

SECTION 108

THE FOLLOWING PROVISIONS SHALL APPLY TO ALL DISTRICTS, EXCEPT AS MAY BE MODIFIED, SUPPLEMENTED OR SUPPLANTED UNDER THE PROVISIONS OF ANY PARTICULAR DISTRICT.

A. NUISANCE AND HAZARDS: No use or structure shall be operated or maintained in such a manner as to be an explosion or fire hazard; nor cause to be exhausted or emitted into the atmosphere any smoke, soot, dust, radiation, odor, noise, vibration, heat, glare or toxic fumes to such an extent as to constitute a nuisance; nor cause a negative impact on the community by contributing to neighborhood deterioration; nor shall water-carried waste or pollutants be diverted into any open water course.

1. Disposing of Materials: Trash and garbage must be kept contained so as not to be a nuisance.

a. Open garbage must not be stored in any residential or commercial lot for more than seven (7) days.

b. Commercial dumpsters must be:

- 1) kept clean,
- 2) emptied regularly,
- 3) kept in good repair,
- 4) covered.

c. The Town will notify the property owner of the above violations in accordance with Section 102.

d. Enforcement action will be taken in accordance with Section 102.

2. Fire Hazard: In order to ensure the safety of its residents and protect property, the Town will enforce fire hazard codes.

a. Dry grasses and weeds exceeding six (6) inches in height AND deemed to constitute a fire hazard by the Fire Marshal or the Zoning Inspector. The property owner will be held responsible for the removal of this hazard.

- 1) The Town shall, in writing, notify the property owner, providing a maximum of 30 days to remove the hazard. Notice will be made using one of the following methods:
 - a) Notice by certified mail
 - b) Personal service
 - c) Posting property
- 2) Failing to remove the fire hazard within the required time limit, will result in the Town removing the hazard and billing the property

- d. The Town will notify the property owner of the above violation in accordance with Section 102.
 - e. Enforcement action will be taken in accordance with Section 102.
5. **Unsafe Dwelling:** All dwellings or portions thereof, that are determined after inspection to be unsafe as defined in this code shall be declared public nuisances.
- a. Unsafe dwellings must be repaired, rehabilitated, demolished, or removed in accordance with Section 401 of the 1997 Uniform Code for the Abatement of Dangerous Buildings.
 - b. The owner of a dwelling that has been determined to be unsafe will post the property as off-limits and erect a barrier around the property.
 - c. The Town will notify the property owner of the above violation in accordance with Section 102.
 - d. Enforcement action will be taken in accordance with Section 102.

B. PROTECTIVE ZONING: (*Revised 09/25/2002*)

1. **Definitions:** For the purposes of Section 108B of this Code the following definitions will apply:
- a. **Adjacent:** Adjoining or across a road from each other.
 - b. **Buffer:** Undeveloped or landscaped property used to separate the activity from surrounding properties. Required landscaping or set backs do not qualify as buffer.
 - c. **Commercial Activity:** That portion of a lot, parcel of property developed for the actual commercial use or support of the commercial use, to include parking lots, buildings, storage areas, associated improvements and mandatory landscaping areas. It does not include landscaped areas not required by this Code or buffer areas left in their natural state if such areas are not used for commercial uses.
 - d. **Higher Zoning District:** A district that is listed before the subject district in the following:
 - 1) R1L, R1, R2, RCU, OS
 - 2) Mixed use low, PUD, PAD, RS, RCD
 - 3) Mixed use high, C1, P1
 - 4) C2
 - 5) C3
 - 6) PM, M1
 - 7) M2

- e. **Industrial Activity:** That portion of a lot, parcel of property developed for the actual industrial use or support of the industrial use, to include parking lots, buildings, storage areas, associated improvements and mandatory landscaping areas. It does not include landscaped areas not required by this Code or buffer areas left in their natural state if such areas are not used for industrial uses.
 - f. **Opaque:** A condition such that it cannot be seen through at a distance of 10 feet or more.
 - g. **Residential Activity:** The boundary of a property that contains a residential unit and is zoned for residential uses.
 - h. **Screening:** Walls, berms, depressions, fences, vegetative matter and other similar devices designed for the purpose of providing an opaque visual barrier between two properties such that the first floor of any buildings or structures or any outside storage or parking is screened as viewed from a point six feet high and 200 feet distance on a horizontal plane level with the bottom of the activity to be screened.
2. Screening is required by those wishing to develop such that the activity is screened from view by adjacent higher zoning districts. Additionally, the following applies:
- a. If the lower district activity is completely contained within a building and/or does not include non-retail outside storage the following may be substituted by the lower district activity owner:
 - 1) A reduction in opacity of 10% for each 50 feet of buffer measured from any required setbacks adjacent to the higher adjacent zoning district.
 - b. If the lower district activity does not meet the criteria of 2a the following may be substituted by the lower district activity owner:
 - 1) A reduction in opacity of 10% for each 100 feet of buffer measured from any required setbacks adjacent to the higher adjacent zoning district.
3. Screening along a public road may be required as part of a Town Council approved Transportation Corridor Protection Plan.
4. **Screening Deferral:** The owner of a property may defer installation of required screening if no higher zoning district activity exists within 400 feet of the proposed lower zoning density activity per the following:
- a. Post a financial assurance with the Town in a form and amount satisfactory to the Town to cover the cost of the screening.
 - b. Record a notice on the deed indicating the screening has been deferred, an assurance posted and that the property is subject to the screening requirements in the future.
 - c. Upon the establishment of a higher zoning district activity within 400 feet of the activity for which the screening has been deferred those

responsible for the deferred screening will have one year to install the screening. If at the end of one year the screening has not been installed the Town will cash the financial assurance and have the screening installed. The Town reserves the right to collect any additional funds required for the installation of the screening.

5. A property rezoned such that the rezoning would require screening of a lower zoning district after the establishment of activity in the lower zoning district shall not require the lower zoning district to screen from the rezoned property.

C. OUTDOOR ILLUMINATION: Shall be of a minimum necessary to serve the purpose intended, providing protective shielding to any residential lot. Outdoor illumination shall comply with Section 120 of this Ordinance.

D. ANIMALS: (Revised 5/28/08)

The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which impairs the enjoyment or use of nearby properties or violates other legal restrictions to which the properties are subject. Zoning where the animals are kept must be a density district of not less than 25 and a calculated size of not less than ½ acre (21,780 sq ft.)

1. **Allowed Livestock:** Any of the species listed below which are cared for by the property owner or occupant according to the following Animal Points. All livestock activity within the Town limits will be considered an accessory use to the principal use on any parcel except in the Agriculture District.

ANIMAL POINTS ALLOWED PER ACREAGE

| | |
|---------------------------------|--|
| One-half acre through one acre: | 24 POINTS |
| One acre plus: | each additional contiguous ¼ acre allows for the increase of points by an increment of 6 points. |

| <u>SPECIES</u> (or associated types) | <u>POINTS</u> |
|---|----------------------|
| Alpacas: | 3 POINTS |
| Emus: | 3 POINTS |
| Pygmy goats: | 3 POINTS |

| | |
|--|-----------|
| Sheep, Goats: | 4 POINTS |
| Llamas: | 6 POINTS |
| Miniature horses, Ponies and Sicilian donkeys: | 6 POINTS |
| Ostriches: | 6 POINTS |
| Cattle: | 12 POINTS |
| Domestic deer: | 12 POINTS |
| Horses, Mules, and Donkeys: | 12 POINTS |

2. **Prohibited Livestock:** Swine are prohibited within residential zones, unless excepted under paragraph 3c.
3. **Exceptions:**
 - a. Young nursing animals are not counted.
 - b. Fowl (chickens, ducks, geese, turkeys and peacocks), Rabbits, and Guinea pigs which are cared for by the property owner or occupant are limited by management, husbandry, fly and odor situations, not by numbers.
 - c. Swine may only be raised on property of an acre or more under the following conditions:
 - (1) 1 pet or butcher pig per parcel.
 - (2) Additional Swine, breeding or reproduction stock requires a (UP) in accordance to Section 108 I.
 - (3) All pens containing swine must meet the setback requirements for the zoning district.
 - (4) Additional 4-H or FFA swine will require a Temporary Youth Organization Use Permit as defined in 5.d below.
4. **Use Permit:** A use permit is required for any of the following:
 - a. Any Commercial Livestock Activity that exceeds allowed animal points and defined as raising livestock for sale for pecuniary gain and selling more than one litter, or more than ten animals in one year, other than horses and cattle.
 - b. Any livestock Breeding Activity as defined as an ongoing breeding project that involves two or more reproducing adults, other than horses or cattle. (Swine breeding is addressed in paragraph 3.c).
5. **Temporary Youth Organization Use Permit:** The Community Development Director may issue a temporary use permit allowing the following livestock

using reasonable discretion:

- a. Supervised youth livestock market project of one market animal conducted on property less than $\frac{1}{2}$ acre, or for one swine on less than 1 acre, for a period specified by a start and stop date not to exceed 10 month in duration.
 - 1) One additional market swine project will be allowed with each additional $\frac{1}{2}$ acre, not to exceed 5 per parcel.
 - 2) Swine will be restricted to one market swine project per youth Organization member.
- b. Supervised youth livestock market project that exceeds the number animals allowed according to the animal points on property greater than $\frac{1}{2}$ acre in size.
- c. An application for the temporary permit shall be submitted to the Community Development Director, or designee, who shall determine that the application meets the criteria set forth in Section 108 I. There will be no charge for the permit.
- d. An application shall bear the signature of the local livestock youth advisor acknowledging that the project is a valid youth project, and the signature of at least one parent or guardian, as well as the signature of the youth acknowledging and accepting complete responsibility for the project.
- e. If the Youth Advisor agrees in writing to accept all enforcement responsibility for his/her members, no review will be required by the Community Development Director.
 - 1) In September the Youth Advisor must register with the Community Development Department agreeing to this commitment.
 - 2) The Youth Advisor will provide the following documentation to the Community Development Department by December 1st.
 - I. A roster with the name, address and project type for all active members under their supervision.
 - II. Property owner's permission to conduct livestock activity on the subject parcel.
 - iii. Parent's statement of responsibility.
 - iv. Contact information for the Youth Advisor.
 - 3) A sign must be posted on the property where the livestock activity will be conducted, indicating membership in the Youth Livestock Organization, the year in which the project is conducted, and number of livestock.
 - 4) If complaints are received and compliance cannot be met, the Youth Advisor will notify the Code Enforcement Official and will support any action taken by the Town.

- 5) The ultimate decision on whether the activity is in compliance with this Section 108 will be made by the Community Development Director or designee.
 - f. A decision of the Community Development Director or designee may be appealed to the Town Council pursuant to Section 108 I. (3) (i).
 - g. The livestock market projects shall be of a limited duration specified by a start and stop date not to exceed ten (10) months in one calendar year, allowing for care, feeding and grooming of such animals to be shown and/or sold annually at such events such as the Verde Valley, Yavapai County and/or Arizona State Fair.
 - h. In the instance that a prize-winning animal is to be entered into competition more than one time, an extension of the permit may be applied for, and after evaluation by the Community Development Department, conditionally extended.
6. **Maintenance of Livestock Facilities.**
- a. All structures and pens for animals shall be maintained in a clean and sightly manner so as not to be a nuisance to their neighbors.
 - b. Stables, barns, or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling unit.
 - c. Where the keeping of such animals becomes a nuisance, as defined in Section 108A, the Code Enforcement Official shall have the authority to Determine a reduction in the number and removal of the animals is Necessary to comply with Section 108.
 - d. The Code Enforcement Official has the authority to determine that removal of the animals in circumstances where they constitute a health or safety hazard to human beings is necessary to comply with 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. **Commercial/Industrial** Buildings may exceed the height limitation noted in Table 4 – Density Regulations to a maximum of 50', if the parcel is more than 75 feet from an existing residential development and/or platted residential subdivision. Additional setback distances will be required if setbacks are required by subsection G.2.b. The additional setback requirements will be figured by adding one foot for every foot of building over the maximum building height allowed, to the required setbacks for the density district. Commercial/industrial Buildings on parcels closer than 75 feet to a residential development may apply for an exception to the Design Review Board which may grant this exception based upon topographical and/or other consideration.
 - 1. Application will be made to the Community Development Department and reviewed by the Design Review Board. Appeal of the Board's decision may be made to the Town Council.

F. ACCESSORY USES AND STRUCTURES:

- 1. **Accessory Uses:** (including facilities and equipment) are permitted in conjunction with any "principal" use, provided the accessory use is compatible with the principal use and does not alter the character of the premises; any reference to a "permitted use" shall be deemed to include such uses as an accessory use.
 - a. Temporary Use Permits for the purpose of roadside sales of agricultural products such as fruits, vegetables, nuts, hay, grains, firewood, or

comparable crops can be issued at the discretion of the Community Development Director for a period of no more than four (4) months.

- 1) No fee will be charged to any residence living within the Town limits that applies for the temporary use permit.
- 2) A fee of \$50.00 will be charged to any non-resident of Camp Verde applying for the temporary use permit.

2. **Accessory Buildings:** may be attached to or detached from the “principal” building, except that no accessory building housing fowl or animals (other than domestic pets) may be attached to any dwelling unit. All structures constructed on a property shall be constructed according to the international building codes. No vehicle, including recreational vehicles, railroad cars or other structures not engineered for use as an accessory structure shall be placed on the property and used as an accessory structure.
3. **Accessory Uses or Structures:** are allowed prior to installation of the principal structure only when a construction permit is issued for the principal structure and construction of same is commenced within six months. On lots of two acres or more in size an accessory structure may be constructed for the purpose of storing machinery or other miscellaneous equipment without a primary structure being required. A building permit must be obtained and all structures must be built to conform to the International Building Code and setback requirements.
4. **Walls, Fences, and Area Screening:**
 - a. **Permits:** A fence permit is required before a perimeter fence or wall may be constructed, reconstructed or altered within the Town of Camp Verde. A permit is not required for repairs that do not alter or change the original fence. A legible drawing shall be submitted showing all fence dimensions, gates, lot lines, setbacks, and buildings on the property, and all adjacent streets and alleys. The drawing should also indicate the height of the fence and type of materials from which it is to be constructed. If the fence or wall is to be constructed of block or concrete indicate the type of reinforcing and type and size of footing.
 - b. **Exceptions:** Fences within Metes and Bounds parcels (not within a subdivision) intended for the confining of livestock and domestic animals and not obstructing any view of intersecting traffic will not require a permit, however these fences shall otherwise conform to the requirements of this section.
 - c. **Permit Review:** All fence permit applications shall be reviewed by the Town Zoning Inspector prior to permits being issued to confirm that they are in compliance with all codes.
 - d. **Materials and Design:** Fences and walls in all zoning districts shall be constructed of materials in new condition only. Material must be wood, wire, masonry or wrought iron of conventional design. Fences or walls of other than specified material or other than conventional design, shall be

allowed only by Use Permit, except that a fence constructed of pipe or twisted wire shall be allowed when the principal use is for the keeping of livestock.

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.

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 * <u>See Note Below</u> | MAXIMUM LOT COVERAGE | MIN. FT.BE-TWEEN 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

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

2. Requirements of the Density Regulations:

- a. In applying density Formulas to determine the number of units allowed on a lot, any easements dedicated by the property owner shall not be deducted from the original lot size.
- 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.
 - 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.*
- c. Front and exterior side yard requirements shall be observed in all cases.

H. OUTSIDE STORAGE: The outside storage of objects and materials shall be permitted as an accessory use where a primary use has already been established in all zoning districts except C1, C2, C3, M1 and M2, provided the following conditions are met:

- 1. A property owner or tenant may park or store any number of personally owned vehicles on residential property where a primary residential use has been established. All vehicles must be for personal use, complete and appear to be operable. They are to be parked in an orderly fashion. Those vehicles, which do not meet these conditions, shall be considered general outside storage and shall meet the standards in H 12 below.
- 2. Auto repair on more than 2 vehicles at any one time is prohibited in all residential districts. All vehicle titles or registrations must be available at the request of the Code Enforcement Official.
- 3. The sale of more than two (2) vehicles at any one time and no more than six (6) in one-year (Per Title 28, Section 28-4301.1 of ARS), is prohibited in ALL residential districts. All vehicle titles or registrations must be available at the request of the Code Enforcement Official.
- 4. Unlimited amounts of firewood may be stored, provided that the firewood is for on-site, personal use only and is stacked no higher than 6 feet unless against a structure.
- 5. Construction materials may be stored provided they are stacked no higher than six feet and are for use on-site.

6. Recreational vehicles shall not be used or made suitable for use for long-term occupancy without a temporary dwelling permit or use permit. Evidence of an intention for long term occupancy shall include at least three of the following:
 - a) being hooked up to power
 - b) being hooked up to water
 - c) being hooked up to sewer or septic
 - d) being raised or leveled by means of jacks or blocks
 - e) having a mail box
 - f) having any attached or adjacent structure or improvement which enhances the on-site livability and/or decreases the mobility of the vehicle by removal of wheels or axles or hitches on a vehicle normally fitted with wheels and axles and/or hitches.
7. All boats, trailers, motor homes, travel trailers, and recreational vehicles shall be kept in good repair, neatly arranged and operable.
8. No mobile homes shall be permitted on any residential lot except in a mobile/manufactured home park. Manufactured homes must comply with the following:
 - a) A current valid construction permit is required before installation or placement on a lot.
 - b) Permanent piers, blocks, or foundations are required.
 - c) Connections to utilities must be made.
 - d) Skirting shall be installed around the entire perimeter of the unit within 90 days of occupancy according to and in compliance with the Arizona Office of Manufactured Housing's Rules and Regulations for skirting.
 - e) The exterior elements shall be maintained in good condition.
 - f) For the purpose of this section, skirting and retaining walls shall have an eighteen-inch by twenty-four inch (18" x 24") access.
 - g) All under floor areas shall be accessible by way of such access hole.
 - h) Ventilation for all under floor areas shall be provided in accordance with the International Building Code (IBC).
 - i) Materials for such skirting may be wood, metal, concrete, plastic, or masonry. Wood in contact with soil is to be treated lumber or redwood in accordance with the IBC.
9. A property owner or tenant may place articles of furniture outside, provided such furniture is in good repair and is weather resistant.
10. A property owner or tenant may park or store construction, farming equipment or machinery outside, provided such equipment or machinery is in operable condition and is intended for personal on-site use.

11. Anything that is not operable or not part of something that is operable or any other objects, which are in disuse, or for use other than on-site shall not be stored outside.
12. Any outside storage unable to meet the above exceptions and conditions must not exceed the height restriction for the solid or opaque portion of a fence or wall and be totally screened from the view of any contiguous property or right-of-way or easement. Screening shall be by means of a solid wall, fence, earth, landscaping, dense live plant material, or depression into the ground, or by any combination achieving the same effect.
13. The outside storage of objects and materials shall be a permitted accessory use in C-1 and C-2 (general commercial) and C-3 (heavy commercial) zones provided that: All conditions of 108 H. 1-3 and 5-7 shall be met except that “on-site personal use” shall be construed to include those uses incidental to the permitted commercial (as well as personal) uses of the property.
14. The outside storage of objects and materials shall be a permitted accessory use in M-1 and M-2 (industrial) zones, provided that screening is provided from non-industrially zoned properties located within 200 feet.
15. Outside storage not complying with this section is hereby deemed a public nuisance and shall not enjoy any rights to continuation, restoration, exchange of uses, or expansion as if a lawful non-conforming use, and shall be abated.

I. USE-PERMITS:

1. **Purpose:** Use Permits (**UP**) are provided to ensure the orderly use of land in conformance with the General Plan and applicable Town standards where uses are proposed that may require special limitations or conditions to provide compatibility with other uses.
2. **Uses Permitted:** Any use permitted under the specific terms of the UP and noted as (UP) in Section 109.
3. **Special Provisions:**
 - a. The procedure to obtain a use permit shall be that procedure set forth in Section 113 A & B of this ordinance,
 - b. Use Permits will be granted only upon a finding by the council that the use covered by the permit, the manner of its conduct, and any structure which is involved, will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public

welfare in general, and that the use will be in conformity to any conditions, requirements, or standards prescribed by the Town Code or Council.

- c.** Use Permits may contain specific limitations on the scope, nature and duration of the use, as deemed proper in accordance with the following criteria:

 - (1) Any significant increase in vehicular or pedestrian traffic;
 - (2) Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - (3) Contribution to the deterioration of the neighborhood or to the downgrading of property values which, is in conflict with goals, objectives or policies of the General Plan;
 - (4) Compatibility with existing surrounding structures and uses; and
 - (5) Adequate control of disruptive behavior both inside or outside the premises, which may create a nuisance to the surrounding area or general public.

- d.** The burden of proof for satisfying the above requirements shall rest with the applicant. A refusal of a use permit shall not be interpreted as the denial of right, conditional or otherwise.

- e.** To secure the objectives of this Ordinance, use permits may be for a fixed time period, and a use permit does not grant a vested right beyond the term of the permit. Where an application involves a definite development scheme, the applicant must submit a layout and landscape plan, building elevations and other pertinent data as may be requested, and the council may condition the Use Permit to fully carry out the provisions and intent of the Ordinance.

- f.** The Permittee must obtain building permits within six month from the date the use permit was issued. Failure to obtain a building permit or begin the use shall void the permit unless a delay to start the construction has been granted or an extension has been applied for with the Community Development Director prior to the expiration of the six-month period. Additional extensions must go to Council.

- g.** Violation of the terms of the Use Permit or this Ordinance voids the Use Permit.

- h.** If the use or uses for which a Use Permit has been granted are discontinued for a continuous period of six months, the Use Permit is voided.

- i. Decisions by the Community Development Director which result in the voiding of the Use Permit may be appealed to the Town Council, subject to an application for appeal being on file in the Community Development Department within thirty (30) days of notification of the Use Permit being voided.
- j. Within thirty (30) days of any change, permittees shall notify the Community Development Department of any changes.
- K. The Use Permit is valid and operable only for the specific use as granted and subject to any specified time limit. No use may be modified, changed, altered or increased in intensity, in any manner that conflicts with the Use Permit and/or required conditions of approval, without approval of a new Use Permit.

J. **YARDS AND COURTS (See definitions):** The required setback for a structure or property is the minimum yard allowed. No structure other than fences, free standing walls, swimming pools, signs and other items permitted in this section shall be permitted in the required setback. No lot shall be divided or diminished so that the setback and lot coverage requirements can not be met. Structures on different lots shall not share the same yard to meet setback requirements.
In calculating setbacks, through lots fronting on two streets shall be considered as having two front yards. When a door, window or other devise is in operation it shall not protrude beyond a lot boundary.

- 1. **Yard Deviation:** (Where the minimum length or width requirements can be met):
 - a. **Side Yard Deviations**
 - 1) On any interior residential zoned lot lacking rear access and where a side yard must measure no less than 9 feet to provide access to any rear parking.
 - 2) On a corner lot backing to the adjoining lot, no structure exceeding a four foot height may be located adjacent to the side street within a triangular area formed by a line connecting the street intersection with the required front setback line of the adjoining lot.
 - b. **Setback Deviations – All yards**
 - 1) Structures located on legal, non-conforming lots shall meet the setback requirements appropriate to the size of the lot when the zoning density is larger than the actual size of the lot according to the density chart provided in Section 108.G.2 of this Ordinance.
- 2. **Encroachment Into Yards** (where not in conflict with future width lines): No structure (other than fences, free standing walls or signs) shall be located so as to encroach upon or reduce any open space, yard, setback requirement, lot area

or parking area as is designated under these provisions or under the provisions of the District in which located, except this:

a. All Yard Encroachments:

- 1) Cornices, eaves, coolers and open balconies, fire escapes, stairways or fire towers may project no more than five feet into any required yard or court (but no closer than two feet from any lot boundary).
- 2) Chimneys may project two feet into any required yard or court.

b. Front Yard Encroachments:

- 1) A bay window or entrance way less than ten feet wide may project three feet into any required front yard.
- 2) An attached open porch or balcony, or a carport may project no more than 6 feet into any front yard.

c. Rear Yard Encroachments:

- 1) A bay window or entrance way less than ten feet wide may project three (3) feet into any required rear yard.
- 2) An attached open porch or balcony, or a carport may project no more than 10 feet into any required rear yard (but no closer than ten (10) feet from any common lot boundary).
- 3) A detached accessory structure may be placed in a required rear yard provided same does not:
 - a) Encroach upon the end quarter of a through lot.
 - b) Be nearer the sideline of the front half of any adjacent lot than the required side yard of such lot.
 - c) Be nearer any property line than is allowed for a principal building for any portion of an accessory building to be used for dwelling or sleeping purposes.

None of these provisions for detached accessory buildings shall prohibit them from construction in location farther than 75 feet from any lot boundary.

- 4) Swimming pool setbacks from any lot boundary shall be no less than ten (10) feet for any outdoor private pool and twenty-five (25) feet for any outdoor public pool.

K. LAND DIVISION results in new roadways, additional homes and the need for Town services. It is important for the public welfare that land division has 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 will be subject to review by the Community Development

Department and may require a minor land division permit, if the parcels do not fall under the subdivision regulations.

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.

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 similar need. In no instance shall a structure be built that does not comply with the town's zoning regulations.
 - a. **Combined Lots**, which have had buildings built across multiple lots shall be considered as one lot with the front of the individual lots the front of the combined lots.
 - b. **Irregular Shaped Lots**, shall be considered legal 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.

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, improper access to public roadway, or other conditions likely to effect public health, safety, convenience and general welfare.

L. STREET AND EASEMENT STANDARDS:

1. **Frontage Requirement:** Any lots established requesting a building permit 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.
 - 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 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 Town will encourage compliance with the private drive or easement standards and is in no way obligated to maintain or improve these private easements, since they are private property. However, when the following criteria is met then construction or development on parcels created and recorded on or before February 26, 2005 shall be permitted:
 - (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 qualified 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;

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 to10 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.

M. PARKING REQUIREMENTS:

1. **Purpose:** In order to reduce congestion on public streets, off street parking is herein required as an accessory use to any principal uses permitted. No building permit shall be issued nor Use operated other than in conformity with such parking requirements.
2. **Additions and Change of Occupancy:** The standards for providing off-street parking shall apply at the time of the construction of any main building or when off-street parking is established. These standards shall also be complied with when an existing building is altered or enlarged by the addition of dwelling units or guest rooms, or where the use is intensified by a change of occupancy or by the addition of floor area, seating capacity or seats.
3. **Maintenance of Existing Parking:** Off-street automobile parking spaces being maintained in connection with any existing main building or Use shall be maintained so long as the main building or Use remains. This regulation shall not require more automobile parking space than is required for a new building or use.
4. **Non Conforming Parking:** Where automobile parking space is provided and maintained in connection with any existing main building or Use at the time this Ordinance became effective and is insufficient to meet the requirements for the Use with which it is associated, or where no such parking has been provided, then this building or structure may be expanded or enlarged only if automobile parking spaces are provided for an enlargement, extension or addition to the standards set forth in these regulations.

No existing parking may be counted as meeting this requirement unless it exceeds the requirements for the original building and then only the excess portion may be counted.

5. **Location of Required Parking Spaces:** The required parking spaces shall be located:
 - a. **Residential Parking:** shall be located on the lot the spaces are intended to serve.
 - b. **Parking for Other Uses:** shall be located on the same lot as the Use they are intended to serve, or, within 300 feet of the premises they are intended to serve, as part of a development plan with approval from the Planning and Zoning Commission and the Town Council.
 - c. **Combination of Uses:** Where there is a combination of uses on a lot, the number of automobile parking spaces shall be the sum of the requirements of the various uses. If the Community Development Director determines the uses would not be operated simultaneously, the number

of automobile parking spaces shall be determined by the use with the highest parking demand.

- d. **Collective Action Relative to Parking:** This Ordinance shall not be construed to prevent the joint use of parking spaces for two (2) or more buildings or uses if the total of such spaces when used together is not less than the sum of spaces required for the various individual buildings or uses computed separately.
- e. **Common Parking:** Provisions shall be made for maintenance of common service areas by a corporation, partnership, trust or other legal entity having the right to access or place a lien upon the individual lot owners for all necessary costs and/or expenses.

6. **Improvement Standards for Off-Street Parking Areas:**

- a. Minimum size of parking spaces shall be nine feet by twenty-feet (9'x20').
- b. All uses except single family residential uses shall be improved and maintained to be a rolled, dust free, all weather surface.
- c. Where public parking areas abut a street on the side or rear contiguous to a rural or residential district, there shall be a landscaped border not less than six feet in width.
- d. A minimum of fifteen percent of all parking lot areas shall be landscaped.
- e. The parking lot shall be designed so that vehicles exiting from it will not be required to back out across any sidewalk or street.
- f. **Ingress and Egress:** Space utilized for ingress and egress for a parking area shall not exceed forty (40) feet in width measured along the street frontage and shall not constitute more than fifty (50) percent of the total frontage of the parking area.
- g. Ingress and egress from parking areas shall not be located less than thirty (30) feet from any intersection.

7. **Schedule of Required Off-Street Spaces:**

- a. **Definitions:** In calculating the total number of required parking spaces, "area" shall mean the area capable of being devoted to the specified use and does not include such spaces as kitchen, restrooms, hallways, etc. The term "seat" shall also include each thirty (30) inches of bench seating when individual seats are not provided.

- b. **Mixed Uses:** In the event of mixed uses, the total requirement for off-street parking spaces is the sum of the requirements of the various uses computed separately.
- c. **Fractional Amount:** In calculating the total number of required off-street parking spaces, fractional amounts are to be rounded to the nearest whole number (1/2 shall be rounded to the next highest number).
- d. **Off-street parking spaces:** shall be provided for each specified use in accordance with the schedule below.

Table 1. Required Off-Street Spaces

| <u>RESIDENTIAL USE</u> | <u>SPACES REQUIRED PER DWELLING</u> |
|---|--|
| a) 1-2 Family Residence | (2) per dwelling unit residence |
| b) <u>Multiple Dwellings</u> | |
| Efficiency Units: | (2) per dwelling unit |
| One-bedroom Units: | (2) per dwelling unit |
| Two or more bedroom units: | 2.3 per dwelling unit |
| c) Rooming Houses/Fraternities: | (1) per sleeping room or sororities, resident/club: (2) per bed, whichever is greater |
| d) Mobile/manufactured home parks & subdivisions: | 2-3 per mobile/manufactured homesite |
| e) Elderly housing developments: | 1.5 per dwelling unit |
| f) Churches: | 1 space per (5) seats per 75sq. feet of patron standing area |
| <u>COMMERCIAL</u> | <u>SPACES REQUIRED</u> |
| a) Restaurants, bars: | 1 per 50 sq. feet of public floor area plus (1) per employee |
| b) Drive-in food or drink places with on-site consumption: | 1 per 50 sq. feet of public floor area plus (1) per employee |

- c) Mortuaries, funeral home: 1 per (3) permanent seats plus (1) per 20 sq. feet of assembly room area, whichever is greater, plus per employee, plus (1) per commercial funeral vehicle.
- d) Self-service laundries & dry cleaners: 1 per three washing machines
- e) Open-air business: 1 per 500 sq. feet of sales area for first 2000 sq. ft. plus (1) per additional 2000 sq. feet.
- f) Used car lots: 1 per each 100 sq. feet of building area for first sq. foot plus (1) per additional sq. foot.
- g) Theaters, auditoriums, arenas, indoor Outdoor stadiums, amusement parks, tracks and similar: 1 space per (5) seats
- h) Gas service stations: 1 per (2) gasoline pumps plus (2) per service bay
- i) Carwash: 1 per employee, plus reserve spaces equal to five times the wash line capacity
- j) Motor vehicle and machinery sales: 1 per 800 sq. feet of machinery sales floor area
- k) Planning shopping centers: Requirements for all uses elsewhere specified under unified control: herein specified plus (1) per 200 sq. feet of remaining useable floor area.
- l) Barber shops, beauty shops: 2 per service chair
- m) Furniture and appliance stores, household equipment 1 per 800 sq. feet of useable floor area
- n) Retail stores (except where otherwise specified): 1 per 200 sq. feet of useable public floor area
- o) Hotel, motels: 1 per guest room or suite plus (1) per two employees

- p) Bus depots: 1 per 150 sq. feet of waiting room space
- q) Skating rinks, dance halls, dance studios: 1 per (3) persons of maximum capacity permitted by fire regulations.
- r) Bowling alleys: 4 per bowling lane, plus 1 per five seats plus 1 per two employees.
- s) Billiard parlors: 1 per (2) billiard tables plus 1 per two employees
- t) Gymnasiums, health studios: 1 per 400 sq. feet of useable floor area plus 1 per two employees
- u) Private tennis clubs and similar uses: 2 spaces per court plus (1) per employee plus (1) per 200 sq. feet of useable enclosed building area
- v) Wholesales: 1 space per employee plus (1) space per 1000 sq. foot of floor area
- w) Business offices: 1 space per employee plus (1) space per 200 sq. feet of floor area
- x) Golf courses: 1 space per 2-member family or individuals plus (1) space per employee
- y) Any business not specified herein: 1 space per employee plus (1) space per 200 sq. feet of floor space

MANUFACTURING & INDUSTRIAL SPACES REQUIRED

- z) All 1 per 500 sq. feet of gross floor area or (1) per employee, whichever is greater and (1) per company vehicle

**8. Establishment of Downtown Parking District and Regulations:
(Revised 7/24/2002)**

There is established a Downtown Parking District (District) more specifically described as that property located between Arnold to General Crook Trail and 4th Street to Woods Street. Within the boundaries of the District the following parking requirements will apply:

- a. **Existing Buildings:** Any building, which exists on the effective date of this ordinance, is presumed to have sufficient parking. Changes of use, internal and external remodeling will not require additional or improved parking so long as such changes do not increase the square footage of the existing building. Minor additions to accommodate upgraded building

mechanical systems or additions of second story uses will not be considered as increasing building square footage.

- b. **Building Expansions:** Any expansion of an existing building, except as noted above, which results in the addition of building square footage will require conformance to the parking standards contained in the Code based on the use calculations for the additional square footage only.
- c. **New Buildings:** Any building constructed after the effective date of this ordinance will be subject to the parking requirements of this Code.

M. OFF-STREET LOADING REQUIREMENTS:

1. **Applicability:** In all zoning districts, for every building or part thereof, which is occupied by a Use receiving or distributing materials or merchandise there shall be provided and maintained on the same premises as the building or Use, adequate off-street loading space meeting the minimum requirements hereafter specified. Loading space shall not be considered as satisfying requirements for off-street parking space.

2. **Schedule of Loading Space Requirements:**

| <u>Number of Loading Total Floor Area of Building Spaces Required</u> | |
|--|---|
| 20,000 sq.ft. to 30,000 sq.ft. | 1 |
| 30,000 sq.ft. to 50,000 sq.ft. | 2 |
| For each 100,000 additional sq.ft. | 1 |

3. **Location:** Required off-street loading space shall not be permitted in any yard, nor in any required side yard except in a non-residential district where a side yard is bordered by an alley. Off-street loading space may occupy all or any part of a required rear yard, except as otherwise provided herein, and may be partially or entirely enclosed within a building.

4. **Alleys:** Where a building or Use in a non-residential district abuts an alley, such alley may be used as maneuvering space for loading and unloading spaces; provided, however, that no alley abutting any residential district may be so used.

5. **Size:** Every required off-street loading space shall have a minimum width of twelve (12) feet, a minimum length of fifty-five (55) feet and a minimum height of fourteen (14) feet, exclusive of access aisles and maneuvering space.

O. MOBILE/MANUFACTURED HOME PARKS:

1. **Permits:** Permits shall be required for all mobile and/or manufactured homes installed, placed, kept or stored within the limits of Camp Verde (except for unoccupied units on sales lots or authorized storage facilities). Permits shall be

issued only for the placement of mobile homes within mobile/manufactured home parks.

- a.** Permits shall be required for all building and structures within mobile/manufactured home parks. It shall be unlawful for any person to construct, maintain or operate any mobile/manufactured home park or RV park within the limits of Camp Verde unless they hold a valid permit issued by the Building Department for each specific manufactured home, mobile home, or structure.

The fee for all permits shall be determined by resolution of the Town Council. Issuance of permits shall be made by the Zoning Inspector and shall be contingent upon:

- 1) compliance with all health laws and regulations of the State of Arizona and the County of Yavapai and
- 2) compliance with this local ordinance.

Permit applications shall be received and processed according to the currently adopted UBC.

- b.** Applications for permits to construct or enlarge mobile/manufactured home parks shall be made in writing, signed by the applicant who shall file with the application proof of ownership of the premises or of a lease or written permission from the owner. The application shall contain a complete set of plans drawn to scale, showing the location of the proposed mobile/manufactured home park or RV park, and which shall include:

- 1) The areas and dimensions of the tract of land.
- 2) The maximum number, location and size of all mobile/manufactured home or RV spaces.
- 3) The location of any existing buildings and any proposed structures.
- 4) The location and width of access driveways, roadways, parking areas, walkways, and turn-arounds.
- 5) The location of electrical, water, storm drainage, and sewer lines and the sewage disposal systems.
- 6) The location and elevation of all flood hazard areas.
- 7) A contour map showing the proposed grading of the park.

- c.** No person shall construct or enlarge a mobile/manufactured home park or RV park without going through the use-permit process and obtaining a recommendation from the Planning and Zoning Commission and approval from the Town Council.

- d.** Before a permit may be issued, there must be an approval by the Town Council. Before giving site plan approval the Town Council may require a

performance bond from the operator of the park to assure that the park is constructed in a satisfactory manner.

- e. The Town Council may require any other improvements and facilities before approving the mobile/manufactured home park or RV park in the interest of public safety, health and welfare. The Town Council may accept the proposed plan with recommended changes, or reject the plan. The Town Council shall submit the application and the plan to the Zoning Inspector together with the Town Council's action regarding the permit.

2. Mobile/Manufactured Home Park Standards: The following regulations shall apply with respect to mobile/manufactured home parks and all mobile or manufactured homes in a park.

- a. Mobile/manufactured home parks shall provide for individual mobile/manufactured home spaces, access driveways, parking and open spaces for recreation.
- b. Mobile/manufactured home parks shall provide at least ten percent of their total area for recreation or other open space purposes.
- c. Mobile/manufactured home parks shall be developed in accordance with Section 109M (Planned Unit Development), unless otherwise specified in this section.
- d. All utility lines, cable TV, and electrical transmission lines shall be placed underground. Each mobile/manufactured home lot shall be provided with water, sanitary facilities, electric lines and telephone lines in compliance with applicable Town Ordinances. Fire hydrants shall be installed by the developer as approved by the Town Council.
- e. Refuse collection areas shall be centrally located and screened from public view.
- f. Community use area shall be at least ten percent (10%) of the total area. Such land may include all land devoted to recreation and service facilities, landscaping not included in individual mobile/manufactured home spaces, and accessory parking areas. Such land shall not include recreational vehicle storage areas, private streets, boundary landscaping areas and refuse areas.
- g. Recreational vehicle storage areas, if provided, shall be at the minimum ration of 50 square feet of land for each mobile/manufactured home space and shall be a dust-free surface.

- h. If no recreational vehicle storage is provided, recreational vehicles shall not be stored at mobile/manufactured home spaces.

3. **Parking Requirements:**

- a. A minimum of two (2) off-street parking spaces will be provided for each mobile/manufactured home. The spaces and the drive shall be dust-proofed and surfaced with crushed rock or similar material.
- b. Guest automobile parking shall be provided at a minimum ratio of one and one-half parking spaces for each five mobile/manufactured home spaces.
- c. A minimum of two vehicular entrances shall be provided for each mobile/manufactured home park. One entrance may be kept closed to the general public if provision is made for emergency access.
- d. Street lighting shall be provided along the park streets for the safety of pedestrians.
- e. A strip of land at least twenty feet in width shall be maintained as landscaped area abutting all mobile/manufactured home park property lines.

4. **Certificate of Compliance and Business Licenses:**

- a. No certificate of compliance or business license for the park shall be issued unless and until thirty percent of the mobile/manufactured home spaces planned in any park, or ten such mobile/manufactured home spaces, whichever is greater, shall have been completely prepared, constructed and equipped for use in all respects.

No certificate shall be issued unless and until such portion of the mobile/manufactured home park's community facilities such as driveways, laundry facilities, bath, wash and toilet rooms shall have been completely prepared, constructed and equipped for use in all respects.

5. **Recreational Vehicle Park Standards:** The following regulations shall apply to all Recreational Vehicle Parks.

- a. Recreational vehicle parks shall provide for individual recreational vehicle spaces, access driveways and parking.
- b. Each recreational vehicle space shall be at least 1500 square feet in area, and at least thirty feet in width and have a compacted gravel surface at least ten feet in width and twenty feet in depth.
- c. A strip of land at least twenty feet in width shall be maintained as a landscaped area abutting all recreational vehicle park property lines.

6. Non-Conforming Uses:

- a. Existing mobile/manufactured home parks may be exempted from the requirements of this Ordinance, except in the expansion of said mobile/manufactured home parks, areas of expansion shall be in conformance with the requirements of this Ordinance.
- b. Any expansion greater than the expansion allowed under the non-conforming use provisions of this ordinance shall result in the full compliance of the existing mobile/manufactured home park with the provisions of this Ordinance.
- c. Existing mobile/manufactured home parks shall be subject to Section 105 of this Ordinance for permits and permit issuance.

7. Maintenance of Mobile/Manufactured Homes:

- a. Utility service shall not be provided to any building until approved by the building official.
- b. **Qualifications:** Installation permits shall be issued only to those units that qualify as a:
 - 1) Mobile/manufactured home issued a certificate of compliance by the Arizona Office of Manufactured Housing, or are existing pre-1976 units.
 - 2) Manufactured Home.
 - 3) Park models placed within RV parks.
 - 4) Factory built building used as a dwelling unit.
 - 5) Mobile home.
- c. **Installation Standards:**
 - 1) Mobile/manufactured homes shall be installed according to and be in compliance with the standards prescribed by the Arizona Department of Building and Fire Safety, Office of Manufactured Housing, for either:
 - a) Ground level installation.
 - b) Installation of a fully skirted mobile/manufactured home.
 - c) Installation on a fully enclosed, permanent site-built foundation.
- d. Mobile home rehabilitation standards and permits: No mobile home may be moved into the Town of Camp Verde unless it has been completely rehabilitated by the owner. All rehabilitation work shall be done at the unit's present site. Mobile home rehabilitation work within the Town of Camp Verde or for the purpose of locating the mobile home in the Town shall have a permit for the rehabilitation issued by the Town. Upon

completion of all rehabilitation work the owner must submit for a certificate of rehabilitation issued or approved by the Town. The certificate will certify that the mobile home was inspected on (date) by (qualified inspector named) and found to fully comply with mobile home rehabilitation standards required and prescribed by the Arizona Department of Manufactured Housing and Town of Camp Verde.

- e. Accessory structures, additions, alterations, and repairs:
Mobile/manufactured homes shall be used as dwelling units only. No mobile/manufactured home should be placed on a property for use as an accessory structure or storage unit, nor shall be stored on the property unless zoned for such use. Permits shall be required for the installation, alteration or repair of accessory structures and additions in a mobile/manufactured home park.
- f. A permit, if required, shall be obtained to add, alter, or repair any mobile/manufactured unit or park model, and its building service equipment. If the Town building official finds that the work described in the permit application conforms to the Town's codes and ordinances and that the fees have been paid, a permit shall be issued to the applicant.
- g. All mobile/manufactured units existing and new, and all parts thereof shall be maintained in a safe and sanitary condition. All devices or safeguards (including but not limited to smoke alarms and skirting) which are required by applicable codes or by the manufactured home standards to which it was installed shall be maintained in a safe and sanitary condition. The exterior of homes including the exterior elements (including eaves, awnings, stairs, porches, skirting, and heating and cooling units, etc.) of the unit shall be painted and maintained in good condition.

P. CEMETERIES are to be treated as subdivisions and subject to plat recording after review and approval together with recording a declaration of dedication exclusively for cemetery purposes. When a cemetery comes under the jurisdiction of the Arizona State Real Estate Department, copies of the application and such pertinent data submitted to the State Real Estate Department shall be made available. Prior to any approval under the requirements of this Ordinance, copies of the State report shall be submitted to the Town.

Q. GOLF COURSE DEVELOPMENT STANDARDS

- 1. **Purpose:**
To ensure that every golf course be developed and managed with consideration for the unique conditions of the ecosystem of which it is a part and specifically to ensure that no depletions to the aquifer occur from the irrigation of golf courses and to encourage the use or reuse of effluent.

2. General Requirements:

The following requirements shall apply to the development and processing of golf courses in conjunction with a Planned Area Development proposal or any other golf course development:

- a. Applicant will be required to submit plans that demonstrate that the proposed project meets the standards set by the Arizona Department of Water Resource for golf courses in the Active Management Areas including limiting water usage to no more than 5 irrigated acres per hole times the turf water allotment presented in the water allotment table (Section 5).
- b. Applicant to obtain a report of physical availability of water from the Arizona Department of Water Resources demonstrating an adequate water supply for the entire development including the golf course prior to recording the Final Plat/Final Site Plan and prior to construction of the golf course.
- c. Applicant to demonstrate that the proposed development will be of an appropriate size and scale and reasonable or appropriate for a given area to generate sufficient effluent or re-use water to meet the entire irrigation needs of the golf course or demonstrate that an alternative supply of effluent or other renewable source of water will be available.
- d. Applicant will be required to submit a water balance study to demonstrate that sufficient water supply other than groundwater will be available for use on the golf course. The format and standard assumptions and criteria will be used as a guide to complete the water balance study. These format and standard assumptions and criteria are attached in Section 5.
- e. Applicant will be required to conduct a monitoring program as it pertains to surface water and groundwater quality and quantity. The monitoring program will be developed in concert with the appropriate approval authorities.
- f. Applicant will be required to conduct monitoring program as it pertains to the performance of the wastewater treatment plant including effluent discharge quality and quantity for review and approval by the Planning and Building staff or other appropriate agencies.

3. Design and Construction Standards:

Applicant will be required to submit plans demonstrating that the golf course is designed, constructed and maintained in accordance with environmental practices as set out in Environmental Principles for Golf Courses in the United States and which meet the following conditions:

- a. Emphasis shall be placed upon the design of irrigation, drainage and retention systems that provide for the efficient use of water. Drainage and storm water retention systems should be incorporated to help provide for both the short and long-term irrigation needs of the maintained turf and the un-maintained areas of the course. Storm water retention systems may require an appropriate surface water right from the Arizona Department of Water Resources.
- b. The course shall be designed with strategies that are environmentally responsible, efficient and cost effective sustainable maintenance in mind. The design shall incorporate resource conservation.

4. Construction Documents:

Conceptual grading, drainage, irrigation, clearing and landscaping plans will be required as part of the Final Site Plan application and in conjunction with a development plan. Plans must have sufficient detail to demonstrate that the design, construction and maintenance will incorporate environmental principles and meet the intent of the water use standards for golf courses specified in this document.

5. Water Balance Study

The applicant shall conduct a water balance study to demonstrate that the development has a sufficient supply of water other than groundwater to meet the water requirements of the golf course. The water balance demonstration criteria are listed in section 5.a. through 5.f.

a. Water Allotments:

5 irrigated acres per hole is the maximum acreage allotment, except when considering a previous water right allotment for surface water rights. The allotments presented in the table are for purposes of calculating the water balance for the facility and assume a 75% efficient irrigation system. If the applicant cannot meet the water requirements of a typical golf course with effluent, consideration may be given for a demonstration of reduced water use (for example, reducing the area irrigated).

Water Allotments for Turf Facilities

| Type of Use | Water Allotment – Facilities at 4,000 to 5,500 feet above MSL (ac-ft/acre) | Water Allotment – Facilities at 3,000 and up to 4,000 feet above MSL (ac-ft/acre) |
|---------------------------------|--|---|
| Turf | 4.9 | 5.2 |
| New Turf (1 st year) | 5.9 | 6.2 |
| Artificial Lakes | 5.5 | 5.8 |
| Low Water Use Landscaping | 1.5 | 1.5 |

b. Leaching Requirement:

Turf may require the occasional leaching of salts from the root zone. Although treated effluent may not be as efficient as groundwater, even low quality water can be appropriately used for leaching. If the applicant believes that a leaching allotment is necessary, the applicant will have to demonstrate that a sufficient amount of renewable water supply. The standard equation utilizing electrical conductivity of the water shall be used to compute the leaching requirement.

Additional Leaching Allotment

$$= \frac{1}{(1 - (EC_w / (5EC_e - EC_w))) - 1} * CU / 75$$

Where: EC_w = Electrical Conductivity of the water used

EC_e = Tolerance of the crop to soil salinity in electrical conductivity of the soil saturation extract (millimhos per centimeter)

CU = Consumptive use of the crop

c. Effective Precipitation:

Precipitation that is effective in offsetting the irrigation water demands is included in the water allotments in the table above. Consideration will be given if the applicant can demonstrate an additional amount of precipitation will be effective in offsetting irrigation demands.

d. Additional Precipitation Allowance:

If the applicant plans to capture additional runoff or off-site precipitation for use on the golf course, the applicant shall demonstrate adequate storage capacity, probability and volume of the captured water, and legal right to conduct the capture activity.

e. Effluent Production:

The standard water requirements of a new housing development shall be computed according to the standard water use rates specified in the Prescott AMA Third Management Plan. Only the interior water use requirements (interior gallons per capita-day) will be considered to be a contribution to the effluent re-use system. Outside water use will be considered lost and non-recoverable. An average value of 2.5 persons per household will be the standard housing unit occupancy level. Consideration will be given if the applicant has good evidence that the development water use and effluent capture rates are different from the values presented.

| Type of Residential Unit | Interior Gallons per Capita-day | Average Persons per Housing Unit | Exterior Use (Gallons per Housing Unit per Day) | Total Water Use per Housing Unit (Gallons per Day) |
|--------------------------|---------------------------------|----------------------------------|---|--|
| Single Family Homes | 57 | 2.5 | 75 | 217.5 |
| Town Homes | 57 | 2.5 | 58 | 200.5 |

f. Seasonal fluctuations:

Typical golf course water requirements have a peak water use period during the hot-dry part of the summer that is much greater than the average annual water use. However, effluent production does not typically match this high peak. The applicant must demonstrate that available effluent is sufficient to meet the summer peak water use requirements of the golf course (approximately 1 acre-foot/acre during the one month period from June 15-July 15, or 3 acre-feet/day for a 90 acre golf course).

S. COMPREHENSIVE GRADING REGULATIONS (Revised 7/24/2002)

1. **Purpose:** The purpose of these regulations is to supplement the requirements of the Uniform Building Code in regulating the grading, excavation and filling of land which is not associated with mining or quarrying or existing agricultural uses located within the Town corporate limits.
2. **Definitions:**
Agricultural Use: As defined by this Code or Arizona Revised Statutes and is in operation as of January 1, 2002 and that grading is only incidental and that required to continue the existing operation.
Grading: The excavation, removal, filling, movement, storage or relocation of material which has the effect of changing the existing topography of the property not defined as mining or quarrying or as may be further defined in the Uniform Building Code as adopted and amended by the Town.

Mining or Quarrying: The extraction of minerals, ores or other natural resources. The term also includes quarrying; well operation; milling, such as crushing, screening, washing and floatation; and other preparation customarily done at the mine site or as part of the mining activity.

3. **Permit Required:** Permits are required for all grading pursuant to the requirements of Section 3306 of the 1997 Uniform Building Code, as may be amended by the Town, and in conformance with the further requirements of this Ordinance.
4. **Development Grading Permit Required:** In addition to the permit required in Section 3 above, any grading on any parcel that disturbs in excess of two acres within any one year period or requiring an engineered grading plan under the Uniform Building Code, which is not mining or quarrying or agricultural use as defined above, shall obtain a development grading permit.
 - a. Application for a development grading permit will be made on a form approved by the Town and will include such information required to accurately describe the proposed grading, the purpose and phasing, if applicable.
 - b. The development grading permit will be approved by the Chief Building Official, Town Engineer and Community Development Director prior to being issued.
 - c. The Town shall require the applicant to obtain a building permit, appropriate zoning or a development agreement associated with the project requiring grading prior to issuance of a development grading permit.
 - d. The Town reserves the right to require the applicant to post a bond or other surety, in a form and amount, acceptable to the Town to ensure completion of the grading and/or reclamation of the property prior to issuance of a development grading permit. In the event the area of actual grading is within 1320 feet of any residentially zoned property the Town reserves the right to place operational limits on said grading to protect the health, welfare and safety of the adjacent neighborhoods to include, but not be limited to; hours of operation, access, dust control, light control, and noise control.
 - e. Development grading permits will expire automatically one year after issuance. Upon expiration an applicant may reapply for a new permit subject to the conditions of this ordinance, as may be amended.
5. **Appeals:** Any applicant aggrieved by the conditions required for a development grading permit may appeal within 10 days of the decision to the Town Manager in writing. The Town Manager will render a written decision within 10 days of receipt of the appeal. The decision of the Town Manager may be appealed to the Town

Council, in writing, within 10 days of the Town Manager's decisions. The decision of the Town Council will be final.

T. HISTORIC PRESERVATION (Revised 8/7/02)

1. **Applicability:** The provisions of this section will apply to any building, structure, appurtenance, right of way, utility, irrigation ditch, or physical improvement, which meets the following criteria:
 - a. Is subject to any intentional modification requiring the approval of the Town or issuance of a Town permit; AND
 - b. Is located in a Town recognized or designated historic preservation district; OR
 - c. Is over 50 years old; OR
 - d. Has historical significance.
2. **Application for Approval:** Any application for activities requiring Town approval will include a statement, certified by the applicant, that the activity will not impact items identified in 1b and c. The Town reserves the right to require documentation supporting the certification including, but not limited to:
 - a. History and current condition of resource.
 - b. Proposed activity and potential impact on resource.
 - c. Photographic record of resource.
 - d. Proposed efforts to mitigate impact on resource.
3. **Review of Non-Certified Applications:** Any application not certified or adequately documented per 2 will be subject to the Special Review Provisions of 4 as follows.
4. **Special Review Provisions:** All applications subject to these provisions will be processed as follows:
 - a. Applications, with supporting documentation, will be submitted to the Community Development Director for review.
 - b. The Community Development Director, with advice from appropriate staff, consultants and Commissions, will determine if said application is consistent with the preservation of the historic heritage of the community

