



RESOLUTION 2006-711

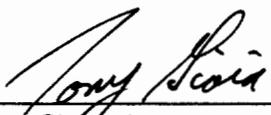
**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
DECLARING THE DESIGN REVIEW SECTION 124 OF THE PLANNING AND
ZONING ORDINANCE, DATED OCTOBER 25, 2006, TO BE A PUBLIC RECORD
AND ESTABLISHING SECTION 124 DESIGN REVIEW OF THE PLANNING AND
ZONING ORDINANCE**

Whereas, ARS 9-802 permits the enactment and publication by reference of a code or public record, including a statute, rule or regulation of the municipality, in the interest of economy, and

Whereas, the document entitled **Section 124 Design Review**, dated October 25, 2006 is a lengthy ordinance to be adopted by **Ordinance 2006-A331**, and which would qualify for enactment by reference by law.

NOW THEREFORE THE MAYOR AND THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE HEREBY DECLARE SECTION 124, DESIGN REVIEW, OF THE PLANNING AND ZONING ORDINANCE, ATTACHED HERETO AND INCORPORATED HEREIN, TO BE PUBLIC RECORD PURSUANT TO ARS 9-802, TO BE ENACTED BY ORDINANCE 2006-A331, AND ORDER THAT THREE (3) COPIES OF THE ORDINANCE, TOGETHER WITH ANY FUTURE AMENDMENTS OR ADDITIONS WHICH ARE ADOPTED, BE PERMANENTLY FILED IN THE OFFICE OF THE TOWN CLERK AND AVAILABLE FOR PUBLIC INSPECTION.

PASSED, APPROVED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 25th day of October 2006.



Tony Gioia, Mayor



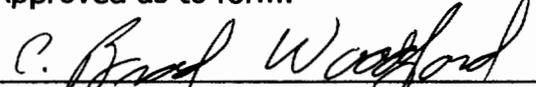
Date

Attest:



Deborah Barber, Town Clerk

Approved as to form:



Town Attorney

SECTION 124 DESIGN REVIEW

DEFINITIONS

1. "Applicant" means any real property owner or agent applying for Design Review approval according to this article.
2. "Board" means the Design Review Board of the Town of Camp Verde.
3. "Commission" means the Planning and Zoning Commission of the Town of Camp Verde.
4. "Department" means the Community Development Department of the Town of Camp Verde.
5. "Director" means the director of the Community Development Department of the Town of Camp Verde.
6. "Building Inspector" means building inspector of the Community Development Department of the Town of Camp Verde.
7. "Vertical Structure" Vertical structures include all construction with the exception of resurfacing of streets, parking lots, and driveways.

A. PURPOSE

1. The Town of Camp Verde's Design Review process is intended to provide an aesthetic direction for continuing development within town boundaries in order to help preserve the western rural appearance and small town sense of place described in the Town's General Plan. A Town Council appointed citizen's board will review applicable proposed building projects to help ensure that new construction is consistent with the General Plan's vision of the Town's past, present and future character.
2. To further this purpose, the Town, through the Design Review Board and Planning Staff, will review and the Board shall act upon all development applications pertaining to commercial, industrial, multi-family, Planned Unit Developments and Planned Area Developments.

B. APPLICABILITY

1. This Ordinance shall apply to all buildings and other vertical structures and signs erected, constructed, converted, established, altered (including resurfacing and repainting), or enlarged within the Town of Camp Verde.
2. Exceptions:
 - a) Single Family detached dwellings, vertical structures and accessory structures that are not a part of a Planned Area Development or a Planned Unit Development; including manufactured homes.
 - b) Temporary sales and construction offices.
 - c) Public utility electrical transmission structures. Substations are considered voltage reduction facilities and are not exempt from the provisions of this Ordinance.

C. POWERS AND DUTIES

1. The Board shall have the power to hold public meetings to review design aspects of the following applications to assure conformance with the general intent and specific provisions of this Ordinance and shall review the following: applications for new commercial development, industrial development, institutional development, all types of subdivisions, multi-family development, Planned Area Developments, Planned Unit Development, and vertical structures within the Town of Camp Verde to assure conformance with the general intentions and provisions of the Town of Camp Verde Design Review Ordinance.
2. Each Board member shall fairly review each application without regard to (1) property ownership, (2) the member's relationship, if any, to the Applicant or property owner, or (3) the type of business proposed. All members shall be subject to ARS 38-501, et. seq.
3. The Board shall have the power and duty to grant approval, conditional approval, or disapproval of all applications for Design Review under this Ordinance based solely on the criteria set forth in Section J of this Ordinance and any supplemental guidelines as approved by the Town Council.

D. ESTABLISHMENT, COMPOSITION

1. The Board shall be appointed by the Town Council and be comprised of seven (7) voting members, each of whom shall be a resident of the Town. The composition of the Board shall be as follows:
 - a) Two (2) members who shall be qualified by background, training or experience in design related occupations such as architecture/building design, landscape architecture, land use planning, civil engineering or similar fields.
 - b) Two (2) members who shall be or have been a builder, contractor, developer, real estate agent or otherwise represents contracting, development or real estate interests.
 - c) Two (2) members who shall represent the general public interest. These members may be lay persons with or without special knowledge of building design, construction, or real estate development, but should not be generally representative of those occupations described above.
 - d) One (1) representative member from the Planning and Zoning Commission.

E. TERMS OF MEMBERS, VACANCIES, COMPENSATION

1. With the exception of Planning and Zoning Commission representatives, members shall be appointed to three-year terms of service. However, the first appointment for one member of each of the three representative groups shall be to two-year terms to stagger appointments as determined by the Town Council.

2. The Planning and Zoning Commission representatives shall be appointed to six-month terms and shall rotate to provide the opportunity for all Commissioners to serve during their term of office. The Commission will select its representative member for the term and forward his or her name to the Town Council for appointment.
3. Members of the Board may be removed by the Town Council pursuant to Town Code Section 4-1-D.
4. The Town Council shall appoint a qualified person to fill any vacancy for the duration of the term. However, if the length of the unexpired term is less than six months, the Town Council may elect to appoint the member to the balance of the unexpired term plus a new three-year term.
5. All members shall serve without pay. However, members of the Board may be reimbursed for actual expenses incurred in connection with their Board duties upon prior authorization or ratification by the Board and approval by the Town Manager.

F. SELECTION OF OFFICERS

1. The Board shall elect a Chairman and Vice-Chairman from its members to serve for one (1) year and until a successor is elected and qualified. The Chairman shall preside at all meetings and exercise all the usual rights and duties of the head of any similar organization. The Chairman shall have the power to administer oaths and to take evidence. The Vice-Chairman shall perform the duties of the Chairman in the Chairman's absence or disability. A new election shall be held to fill any vacancy for an unexpired term.

G. QUORUM, VOTING

1. Four (4) members shall constitute a quorum. The affirmative vote of a majority of members voting shall be required for passage of any matter before the Board. A member may abstain from voting only upon a declaration that he or she has a conflict of interest, in which case such member shall take no part in the deliberation on the matter in question.
2. In the event that a voting quorum is unachievable on a particular application due to declared conflicts of multiple members, the Director shall assume the powers of the Board to determine the outcome of the application.

H. RULES AND REGULATIONS

1. The Board shall make and publish rules and regulations as necessary to govern its proceedings and to provide for its meetings.
2. All meetings of the Board shall be open to the public.
3. The minutes and records of all Board proceedings shall be kept and filed as public record in the office of the Town Clerk.

I. ADMINISTRATION AND PROCEDURES

1. Prior to the preparation of final architectural or engineering drawings for any building or structure to which this Ordinance is applicable, a pre-application meeting shall be held with (1) the Director, (2) members of the Board constituting less than a quorum, or (3) both to review conceptual project plans and to identify positive and negative attributes early in the design process. A concept site plan and elevations indicating basic colors and materials are required.
2. Subsequent to the pre-application meeting, a complete Application for Design Review shall be submitted to the Director. Application forms and a complete list of required information are available upon request at the Community Development Department.
3. As part of the Application, the applicant or authorized agent shall submit the following information for consideration by the Board:
 - a) A site plan indicating:
 - i. The areas devoted to buildings, walkways, landscaped areas, retention or detention structures, and parking layouts.
 - ii. The existing and proposed drainage systems, sign locations, outdoor lighting locations, trash enclosures, cluster mailboxes, vending machines, backflow prevention devices and service entrance panels.
 - b) A site cross-section showing the relationship of the proposed building and its grades to those adjacent if the proposed building's finished floor will be 36 inches above or below any adjacent building within 100 feet.
 - c) An outdoor lighting layout showing types of lamps and fixtures used and lumen per acre calculations. All Outdoor lighting shall comply with Section 120 (Outdoor Lighting Ordinance). Manufacturer's cut sheets showing fixture appearance and shielding information shall be included. Any building skylights and the method of shielding shall be indicated.
 - d) A landscape plan with a description of the (1) size and (2) type of landscape materials to be used and the method for maintenance.
 - e) Elevation drawings of all sides of the building or structure with an indication of materials and colors being used. The Board may require material and color samples and other information to clarify the application.
 - f) All proposed signs must be detailed graphically with illustrations depicting size, height and shape of the sign and a description of materials, colors and lighting to be used.
 - i. Free standing sign locations must be shown on the site plan.
 - ii. Building-mounted signs must be shown on the building elevation.

4. The Director may approve an application for a building or structure in lieu of forwarding the application to the Board if the proposal meets any of the criteria a through d below. The Director shall have the same duties and powers of the Board in regard to these buildings and structures. If there are concerns that cannot be resolved between the Applicant and the Director or if the proposal does not clearly meet the criteria set forth in Subsection J, the application shall be forwarded to the Board for consideration.
 - a) Any and all resurfacing of vertical structures.
 - b) Signs that are 64 square feet or less in area, are building-mounted or monument style, and clearly meet both the requirements and intent of this Ordinance and the requirements of Sections 118 (Sign Regulations) and 120 (Outdoor Lighting Ordinance).
 - c) A proposed building or vertical structure that:
 - i. is either an addition or an accessory structure to an existing building and does not exceed twenty-five percent (25%) of the existing building floor area or five thousand (5,000) square feet
 - ii. conforms to the criteria set forth in Section J of this Ordinance for all proposed and existing buildings, vertical structures, signs and landscaping on the site, and
 - iii. is complimentary with surrounding properties as well as with the existing building.
 - d) An addition or accessory building that does not substantially or detrimentally alter the appearance of the site as seen from off-site.
5. The Design Review Board shall have the power to approve, conditionally approve, or deny all applications for Design Review.
6. Upon receiving approval or a conditional approval from the Design Review Board, the Applicant may proceed with the preparation of a complete set of plans for submittal to the Department for a building permit. Prior to issuance of a building permit, the Building Inspector shall determine that all Design Review requirements have been met.

J. CRITERIA

1. In considering an application for Design Review, the Design Review Board shall be guided by the following criteria:
 - a) The general design of buildings, structures, signs, and the surrounding site shall reflect the simple building style historically prevalent within the Town, and should draw on the western, rural, and historic military influences that have shaped Camp Verde's architecture since its inception. Comfortable simplicity is to be preferred over architectural complexity, while still addressing massing and scale considerations.
 - b) Projects should promote elements that contribute to the western rural atmospheres by integrating outstanding natural features such as trees, rivers, creeks, rock outcroppings, or the like whenever possible.

- c) Special attention shall be required for prominent industrial and high intensity commercial projects allowable within industrial and C-3 districts that are visible and are within close proximity to non-industrial/C-3 districts, residential districts and major transportation corridors such as Main Street, State Route 260, and Interstate 17. Such projects shall be designed to minimize negative impacts with improved building exteriors and both vegetative and structural screening techniques.
- d) Residential projects subject to Design Review, as part of a PAD and PUD or as required by the Town subdivision regulations, shall minimize monotony by using different colors and types of roofing materials, alternating the orientation of roof lines and pitches, varying lot widths, staggering front yard setbacks, varying sideyard setbacks, and using different elevations on adjacent lots. In addition, medium to high-density residential zones shall include mini-parks providing active and passive recreational opportunities, for example, barbecues, ramadas, picnic tables, children's playgrounds, horseshoes, and volleyball areas.
- e) Building color should be compatible with existing structures and should reinforce the visual character of the proposed building.
 - i. The color should not be such that the building is competing for attention.
 - ii. Generally, building colors should be subdued and not garish, and should not in any way become "signing" of the building or site.
 - iii. Warm, muted shades should be used as the body or overall building background color.
 - iv. Brighter and richer hues of related or contrasting color should be used as accent colors and highlight colors for architectural elements.
 - v. Paint colors should be related to the natural material and colors found on the building, such as brick, terra cotta, stone, tile, wood or cast iron.
 - vi. Brick and stone should be left natural.
- f) The materials used in constructing the building, structure, or sign shall be of equal or superior quality, color and texture and shall be compatible with those materials used in construction of buildings, structures or signs in the general proximity to the Applicant's request.
- g) The building or structure shall be in proper scale with the parcel upon which it is located and shall be compatible with those in the general proximity and the community.
- h) The overall site design and design of the building, structure or sign shall not adversely affect the existing or potential development of properties in the general proximity.

- i) Trails and pathways identified by the Camp Verde General Plan shall be included in proposed development designs in furtherance of the Town's goal of developing public access to the Verde River and other natural watercourses and should contribute to the western rural atmosphere of the Town. Trails shall be improved to provide multi-modal transportation opportunities for pedestrians and equestrians.
 - j) Ingress, egress and on-site traffic, parking and circulation shall be designed to promote both driver and pedestrian safety and convenience and shall meet the minimum requirements outlined in Sections 108.L and 108.M of the Zoning Ordinance.
 - k) The proposed development shall not have any detrimental effect upon the general health, welfare, safety and convenience of persons within the community.
2. Within the Downtown Redevelopment Area, in addition to the above:
- a) New buildings, structures, signs and exterior remodeling or resurfacing projects shall be designed with special attention to historical context.
 - i. Though certain historically used materials may be unavailable or impractical in modern construction, the designer should try to use materials that imitate the appearance of those materials.
 - ii. Reflective, glossy surfaces and materials that are obviously modernistic shall be avoided.
 - b) Architecture and design elements should reflect or complement those present in Camp Verde's older historic buildings to ensure the compatibility with the immediate vicinity. It is strongly recommended that owners or builders consult with the Design Review Board in the early planning stages of a new construction project. New construction should be compatible with existing structures in the immediate area in the following ways:
 - i. Size, height, and setback of structures;
 - ii. Relationship of the structure to the open space between it and neighboring structures;
 - iii. Exterior features, such as window sill or header lines, the proportion of window and door openings to the overall façade, and the horizontal or vertical emphasis of major building elements; and
 - iv. Building materials

(Please see Historical Overview and Visual Library for examples.)
 - c) The Design Review Board shall give special attention to application within the Downtown Redevelopment Area to assure that new and remodeled buildings fit within a reasonable historic context, even if compatibility with more modern surrounding buildings is diminished.

K. DECORUM, PROTOCOL

- 1. Meetings will be conducted according to policy set by the Board. Such policy shall be subject to approval by the Town Council.

2. The Chairman shall direct meetings in such a manner as to assure adequate discussion among members and applicants. All speakers shall address the Chair.
3. Design Review Board proceedings are regulatory in nature rather than advisory or legislative. While open to the public, no statutory right of the public to speak exists. The Chairman may allow public input as appropriate; however, the decision of the Board is to be primarily made based on the physical merits of the application.

L. DUTIES OF STAFF

1. Planning Staff shall accept and review completed applications for Design Review, compile meeting packets, and advise the Board as to whether the application complies with Zoning Ordinance requirements for lot coverage, parking and circulation, landscaping, lighting, signage and other applicable requirements.
2. Planning Staff shall prepare and post meeting notices, Board agendas and other notifications as required by the Town Code.
3. Planning Staff shall provide written minutes of all meetings and provide to the Town Clerk copies of documents of public record.

M. FEES

1. Upon filing an application, the Applicant shall pay an application fee to the planning department in accordance with a schedule established by resolution of the Town Council and posted in the office of the Zoning Administrator.
2. No part of any such fee shall be returnable after an application is filed and the fee is paid.

N. APPEAL

1. Any applicant or any citizen of the Town of Camp Verde who is dissatisfied or aggrieved by the decision of the Design Review Board may appeal such decision to the Town Council by filing a written Notice of Appeal with the Town Clerk, not later than fifteen (15) days from the date of the Board's decision, and the Council shall hear all appeals *de novo*. The decision of the Council shall be binding upon all parties.

O. ENFORCEMENT, VIOLATIONS, PENALTIES

1. The Director shall insure that all matters are undertaken according to conditions of the approved plans.
2. Noncompliance with the approved plans shall be grounds for stopping work on the project or for denial of Certificate of Occupancy.

3. **Penalty.** Any person who fails to comply with any provision of Section 124 of the Planning and Zoning Ordinance, or uses property in violation of any provision of said Section, or a permit issued therein, shall be guilty of a Class 2 misdemeanor, punishable as provided by law, with each day the property or activity is in violation constituting a separate offense. "Person" includes the property owner, occupant, agent, or any person having control over the use of the property. Enforcement of the Section may also be through injunction or abatement as set forth in ARS 9-462.05, as amended.