



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:

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*** ~~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.

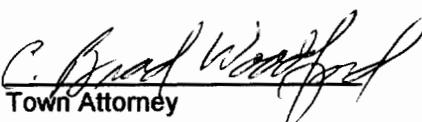
PASSED AND APPROVED by a majority vote of the Town Council of the Town of Camp Verde, Arizona on this 26th day of January 2005.


Mayor

Date Jan 26, 2005

Approved as to form:

Attest: 
Town Clerk


Town Attorney