

**MINUTES
COUNCIL HEARS PLANNING & ZONING
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, JANUARY 26, 2005
at 6:30 P.M.**

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

1. **Call to Order**
The meeting was called to order at 6:30 p.m.

2. **Roll Call**
Mayor Dickinson, Vice Mayor Reddell, Councilors Gioia, Baker, Kovacovich, Parrish and Teague were present.

Also Present: Community Development Director Wright, Sr. Planner Nancy Buckel, Council candidates Ron Smith and Robert Johnson, and Recording Secretary Margaret Harper

3. **Pledge of Allegiance**
The Pledge was led by Councilor Gioia.

4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) January 19, 2005 – Regular Session
 - b) **Set Next Meeting, Date and Time:**
 - 1) Regular Session – February 2, 2005 at 6:30 p.m.
 - 2) Regular Session – February 16, 2005 at 6:30 p.m.
 - 3) Council Hears Planning & Zoning – February 23, 2005 at 6:30 p.m.
 - c) **Discussion, consideration, and possible approval of Resolution 2004-626, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting Final Plat 2005-01 for Pebble Rock Subdivision located on 15.63 acres consisting of parcel 404-02-004B. This project is located off McCracken Lane.**

On a motion by Baker, seconded by Gioia, the Council unanimously approved the Consent Agenda, with the deletion of Item 4 c).

On a motion by Reddell, seconded by Teague, the Council unanimously approved Resolution 2004-626, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting Final Plat 2005-01 for Pebble Rock Subdivision located on 15.63 acres consisting of parcel 404-02-004B.

Councilor Gioia requested that Item 4c) be pulled from the Consent Agenda for discussion. He also asked that a Council Work Session be scheduled for a presentation of water rights and the research and data that has been compiled to discuss the process of working on a water portfolio, so that Council might have that input prior to considering any proposal from an outside consultant; he suggested the date of February 9th at 6:30 p.m. for a Regular Work Session.

Item 4c) was pulled to consider and discuss the changes that had been made between the preliminary and final plats.

STAFF PRESENTATION

Director Wright briefly summarized the primary concerns regarding the application, one of which was the narrow width of the pavement, and another the water issue. The applicant plans to post

the street with a sign indicating no on-street parking to allow for safe access for emergency vehicles, and the plan is now to have one well to serve every two lots. The issue of flooding and drainage has also been addressed.

Luke Sefton, Engineer, in response to further clarification during Wright's presentation, and referring to the plat map, discussed in detail with the Council the flood lines and the drainage issue for the development.

There was no further public input.

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

Barbara Miller, who hosts a TV show on Channel 18, wanted to let everyone know that invitations have been sent to all eight candidates for Mayoral and Council seats; five have responded. Two at a time will be interviewed so that each will be given the opportunity to speak. The shows are scheduled for Thursday nights at 7:30, Channel 4 on cable, and on the antenna, Channel 18 and 21 on Saturday nights at 8:30. She issued a special invitation to the three who have not yet responded. There will be no criticism, only emphasis on why each candidate should be elected.

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

On a motion by Teague, seconded by Baker, the Council voted 6-1 to approve Resolution 2005-625, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting fees for Town Services, as provided, with three modifications: One being the Mixed Use/Low Density Fees to be equivalent to the PAD and PUD fees, the Golf Course w/o subdivision provision to be eliminated, and the Minor Land Division fee to be \$150, with a 'no' vote by Gioia.

STAFF PRESENTATION

Director Wright responded to the question of the Mixed Use/Low Density Fees being a zero charge, reminding the Council that Planning had done an extensive fee study that was presented to the Council in 2003 which included that Mixed Use/Low Density category, with the intent that Council was going to later determine a fee. Since the Mixed Use/Low Density District was probably included to be similar to the General Plan land use designations and does not appear to be in place currently, there was a suggestion from the Council that perhaps the category could be deleted. Sr. Planner Buckel reviewed the background of putting the zoning in place and pointed out that the new General Plan does not have a Mixed Use/Low Density District; Buckel also explained the inclusion of the Golf Course category with no fee specified.

COUNCIL DISCUSSION

The Council addressed the fact that during the last two years there have been no issues on either of the two categories listing no fees, and yet they do exist on the fee schedule. There was a suggestion that the Mixed Use/Low Density category could serve a purpose and should be kept in place, and that the fees be equivalent to the PAD and PUD fees, which was met with general agreement. The Council briefly discussed the possibility of a golf course being developed, with or without a subdivision and whether Town-owned or private, and the hurdles to be met; the discussion included suggestions to either impose a \$1,000 fee or just delete the category. Wright clarified the reasoning for setting some of the other fees, including categories for naming private drives and Site Plan Reviews; he also pointed out that for the Minor Land Division category, the Planning & Zoning Commission had recommended one fee of \$150. The Council then discussed the Administrative Fees, with particular emphasis on document copying charges, together with several suggestions for lessening the burden on individuals requesting copies; it was also generally agreed that staff had arrived at the fees after thoroughly considering all the factors and Council would continue to rely on the staff in that regard, while working with staff to implement some of the suggestions made.

7. **Discussion, consideration, and possible approval of Ordinance 2005-A291, an ordinance of the Town of Camp Verde, Yavapai County, Arizona, adopting an amendment to the Zoning Map of the Planning and Zoning Ordinance for parcel 403-23-006E consisting of approximately 23.29 acres from RCU-2A to C3. This rezoning is to allow for commercial activity.**

On a motion by Reddell, seconded by Parrish, the Council unanimously approved Ordinance 2005-A291, an ordinance of the Town of Camp Verde, Yavapai County, Arizona, adopting an amendment to the Zoning Map of the Planning and Zoning Ordinance for parcel 403-23-006E consisting of approximately 23.29 acres from RCU-2A to C3.

STAFF PRESENTATION

Director Wright reviewed the request to rezone property along State Route 260 where there has been much rezoning activity to a commercial use in the last few months which coincides with the general thinking that that corridor is the future growth area of the community. The Planning & Zoning Commission has recommended approval of the request, and staff has no objection.

PUBLIC HEARING OPEN

Applicant's Statement

Jim Binick, of Shephard-Wesnitzer, Inc., Cottonwood, briefly reviewed the request for rezoning, explaining that it is consistent with what has been occurring on the 260 corridor, describing the location of the subject property and the surrounding parcels with commercial activity.

COMMENT FROM OTHER PERSONS

There was no comment from other persons, and no rebuttal was necessary.

PUBLIC HEARING CLOSED

Council Discussion

The Council confirmed that the requirement for a Site Plan Review had been included in the subject Ordinance.

8. **Discussion, consideration, and possible approval of Ordinance 2005-A292, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 108 of the Zoning Ordinance amending Subsections K – Land Division by requiring a Minor Land Division Permit and Subsection L – Streets and Alleys providing for development on private easements and construction standards for private easements.**

On a motion by Baker, seconded by Gioia, the Council voted 2-5 in opposition to table this item for a future meeting; with 'no' votes by Baker, Kovacovich, Dickinson, Reddell and Parrish.

On a motion by Reddell, seconded by Parrish, the Council voted 6-1 to approve the red-lined version, as received by members of Council at 6:00 to 6:30, of Ordinance 2005-A292, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 108 of the Zoning Ordinance amending Subsections K – Land Division by requiring a Minor Land Division Permit and Subsection L – Streets and Alleys providing for development on private easements and construction standards for private easements; with the addition to have the Town Attorney write a letter to the Planning & Zoning Commission explaining the changes he made, with a response from Planning & Zoning on how they needed to look at the issue in a different way, and that the phrase "poor design" be stricken from Page 4, Item 4, second paragraph; with a 'no' vote by Gioia.

STAFF PRESENTATION

Director Wright described the background of working on the proposed amendment, meeting with a work group several times beginning sometime in October following a large meeting in August with many members of the real estate community. The Planning & Zoning Commission had recently met twice, especially January 14th where there were a number of changes arrived at.

Some last-minute changes were made by the Town Attorney just yesterday and have been included in the agenda packets and shown as red-lined. Director Wright then reviewed in detail the changes that the Commission and the work group had agreed upon, and the legal counsel's revisions to some of those changes, and in general the effect of the ordinance on minor land divisions, both past and future. Health and safety issues and protecting property rights have been of primary concern.

PUBLIC HEARING OPEN/COUNCIL DISCUSSION

Rob Witt, Planning & Zoning Commissioner, reviewed the long process of arriving at the proposed amendment, working with the committee that was formed to provide community input. One of the main concerns was protecting property rights, both past and future, and how a change in the law would affect those; also, health and safety were considered to be the minimum criteria. Mr. Witt said he had received the latest revision today, and then outlined in detail changes he drafted to that revision, distributing copies of those changes. He also recommended that the phrase "poor design" be stricken from Item 4, page 4, second paragraph under Subdivision Plat Approval.

Karen Keel questioned whether there was a difference between the criteria for a private owner of property and a realtor. The existing problems of past lot splits, the intent of the Town to arrive at a reasonable compromise, and the procedure to be followed in the future to avoid those problems were briefly outlined for Ms. Keel.

Following the input from the first two individuals and the review of the problems of past lot splits for Ms. Keel, the Council proceeded to discuss with Director Wright the proposed Ordinance and the changes made, in particular those made by legal counsel, with Wright offering to explain his understanding of the reasoning behind those changes. Wright confirmed that other neighboring communities have their own requirements and each has a somewhat different approach; Camp Verde is trying to find a balanced approach based on what has been done and past history. He believes that the Commission and the work group have reached that point. Any additional changes made will have to be presented to the attorney for review and then back again; the Council could also request a written opinion from the attorney on the changes he has imposed. Wright also briefly reviewed the revisions suggested by Rob Witt. There was a suggestion to send the last-minute changes back to the Commission, the work group, staff and legal counsel for further review, or in the alternative to adopt what has now been approved by the attorney.

Ron Smith, Planning & Zoning Commission Vice-Chairperson, said that the Commission had worked on the amendment since last September, and then received at 6:30 Thursday night a new change that the Commission had never seen. He protested that such a last-minute change by the attorney was not fair, that there had been a lot of people working on the ordinance. Mr. Smith suggested that either Planning & Zoning be replaced by the attorney, or the Council should listen to what the Commission recommends. Sending it back to the Commission could have the potential of more last-minute changes, creating even more delays.

There was comment from the Council that the members are extremely indebted to the Commission, acknowledging that the issue is a very tough and complicated, and without the help of the Commission and the realtors and surveyors the proposed Ordinance would not even be this close, and there was some consideration to table the item at this time. A motion was made to table the item, with a subsequent discussion pointing out that the proposed Ordinance as red-lined could be approved and later added to if necessary. There was strong sentiment expressed that the document should first go back to those who have worked on it and then come back to Council.

Diane Smith suggested that, since everyone is so close to agreement, and the Town Attorney is required to do what he has to do, perhaps the process could be speeded up by either having the attorney on a conference call or attending the meeting in person in order that everyone could be aware of last-minute changes at the same time.

There was no further public input.

After a brief further discussion, including concern about passing a law that has not been perfected, the motion to table the item failed. The Council then took action to approve the proposed Ordinance, with stipulations.

A recess was called at 8:36 p.m.; the meeting was reconvened at 8:41 p.m.

9. **Discussion, consideration, and possible approval of Ordinance 2005-A293, an ordinance of the Mayor and Common Council of the Town of Camp Verde amending Section 103 of the Zoning Ordinance amending definitions.**

On a motion by Baker, seconded by Kovacovich, the Council unanimously approved Ordinance 2005-A293, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Section 103 of the Zoning Ordinance amending definitions.

STAFF PRESENTATION

Director Wright advised the Council that there were a few definitions of items that needed to be added to clarify what staff is trying to do in connection with Sections 108 and 109 of the Zoning Ordinance. The Commission recommended approval as provided to them.

COUNCIL DISCUSSION

The discussion confirmed that it would be proper to go ahead and approve the Ordinance based on the action taken in the preceding item.

10. **Discussion, consideration, and possible approval of Ordinance 2005-A294, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 108 of the Zoning Ordinance amending the height limits and set back requirements.**

On a motion by Baker, seconded by Teague, the Council unanimously approved Ordinance 2005-A294, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 108 of the Zoning Ordinance amending the height limits and setback requirements, with the red-lined changes.

STAFF PRESENTATION

Director Wright said that the subject was an area of some concern because the Town did not have much industrial zoned property. Some of the activities such as commercial and minor manufacturing should be allowed under C-3 under certain conditions including closed buildings, and the proposed amendment provides for greater flexibility and addresses building heights. The red-lined changes were suggested by the attorney; the 50-foot limit was set by the Fire Department based on its current equipment. Wright outlined the reasoning for the basic changes addressing setbacks, square footage, types of activities and use permits.

COUNCIL DISCUSSION

The Council agreed on the need for the commercial design review to start moving forward, and commended staff on the work done.

PUBLIC INPUT

Rob Witt confirmed that the red-lined changes are the same intention that Planning & Zoning had, and they are unanimous with staff on the item.

There was no further public input.

11. **Discussion, consideration, and possible approval of Ordinance 2005-A295, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai**

County, Arizona amending Section 109 of the Zoning Ordinance amending C3 Zoning District Uses.

On a motion by Baker, seconded by Reddell, the Council unanimously approved Ordinance 2005-A295, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 109 of the Zoning Ordinance amending C3 Zoning District Uses, deleting the statements on Page 3 of 31, "other than on RCU-2A" under Paragraph 2a(1) and "except RCU-2A" under Paragraph 2i(1).

STAFF PRESENTATION

Director Wright apologized for having already gone over this item in his preceding presentation, basically, and confirmed that this is the section dealing with activities and use permits.

COUNCIL DISCUSSION

There was a brief discussion on the activities and references to "except RCU-2A" in Paragraph 2. It was confirmed in discussion with staff that such an exception could be removed, uses can be considered on a case-by-case basis, and that there would be no problem to exclude such references.

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

There was no public input.

13. **Advanced Approvals of Town Expenditures**

There were no advanced approvals of Town expenditures.

14. **Manager/Staff Report**

There was no Manager/Staff report.

15. **Council Informational Reports**

Gioia said the Extravaganza on Main Street was wonderful; it was a great idea and he thanked the Chamber and the Director for coming up with the idea that should enhance the Town's economy. Gioia congratulated everyone involved.

Baker said she absolutely agreed with what Gioia said; it was a wonderful day. In regard to a letter received from an anonymous critic, Baker said that criticism is welcomed, and asked that someone be brave and adult enough to sign their name to such a letter. She also said that she and several others had gone to West World, to the Equine Center, on Sunday to research the possibilities for using the Town's arena equipment. Cottonwood and Yavapai County are already researching what Camp Verde wants to do, so the Town should move quickly on the issue.

Kovacovich reported on the Field Trip Sunday; they were given the VIP tour.

Teague announced that there is mini-camp in Sedona this Saturday, the 29th, starting at 10:00 a.m., for kids 12 and under. Bob Brenley, Mark Grace and Luis Gonzales will be there. The event is free.

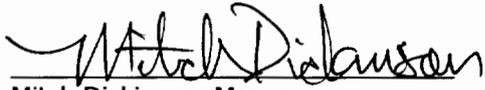
Parrish reported on the Sun Country Horse Show; it brought back happy memories of when he used to show horses.

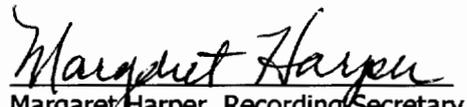
Reddell also commented on the horse event, something that Camp Verde might implement one day.

Dickinson said that everyone should be grateful for some gentle rain.

16. **Adjournment**

On a motion by Gioia, seconded by Baker, the meeting was adjourned at 9:05 p.m.


Mitch Dickinson, Mayor


Margaret Harper, Recording Secretary

CERTIFICATION:

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the regular meeting of the Town Council of Camp Verde, Arizona, held on the 26th day of January, 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 18 day of Feb, 2005


Deborah Barber, Town Clerk