ingress/egress or access needs for any newly created lot or parcel resulting from a land division or lot split application based on the following:
- 1) Existing roadway alignments;
 - 2) Topographical conditions;
 - 3) Adjacent property ownership and uses; and
 - 4) Other pertinent factors that would affect future growth and development in the immediate area.

2. **Lot Line Adjustment:** Land taken from one (1) or more parcels that is added to an adjacent parcel without creating any additional parcels. A lot line adjustment shall not be considered a land division or lot split under the terms of the subsection provided that the proposed adjustment does not:
 - a. Create any new lot;
 - b. Cause any existing lot to become substandard in size or shape;
 - c. Make substandard the setbacks of existing development on the affected property; and/or
 - d. Impair any existing required access, easement or public improvement.

3. **Lot Dimensions and Area:** No lot shall be established which is smaller than the minimum width/depth dimensions and area for the density district regulations, unless it is designed to meet a special need such as for accessing a well or meeting a similar need. In no instance shall a structure be built that does not comply with the town's zoning regulations.
 - a. **Substandard Lots**, having width/depth dimensions or area smaller than required by the density district that were legally established when district density regulations were established, shall be considered legal, non-conforming lots in that District (see Section 105 of P&Z Ordinance).
 - b. **Combined Lots**, which have had buildings built across multiple lots, shall be considered as one lot with the front of the individual lots considered as the front of the combined lots.
 - c. **Wedge Irregular-Shaped** lots shall be considered legal width lots when at least one side of the width/depth dimensional requirements for the zoning district can be met as well as all setbacks stipulated for that land use zone. ~~the wedge irregular-shaped lots (measured at the front required setback line) are not less than the required width for a lot having parallel sides; however, a deeper setback line may be shown on a recorded plat. The minimum lot width can be measured from this line.~~

1. **Minor Land Division:** Any parcel or tract of land containing 2.5 acres or less split into two or three separate lots or parcels of land must have a Land Division Permit approved by the Community Development Department.
 - a. This approval will ensure the newly created lots or parcels:
 - 1). Comply with applicable zoning regulations;
 - 2). Are not creating land-locked parcels;
 - 3). Do not constitute a subdivision; and
 - 4). Ensure access is provided to all newly created parcels.
 - b. A minor land division permit is required if property is split by:
 - 1). Recording a contract of sale;
 - 2). Recording a deed of conveyance; and/or
 - 3). Requesting a split of a tax assessor parcel
 - c. Upon receipt of a complete Minor Land Division Permit application, the Director shall respond to the permit request within ten (10) working days. A denial can be based on any one of the following:
 - 1). The parcels resulting from the division do not conform to size, width/depth requirements and other zoning regulations;
 - 2). A parcel or adjacent property becomes landlocked and do not have legal access; and/or
 - 3). The division of land would result in a subdivision as defined by the subdivision regulations.
 - d. The application shall include:
 - 1). A legal description of the property;
 - 2). A comprehensive list of all property owner(s), buyer(s) as well as any other parties of interest to the land division;
 - 3). A description of how the newly created parcels will be accessed, including any of the following:
 - a) A recorded easement or a proposed easement to be recorded when the lot is split; or
 - b) Fronts onto a dedicated right-of-way or street.
 - 4). A map, drawn to scale, showing the following:
 - a) Existing and proposed property lines;
 - b) Access and utility easements;
 - c) Dimensions and the location of existing structures along with a brief description of use (i.e., residence or type of use for accessory structure).
 - 5). Any fee(s) for filing a Minor Land Division Permit application shall be listed in the Town Fee Schedule.



ORDINANCE 2005A293

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA AMENDING SECTION 103 OF THE ZONING ORDINANCE AMENDING DEFINITIONS.

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,

WHEREAS, the Town Council has an abiding interest in protecting the public health, safety, and welfare by establishing requirements for provisions of the Planning and Zoning Ordinance by including definitions.

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

SECTION 103 – DEFINITIONS

Driveway: A private access for vehicles to a parking space, garage, dwelling or other structure usually serving a single parcel.

Easement: A grant of one or more of the property rights by the property owner to and/or for the use by the public (public easement), a corporation or another person or entity (private easement).

Lot Line

Adjustment: Any land taken from one (1) parcel and added to another adjacent parcel without creating any new lots or parcels

Parcel: Real property with a separate or distinct number or other designation shown on a plan recorded in the office of the County Recorder, or real property delineated on an approved survey, parcel map or subdivision plat as filed in the office of the County Recorder and abutting at least one public right-of-way or easement determined by the Director or Council to be adequate for the purpose of access.

Street: Any thoroughfare or public way not less than 16 feet (4877mm) in width that has been dedicated or deeded to the public for public use.

1. Any existing or proposed roadway, place, bridge, viaduct, or easement dedicated to the public for the primary purpose of providing for public vehicular access.
2. Any and all land within the street right-of-way that has been dedicated to the public and accepted by the Town Council into its street system.
3. A dedicated street shown in a subdivision final plat that has been approved pursuant to law and duly recorded in the county recorder's office and has also been accepted by the town.

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

Approved: _____
Mitch Dickinson, Mayor

Date: _____

Attest: _____
Deborah Barber, Town Clerk

Approved as to form:

Town Attorney

STAFF REPORT

Council

Meeting of: January 26, 2005

Title: **ORDINANCE 2005 A 294 and ORDINANCE 2005 A 295:** Amending Section 108.E - Height Limit requirements, Section 108G setbacks, and Section 109.I - C3 Zoning District pertaining to size limitations, and allowed uses.

Description Of Item:

In an effort to attract more jobs to our community, the Community Development Staff has looked at some of the obstacles and identified the issues that are preventing us from increasing our job-based industries. What we have found is the small inventory of available M1 zoned property, and the out-dated zoning regulations that limit building height, and size for industrial activities as the outstanding issues that need to be addressed. Staff has made a determination that some of the language in the Zoning regulations should be changed to reflect more of what the current building standards are for the industries that we want to attract.

Staff looked at the size and height limitations and determined that current commercial and light industrial requirements necessitated an adjustment of these limitations. Also some of the uses listed in PM and M1 could be allowed in C3 because they are not invasive in nature if confined to buildings. This will expand the uses allowed in C3 and allow more flexibility for the developer in choosing the appropriate site with zoning already in place. At the same time, staff has cleaned up the language in the zoning district description that restricted rural lifestyle activities such as breeding, boarding and care of animals.

Commission

Recommendation: At their meeting of January 6, 2005, the Planning and Zoning Commission voted unanimously to recommend approval of the amendments to Section 108E, 108G and 109I with the additions of milling and planing in confined buildings to 109I.r. and a Use Permit required for all livestock activities.

Attachments: Yes

Prepared by: Nancy Buckel, Senior Planner



ORDINANCE 2005 A 294

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF
THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA
AMENDING SECTION 108 OF THE ZONING ORDINANCE AMENDING
THE HEIGHT LIMITS AND SET BACK REQUIREMENTS .**

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 text regulations of the Planning and Zoning Ordinance by the Town Council, and

WHEREAS, the Town Council has an abiding interest in protecting the public health safety and welfare by establishing requirements for provisions of the Planning and Zoning Ordinance by including definitions.

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

Section 1. Section 108 of the Zoning Code is hereby amended to modify the following:

SECTION 108

E. HEIGHT LIMITS:

1. **Towers, Poles, Tanks, etc.:** The district height limitations for buildings are not applicable to spires, cupolas, chimneys, flues, vents, poles, beacons or towers; nor to any bulkhead, elevator, tank (or similar) extending above a room when same occupies no more than 25 percent of such roof area.
 - a. Unless shown by design proof of collapse safety, based on engineering data, any structure as listed above must be so located on a lot that its length (in case of collapse) would be contained within the bounds of the lot.
2. **Fences and Free Standing Walls:**
 - a. The maximum height of a fence or freestanding wall is determined by measuring from the ground level at the base of the fence or wall.
 - b. Fences and freestanding walls within the required yards or setbacks shall maintain the following maximum heights for that solid or opaque portion which obstructs the passage of air or light more than fifty percent (50%):
 - 1) On any residentially zoned lot (or that portion of other adjoining lots): four feet in front yard and six feet in side or rear yards.
 - 2) On Commercial and Industrial Zoned lots: eight feet.
 - 3) Three feet within the triangular area formed by measuring ten feet along the boundary of roadways and drives from their intersection. This three-foot limit includes hedges and other plantings.

- 4) Where a fence or wall is required as a screening or other protection for residentially zoned lots, it shall comply with the height limits for fences on residentially zoned lots.

3. Buildings:

- a. No portion of any building exceeding 4' shall occupy the triangular area formed by measuring back 10 feet along the right-of-way lines from the intersection of two streets.
- b. Buildings may exceed the height limitation noted in Table 4 – Density Regulations to a maximum of 50'. The additional setback requirements will be figured using the following formula: (Building Height – 30') +20' = minimum setback distance .

G. DENSITY FORMULAS: are hereby established for each Density District for the purpose of determining (where applicable) the amount of lot area required for each dwelling unit, hotel or motel unit, or mobile/manufactured home park space.

1. Applying Density Regulations: The following Density Districts and regulations are intended to be combined with the appropriate Use Districts. The density provisions in the accompanying chart, together with applicable general provisions of this ordinance shall regulate building heights, yards, lot sizes, lot area per dwelling unit, lot coverage and distance between buildings.
2. Requirements of the Density Regulations:

A=ACRES

*** Building height is determined by using the currently adopted Unified Building Code (UBC)**

***see Section 108E for Height Limit exceptions**

2. Requirements of the Density Regulations:

- 2.a.** In applying density Formulas to determine the number of units allowed on a lot, any easements or right-of-ways dedicated by the property owner shall not be deducted from the original lot size.
- 3.b.** For C1, C2, C3, M1 and M2 Districts, the minimum interior side and rear yard requirements are waived if the yard is contiguous to C1, C2, C3, M1 or M2 zoned property.
 - a.1)** A setback of twenty (20) feet shall be required whenever a lot zoned commercial or industrial is next to a lot zoned for residential purposes.*
 - b.c.** Front and exterior side yard requirements shall be observed in all cases.

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

Section 3. 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 4. This ordinance is effective upon 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 26th day of January 2005.

Mayor

Date_____

Approved as to form:

Attest: _____
Town Clerk

Town Attorney



ORDINANCE 2005 A 295

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA AMENDING SECTION 109 OF THE ZONING ORDINANCE AMENDING C3 ZONING DISTRICT USES.

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 text regulations of the Planning and Zoning Ordinance by the Town Council, and

WHEREAS, the Town Council has an abiding interest in protecting the public health safety and welfare by establishing requirements for provisions of the Planning and Zoning Ordinance by including definitions.

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

Section 1. Section 109 of the Zoning Code is hereby amended to modify the following:

SECTION 109.I - C3 DISTRICT Amendments

I. C3 DISTRICT Commercial and minor industrial

1. **DISTRICT STIPULATIONS:** Supplementary or supplanting General Provisions (Section 108).
 - a. Where no Density District has been combined, then the provisions of the D1 District shall prevail for hotels and motels.
 - b. Any use permitted subject to securing a use-permit indicated thus: (UP).
2. **PERMITTED USES AND STRUCTURES:**
 - a. All principal and accessory uses and structures permitted in any higher ranking District (except dwelling units and mobile home courts); and providing further that unless specifically provided to the contrary the following are **waived**:
 - (1) Requirements for use-permits (except for lots contiguous to Residential Districts other than RCU-2A).
 - (2) Area limitations for uses and buildings.
 - (3) Limitations on hours of operation.
 - (4) Confining of uses to closed (or partially closed) buildings unless specifically required.
 - b. **Exceptions:** One living quarters is allowed to be located with the commercial structure for a caretaker or security person employed by the primary use of the property. The quarters must be built to commercial building standards and meet all current building and zoning regulations.
 - c. Sales facilities (retail and wholesale).
 - d. Lumber yards (prohibiting ~~milling and planing~~ sawmill operations).
 - e. Custom warehouses within closed building ~~and not including animals (limited to 15,000 square feet of floor area).~~

- f. Craft shops and work, storage and equipment yards in connection therewith ~~(limited to 15,000 square feet of floor area).~~
- (UP) g. Cemeteries for human or animal interment.
- h. Pet shops within closed building.
- i. Small animal hospitals for diagnosis, treatment or boarding ~~(limited to 5,000 square feet of floor area entirely within a closed building).~~
 - (UP) (1) Outdoor runs, pens and cages if located within 100 feet of a residential zoning district except RCU-2A, and/or larger building (no less than 100 feet from any Residential District for such outdoor use), with special consideration to the neighborhood reaction to the use permit application; type and number of day and night animal guests; whether to restrict to diagnosis and treatment, or to permit boarding; the extent of outdoor activity; total lot and use area; limitations on permit duration.
- j. Transportation terminal and transfer facilities within closed building ~~(limited to 15,000 square feet of floor area).~~
- k. Cleaning and dyeing plants within closed building ~~(limited to 15,000 square feet of floor area).~~
- l. Body and fender shops including a paint booth within closed building.
- m. Commercial ballrooms, arenas, gymnasiums, rinks, pools and indoor shooting galleries.
- n. Public auction facilities within closed building and not including livestock sales.
- o. Bottling plants confined to closed building ~~(limited to 15,000 square feet of floor area).~~
- p. Custom tire recapping.
- q. Signs (See Section 118).
- r. The following activities will be allowed if confined to a closed building: Machining, tooling, assembly, molding, decorating, cleaning, equipping, repairing, servicing, printing, publishing, milling, planing, and meat packing (but not slaughter houses).
- (UP) s. Public stables, livestock breeding, boarding and sales.

- 3. **YARDS REQUIREMENTS:** Same as for C1 and C2 Districts.
- 4. **HEIGHT OF BUILDINGS:** See Section 108 – G and E.
- 5. **BUILDING DENSITY:** See Section 108 – G.

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

Section 3. 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 4. This ordinance is effective upon 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 26th day of January 2005.

Mayor

Date _____

Approved as to form:

Attest: _____
Town Clerk

Town Attorney

**Town of Camp Verde Community Development Department
Draft Amendments to Section 108 E - Height Limits and G - Density Formulas and Draft
Amendments to Section 109 I - C3 District**

E. HEIGHT LIMITS:

1. **Towers, Poles, Tanks, etc.:** The district height limitations for buildings are not applicable to spires, cupolas, chimneys, flues, vents, poles, beacons or towers; nor to any bulkhead, elevator, tank (or similar) extending above a room when same occupies no more than 25 percent of such roof area.
 - a. Unless shown by design proof of collapse safety, based on engineering data, any structure as listed above must be so located on a lot that its length (in case of collapse) would be contained within the bounds of the lot.

2. **Fences and Free Standing Walls:**
 - a. The maximum height of a fence or freestanding wall is determined by measuring from the ground level at the base of the fence or wall.

 - b. Fences and freestanding walls within the required yards or setbacks shall maintain the following maximum heights for that solid or opaque portion which obstructs the passage of air or light more than fifty percent (50%):
 - 1) On any residentially zoned lot (or that portion of other adjoining lots): four feet in front yard and six feet in side or rear yards.
 - 2) On Commercial and Industrial Zoned lots: eight feet.
 - 3) Three feet within the triangular area formed by measuring ten feet along the boundary of roadways and drives from their intersection. This three-foot limit includes hedges and other plantings.
 - 4) Where a fence or wall is required as a screening or other protection for residentially zoned lots, it shall comply with the height limits for fences on residentially zoned lots.

3. **Buildings:**
 - a. No portion of any building exceeding 4' shall occupy the triangular area formed by measuring back 10 feet along the right-of-way lines from the intersection of two streets.

 - b. Buildings may exceed the height limitation noted in Table 4 – Density Regulations to a maximum of 50'. The additional setback requirements will be figured using the following formula: (Building Height – 30') +20' = minimum setback distance .

G. DENSITY FORMULAS: are hereby established for each Density District for the purpose of determining (where applicable) the amount of lot area required for each dwelling unit, hotel or motel unit, or mobile/manufactured home park space.

1. **Applying Density Regulations:** The following Density Districts and regulations are intended to be combined with the appropriate Use Districts. The density

provisions in the accompanying chart, together with applicable general provisions of this ordinance shall regulate building heights, yards, lot sizes, lot area per dwelling unit, lot coverage and distance between buildings.

2. Requirements of the Density Regulations:

TABLE 4 – DENSITY REGULATIONS

DENSITY DISTRICT	MIN. LOT AREA (SQFT)	MIN. LOT AREA PER DWELLING (SQFT)	MIN. WIDTH/DEPTH (FEET)	MIN. (FT. SETBACK REQD.)				MAXIMUM BLDG. HT. STORY/FT * See Note Below	MAXIMUM LOT COVERAGE	MIN. FT. BETWEEN BLDGS.
				FRONT/REAR	INT./EXT.					
1	7,500	1,000	75	20	25	7	10	3 40	50	10
2	7,500	2,000	75	20	25	7	10	3 40	50	10
3	7,500	3,000	75	20	25	7	10	3 30	50	10
4	7,500	4,000	75	20	25	7	10	2 30	50	10
5	7,500	5,000	75	20	25	7	10	2 30	50	10
7.5	7,500	7,500	75	20	25	7	10	2 30	50	10
10	10,000	10,000	80	20	25	7	10	2 30	40	10
12	12,000	12,000	90	20	25	7	10	2 30	40	10
18	18,000	18,000	100	30	30	10	15	2 30	25	10
25	25,000	25,000	130	30	30	10	15	2 30	20	10
35	35,000	35,000	145	40	40	20	20	2 30	15	10
70	70,000	70,000	200	50	50	25	30	2 30	15	10
2A	87,120	87,120	225	50	50	25	30	2 30	15	10
175	175,000	175,000	300	50	50	30	50	2 30	10	10
5A	217,800	217,800	325	50	50	50	50	2 30	5	10
10A	435,600	435,600	500	50	50	50	50	2 30	5	10
36A	1,568,160	1,568,160	500	50	50	50	50	2 30	5	10

A=ACRES

*** Building height is determined by using the currently adopted Unified Building Code**

(UBC) * see Section 108E for Height Limit exceptions

2. Requirements of the Density Regulations:

2.a. In applying density Formulas to determine the number of units allowed on a lot, any easements or right-of-ways dedicated by the property owner shall not be deducted from the original lot size.

3.b. For C1, C2, C3, M1 and M2 Districts, the minimum interior side and rear yard requirements are waived if the yard is contiguous to C1, C2, C3, M1 or M2 zoned property.

a.1) A setback of twenty (20) feet shall be required whenever a lot zoned commercial or industrial is next to a lot zoned for residential

purposes. _**

b.c. Front and exterior side yard requirements shall be observed in all cases.

SECTION 109.I - C3 DISTRICT Amendments

I. **C3 DISTRICT Commercial and minor industrial) (Revised 09/25/2002)**

1. **DISTRICT STIPULATIONS:** Supplementary or supplanting General Provisions (Section 108).
 - a. Where no Density District has been combined, then the provisions of the D1 District shall prevail for hotels and motels.
 - b. Any use permitted subject to securing a use-permit indicated thus: (UP).
2. **PERMITTED USES AND STRUCTURES:**
 - a. All principal and accessory uses and structures permitted in any higher ranking District (except dwelling units and mobile home courts); and providing further that unless specifically provided to the contrary the following are **waived**:
 - (1) Requirements for use-permits (except for lots contiguous to Residential Districts other than RCU-2A).
 - (2) Area limitations for uses and buildings.
 - (3) Limitations on hours of operation.
 - (4) Confining of uses to closed (or partially closed) buildings unless specifically required.
 - b. **Exceptions:** One living quarters is allowed to be located with the commercial structure for a caretaker or security person employed by the primary use of the property. The quarters must be built to commercial building standards and meet all current building and zoning regulations.
 - c. Sales facilities (retail and wholesale).
 - d. Lumber yards (prohibiting ~~milling and planing~~ sawmill operations).
 - e. Custom warehouses within closed building ~~and not including animals (limited to 15,000 square feet of floor area)~~.
 - f. Craft shops and work, storage and equipment yards in connection therewith ~~(limited to 15,000 square feet of floor area)~~.
 - (UP) g. Cemeteries for human or animal interment.
 - h. Pet shops within closed building.
 - i. Small animal hospitals for diagnosis, treatment or boarding ~~(limited to 5,000 square feet of floor area entirely within a closed building)~~.
 - (UP) (1) Outdoor runs, pens and cages if located within 100 feet of a residential zoning district except RCU-2A, and/or larger building (no less than 100 feet from any Residential District for such outdoor use), with special consideration to the neighborhood reaction to the use permit application; type and number of day and night animal guests; whether to restrict to diagnosis and treatment, or to permit boarding; the extent of outdoor activity; total lot and use area; limitations on permit duration.
 - j. Transportation terminal and transfer facilities within closed building ~~(limited to 15,000 square feet of floor area)~~.
 - k. Cleaning and dyeing plants within closed building ~~(limited to 15,000 square feet of floor area)~~.
 - l. Body and fender shops including a paint booth within closed building.

- m. Commercial ballrooms, arenas, gymnasiums, rinks, pools and indoor shooting galleries.
- n. Public auction facilities. ~~within closed building and not including livestock sales.~~
- o. Bottling plants confined to closed building ~~(limited to 15,000 square feet of floor area).~~
- p. Custom tire recapping.
- q. Signs (See Section 118).
- r. The following activities will be allowed if confined to a closed buildings: Machining, tooling, assembly, molding, decorating, cleaning, equipping, repairing, servicing, printing, publishing, milling and planing and meat packing (but not slaughter houses).
- (UP) s. Public stables, and livestock boarding, breeding and sales.

- 3. **YARDS REQUIREMENTS:** Same as for C1 and C2 Districts.
- 4. **HEIGHT OF BUILDINGS:** See Section 108 – G and E.
- 5. **BUILDING DENSITY:** See Section 108 – G.

**MINUTES (Corrected)
REGULAR SESSION
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
THURSDAY JANUARY 6, 2005
6:30 PM**

**Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Commission motion to facilitate future research.
Public input, where appropriate, is heard prior to the motion.**

1. Call to Order

The meeting was called to order at 6:30 p.m.

2. Roll Call

Chairperson Foreman, Vice Chairperson Smith, Commissioners Haddon, Bullard, Womack, Morris and Witt were present.

Also Present: Community Development Director Will Wright, Senior Planner Nancy Buckel and Recording Secretary Margaret Harper.

3. Pledge of Allegiance

The Pledge was led by Commissioner Witt.

4. Consent Agenda - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.

a. Approval of Minutes:

November 16, 2004 – Special Session

b. Set Next Meeting, Date and Time:

January 13, 2005 – Regular Session – 6:30 p.m.

February 3, 2005 – Regular Session – 6:30 p.m.

c. Approval of Quarterly Report:

October – December 2004

On a motion by Womack, seconded by Witt, the Commission unanimously approved the Consent Agenda as presented.

5. Call to the Public for Items not on the Agenda

There was no public input.

6. Public hearing, discussion and possible recommendation to Council on ZMC 2005-02: An application submitted by Jim Binick – Shephard-Wesnitzer, Inc., agent for 260 Venture, LLP, owner of parcel 403-23-006E requesting a zoning map change from RCU-2A to C3, allowing future commercial development. This property consists of approximately 23.29 acres and is located on the southeast corner of Cherry Road and Hwy 260.

On a motion by Womack, seconded by Morris, the Commission voted unanimously to recommend to Council approval of ZMC-2005-02, an application submitted by Jim Binick – Shephard-Wesnitzer, Inc., agent for 260 Venture, LLP, owner of parcel 403-23-006E requesting a zoning map change from RCU-2A to C3, allowing future commercial development, with the caveat that the property does have to fall under Design Review.

STAFF'S PRESENTATION

Community Development Director Wright explained that the applicant wishes to follow the lead of other owners of property along 260 who have been granted C-3 rezoning to assist in the marketing and development of those properties. The applicant's property fronts on both 260 and Cherry Road, and the applicant is aware that a portion of his property will be assumed by the

roadway when that is straightened out. No objections have been received from other agencies, and the rezoning is consistent with the General Plan and the proposed growth area.

PUBLIC HEARING OPEN

Applicant's Statement

Jim Binick, of Shephard-Wesnitzer Engineers, Cottonwood, spoke on behalf of the applicant to request the zoning change to commercial. He said the property is in an extremely advantageous position and is one of the corners of the future Cherry Road/260 interchange which it is anticipated will serve as a commercial hub. Mr. Binick pointed out the recent growth in commercial activity and uses in the Verde Valley; the subject property is well positioned, with no residential neighbors, and fits well from a planning standpoint.

COMMENT FROM OTHER PERSONS

There were no comments from other persons.

APPLICANT'S REBUTTAL

No rebuttal was necessary.

PUBLIC HEARING CLOSED

Board Discussion

The Board discussion addressed ADOT's proposed interchange and the several options being considered and discussed with property owners, the eventual impact on the applicant's property, and the remaining acreage that would be available for development. There was some concern that rezoning to commercial raises the value of the property. However, Mr. Binick pointed out that ADOT's set procedures appear to protect the public funds, with their offers being consistently lower than anticipated. The property lines were also reviewed with Mr. Binick. The Board generally agreed that the application fits the proposed Land Use draft, and fits into the type of zoning the Town wants to see in the 260 corridor. The Board expressed concern that the property owners cooperate with ADOT in the negotiations for developing the 260 corridor in order to avoid the possibility of ADOT coming up with a bypass with a portion of 260 possibly ending up being used for local traffic only. There was also some discussion about the profound effect that Out of Africa has had on the surrounding property values. The Board returned to discussion of the rezoning request, and it was agreed that as the property is developed any development will be subject to Design Review.

7. Public hearing, discussion and possible recommendation to Council on AMD 2005-01 & 02: Amendments to the Planning & Zoning Ordinance Section 108-General District Provisions, amending the Height Limit and Setback requirements, and Section 109-Use Districts, amending C3 Zoning District uses.

On a motion by Witt, seconded by Womack, the Commission voted unanimously to accept the changes to Sections 109-I, Section 108-E and Table 4 in Section 108, as suggested by staff, with Section 109-I to include a section on milling and planing inside the building, and in Section (r), or at staff's discretion, the animal uses be modified to include a Use Permit.

STAFF'S PRESENTATION AND BOARD DISCUSSION

Director Wright said that there has been an ongoing need for industrially-zoned properties in the Town. There have been recent discussions that perhaps the C-3 zoning should be looked at to provide greater flexibility to allow some of the minor industrial activities. Staff has worked with Management to look at different approaches and has determined that many of the prospects for commercial activities coming into Town could fall into the C-3 zoning with that increase in flexibility, as long as they are not invasive in nature if confined to buildings. That would allow the Town to facilitate more of the manufacturing and light industrial types of activities and assist job creation.

Sr. Planner Buckel reviewed in detail, with Board input, the suggested changes to Sections 108 and 109, addressing building heights, setback requirements, density limitations, building size limitations, and uses involving livestock and Camp Verde's rural lifestyle. Along with the various commercial activities listed, much of the Board discussion focused particular attention on activities involving livestock and animal uses as well as woodworking or cabinet shop activities

such as milling and planing. During the discussion staff confirmed that there could be the option of allowing a particular activity subject to the Use Permit process.

A recess was called at 7:47 p.m.; the meeting was called back to order at 7:53 p.m.

- 8. Public hearing, discussion and possible recommendation to Council on AMD 2005-03 & 04: Amendments to the Planning & Zoning Ordinance Section 108-General District Provisions, amending Land Division and Streets and Alleys requirements, and Section 103-Definitions, amending existing definitions; 'driveway', 'easement' and 'street', and adding new definitions; 'lot line adjustment' and 'parcel'.**

A motion by Bullard to approve the agenda item and send to Council as written failed for lack of a second.

On a motion by Witt, seconded by Haddon, the Commission voted 6-1 to table the item until the meeting next week, with a 'no' vote by Bullard.

STAFF'S PRESENTATION

Director Wright reviewed the formation of the work group, as directed by Council, that included two members of the Planning & Zoning Commission, and six real estate professionals, to address the development along private easements or drives, and a perceived problem of that development along roads not built to any standards. There were a number of meetings with the Council and Commission prior to forming the work group, and then four meetings have been held with the work group. A proposed amendment was drafted to try to strike a balance between recognizing existing easements and acknowledging the need for construction standards and providing for future building and use of an area along a private easement. Much of what was drafted has been changed by the Town Attorney. Referring to Subsection K, Wright also reminded the Commission of the stress imposed on everybody because of prior lot splitting which causes a problem when someone comes in for a building permit and finds that the lot does not meet the Town standards. One of the remedies suggested had been to issue a minor land division permit process, which has been incorporated into the proposed amendment. Wright also reviewed in detail the problems and objectives addressed in Subsection L, Streets and Alleys.

BOARD DISCUSSION

There followed a lengthy, detailed discussion among the Commissioners and Wright that brought the members close to agreement on the suggested changes, although there was considerable concern over the last-minute modifications advised by the Town Attorney. The result was general agreement that another meeting, with the real estate professionals from the work group in attendance to provide their further input and to share with them the modifications made by the Attorney, would justify the delay of another week in order to clarify some of the issues before submitting the proposed amendment to the Council with a recommendation for approval.

- 9. Call to the Public for Items not on the Agenda**

There was no public input.

- 10. Commission Informational Reports:**

Commissioner Morris announced that next week he will be sailing on Lake Pleasant for Leukemia, and invited those interested in making a donation to the Foundation to contact him following the meeting.

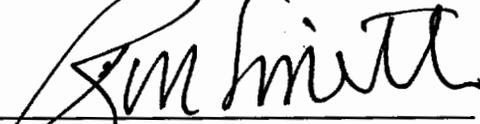
Commissioner Witt said that he has put together a PAC in connection with support of certain candidates for Council; namely, three of the sitting Council members and one P&Z Commission member, and would be happy to discuss the packet further with anyone interested.

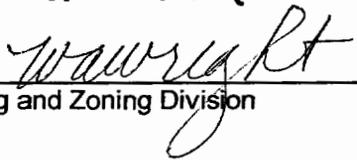
- 11. Staff Report**

Director Wright informed the Commission that seven items are coming up already in February and another five in March. After the respite enjoyed during the holidays, development is occurring and there is much work ahead, including the issue of Design Review.

12. **Adjournment**

On a motion by Witt, seconded by Smith, the meeting was adjourned at 8:56 p.m.



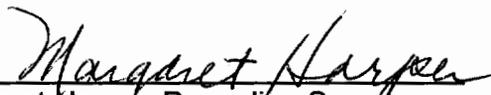
Commission Chairperson Foreman
Vice Chairperson


Planning and Zoning Division

CERTIFICATION:

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning and Zoning Commission of the Town of Camp Verde during the Special Session of the Planning and Zoning Commission of the Town of Camp Verde, Arizona, held on the 6th day of January, 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 13th day of January, 2005



Margaret Harper, Recording Secretary

**MINUTES
REGULAR SESSION
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
THURSDAY JANUARY 13, 2005
6:30 PM**

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**Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Commission motion to facilitate future research.
Public input, where appropriate, is heard prior to the motion.**

1. Call to Order

The meeting was called to order at 6:30 p.m., with Vice Chairperson Smith presiding.

2. Roll Call

Vice Chairperson Smith, Commissioners Haddon, Bullard, Womack, and Witt were present; Commissioner Morris arrived at 6:33 p.m.; Chairperson Foreman was absent..

Also Present: Community Development Director Will Wright, Senior Planner Nancy Buckel and Recording Secretary Margaret Harper.

3. Pledge of Allegiance

The Pledge was led by Commissioner Haddon.

4. Consent Agenda - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.

a. Approval of Minutes:

January 6, 2005 – Regular Session

b. Set Next Meeting, Date and Time:

February 3, 2005 – Regular Session was set at the January 6, 2005 meeting.

February 10, 2005 – Regular Session – 6:30 p.m.

On a motion by Witt, seconded by Womack, the Commission unanimously approved the Consent Agenda, with the following correction: Page 3, Item 10, second paragraph, the phrase, “....put together a pack....,” corrected to state, “....put together a PAC....”.

The Commission pointed out that the reference to a “PAC” was recorded in the Minutes as a “pack,” and the correction was noted.

5. Call to the Public for Items not on the Agenda

There was no public input.

6. Public hearing, discussion and possible recommendation to Council on AMD 2005-03 & 04: Amendments to the Planning & Zoning Ordinance Section 108-General District Provisions, amending Land Division and Streets and Alleys requirements, and Section 103-Definitions, amending existing definitions; 'driveway', 'easement' and 'street', and adding new definitions; 'lot line adjustment' and 'parcel'.

On a motion by Witt, seconded by Haddon, the Commission voted 4-2 to recommend that Council approve AMD 2005-03 & 04, Sections K and L, Land Division and Streets, as presented to the Commission, with the changes requested by Commissioners Haddon and Witt, combining under Section L.2b.(4) the latest version submitted by staff along with the changes suggested by Witt; with a 'no' vote by Bullard and Morris abstaining.

On a motion by Haddon, seconded by Womack, the Commission unanimously voted to amend Section L.2b.(4) of Witt's original motion to strike the date shown and replace it with the effective date of the subject ordinance, and to strike the phrase, “....such

approval will require a fire truck turnaround,” and add the part of the attorney’s presentation of No. (4).

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STAFF’S PRESENTATION

Director Wright said that the staff report memo reviews the item that was discussed in depth last week, and also everyone has been working on the subject for a number of months now, including staff, Commission, Council and attorneys. The Commission came close to resolution last week, but there were two or three items that needed to be discussed in more detail regarding the processes and rules and regulations pertaining to minor land divisions, two of which came about as the result of the Town Attorney’s input. Wright said that the minor land division permitting process would only apply to lots of 2-1/2 acres in size, or less, which according to the attorney is the State Statute. Wright pointed out several benefits of that opinion, including the fact that there will be no lots that do not meet the size requirement, which is an important factor in the permitting process. That led to questions and some requests from the Commission for further clarification of that provision during Wright’s presentation. Wright next reviewed changes to Streets and Easements, Section L, specifically Item 2b(4), which addresses future development on existing private drives or easements and the lots along those drives or easements; Wright added that that issue appears to be the main concern of those local professionals who worked with staff and Commission members on drafting the ordinance. Wright said that the attorney objected to granting a grandfathered, or implied, right to develop regardless of what the conditions are, since that would undoubtedly lead to numerous lawsuits against the Town because of a conflict between apparently granting an implied right to develop and yet denying development based on code violations. Wright then read the new Section 2b(4) as approved by the Town Attorney, and the subject was then discussed in depth, including the option of appeal to the Board of Adjustments and Appeals. Wright also referred to a recommended revision to the subject Section, including the addition of Table 2 standards covering Commercial, drafted by Commissioner Witt, for discussion and consideration.

PUBLIC INPUT

Barbara Miller, who was present at the workshops, said that she had understood in prior discussions that the only parcels that would receive a grandfathered right were those that were along the private easements that had been accepted by the Town, and she asked for some clarification since there now appeared to be a whole new approach. She also brought up the subject of road standards and the requirements for road maintenance agreements.

BOARD DISCUSSION

The Commission members, together with input from Director Wright and Ms. Miller, informally discussed at length the proposed ordinance and its application to past actions and future development. The discussion also addressed questions raised by Ms. Miller and the legal opinions relayed by Director Wright, the issues of public health and safety, and the revisions drafted by Commissioner Witt, as well as various existing and hypothetical potential problems that would have to be resolved, all the while emphasizing the Town’s main objective of being consistent and fair in the approach to those problems. Following action on this item, Commissioner Witt was requested to informally review the amended document on behalf of the Commission prior to presenting it to Council.

STAFF COMMENTS

There were no additional staff comments.

A recess was called at 8:17 p.m.; the meeting was reconvened at 8:20 p.m.

7. Discussion and possible recommendation to Council regarding the adoption of the Town of Camp Verde 2005 Planning and Zoning Fees.

On a motion by Womack, seconded by Witt, the Commission voted unanimously to recommend to Council adoption of the Town of Camp Verde 2005 Planning and Zoning Fees, Exhibit 1, with the change that the Minor Land Division permit be \$150.

The Commission discussed the 2005 Planning and Zoning Fees, Exhibit 1, primarily questioning proposed different permit fees for minor land division parcels, one fronting on rights-of-way,

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\$100, and the other not fronting on rights-of-way, \$250, with the majority agreeing that an average between the two amounts should be imposed with no distinction between the two pending further experience as to how much staff time will actually be required in addressing the two different issues. The amount of \$150 for minor land division permits was agreed upon. After a brief further review of the remainder of the fees, the Commission approved the proposed 2005 Fees as discussed.

8. Call to the Public for Items not on the Agenda

There was no public input.

9. Commission Informational Reports:

Witt said there would be a closing tomorrow on Northeast Industries, 22 jobs being created, with the lowest wage being \$18 per hour.

Bullard reported that there have been a couple of subdivisions coming on line, the Equestrian Park and also Los Estancios.

Morris said his sailboat activity on behalf of leukemia would be this weekend, inviting donations.

Haddon described a website, nwis.waterdata.usgs.gov, which enables anyone to access a zoning map and closely monitor in real time the flow rates coming out of any river or creek anywhere in the United States order to anticipate any danger.

10. Staff Report

Director Wright said that at least seven items are coming up in February, and already five for March; involving several subdivisions involving zoning map changes and General Plan amendments, as some examples.

Wright also said that Commissioner Witt and he would be attending the International Shopping Center Alliance meeting next week.

11. Adjournment

On a motion by Womack, seconded by Bullard, the meeting was adjourned at 8:40 p.m.

Commission Chairperson Robert Foreman

Planning and Zoning Division

CERTIFICATION:

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning and Zoning Commission of the Town of Camp Verde during the Special Session of the Planning and Zoning Commission of the Town of Camp Verde, Arizona, held on the 13th day of January, 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2005

Margaret Harper, Recording Secretary