

**AGENDA**  
**Regular Session**  
**THE PLANNING AND ZONING COMMISSION**  
**TOWN OF CAMP VERDE 473 S. MAIN STREET**  
**CAMP VERDE, AZ. 86322**  
**COUNCIL CHAMBERS STE. 106**  
**THURSDAY JANUARY 03, 2013**  
**6:30 PM**

*Because All Commission meetings will end at 9 PM, any remaining agenda items will be heard at the next Commission meeting.*

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda** - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.
  - a. **Approval of Minutes:**  
**12-06-2012 Special Session**
  - b. **Set Next Meeting, Date and Time:**  
As Needed
5. **Call to the Public for Items not on the Agenda**  
*(Residents are encouraged to comment about any matter not included on the agenda. State law prevents the Commission from taking any action on items not on the agenda, except to set them for consideration at a future date.)*
6. **Election of Officers.**
7. **Public hearing, discussion and possible recommendation to Council on an application submitted by the Gregory Blue, owner of parcel 404-26-032, requesting a Zoning Map Change, project # 20120238, to go from R1-10 (Residential) to RS (Residential and Services) for approximately 1.37 acres located at 671 S. 4th St. (Continued from December 6, 2012 meeting)**
8. **Public Hearing, Discussion and possible recommendation to Council on a Use Permit application submitted by Mr. Adam Brixius of Clear Blue Services, agent for GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. This Use Permit application, if approved by the Town Council, will replace the current Use Permit to allow for the addition of a Wireless Tower at the Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.**
9. **Public Hearing, Discussion and possible recommendation to Council on an application submitted by Mr. Adam Brixius and/or Mr. Andy Livingston, of Clear Blue Services, agents for AT&T Mobility, for a Use Permit to place a 90' Wireless Tower on property owned by GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.**

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

**There will be no Public input on the following items:**

10. **Commission Informational Reports:** Individual members of the Commission may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the public of such events and activities. The Commission will

take no discussion, consideration, or action on any such item, except that an individual Commission member may request an item be placed on a future agenda.

- 11. **Staff**
- 12. **Adjournment**

**Please note:** The Planning and Zoning Staff makes every attempt to provide a complete agenda packet for public review. However, it is not always possible to include all information in the packet. You are encouraged to check with The Community Development Department prior to a meeting for copies of supporting documentation, if any that were unavailable at the time agenda packets were prepared.

Posted by: J. Owens Date/Time: 12-28-12 3:00 PM

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

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

**MINUTES DRAFT**  
**Special Session**  
**THE PLANNING AND ZONING COMMISSION**  
**TOWN OF CAMP VERDE**  
**CAMP VERDE, AZ. 86322**  
**COUNCIL CHAMBERS SUITE #106**  
**THURSDAY DECEMBER 06, 2012 6:30 PM**

1. **Call to Order**  
The meeting was called to order at 6:30 p.m.
2. **Roll Call**  
Chairperson Blue, Commissioner Hisrich, Commissioner Norton and Commissioner Hough were present.  
Absent: Chairperson Butner, Commissioner Freeman and Commissioner Parrish.
3. **Pledge of Allegiance**  
The Pledge was led by Norton
4. **Consent Agenda** - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.
  - a. **Approval of Minutes:**  
November 01, 2012 Regular Session
  - b. **Set Next Meeting, Date and Time:**  
January 3, 2013 Regular SessionOn a motion by Hisrich, seconded by Norton, the Consent Agenda was unanimously approved as presented.  
  
Vice Chairman Blue made a motion to recess the meeting for 5 minutes at 6:32 pm, it was seconded by Hough, and all were in favor.  
At 6:37 pm Vice Chairman Blue called the meeting back to order.
5. **Call to the Public for Items not on the Agenda**  
There was no public input.
6. **Public hearing, discussion and possible recommendation to Council on an application submitted by the Gregory Blue, owner of parcel 404-26-032, requesting a Zoning Map Change, project # 20120238, to go from R1-10 (Residential) to RS (Residential and Services) for approximately 1.37 acres located at 671 S. 4th St.**  
Vice Chairman Blue has formally recused himself from this item.  
On a motion by Hough, seconded by Hisrich, this item is to be continued until the January 6, 2013 meeting and be first on the agenda due to a lack of quorum after recusal. The motion was unanimously approved.
7. **Call to the Public for Items not on the Agenda**  
There was no public input.
8. **Commission Informational Reports:**  
There were no Commission informational reports.

**9. Staff**

There was no report from staff.

**10. Adjournment**

On a motion by Norton seconded by Hough, the meeting was adjourned at 6:41 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Planning & Zoning

**CERTIFICATION**

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning commission of the Town of Camp Verde during the Special Session of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 6<sup>th</sup> day of December 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated: \_\_\_\_\_ day of \_\_\_\_\_ 2012.

\_\_\_\_\_  
Jenna Owens, Recording Secretary



Town of Camp Verde

**Exhibit A - Agenda Item Submission Form - Section I**

**Meeting Date:** January 3, 2013

- Consent Agenda       Decision Agenda
- Presentation Only       Recommendation to Council

**Requesting Department:**              Community Development

**Staff Resource/Contact Person:** Michael Jenkins – Community Development Director

**Agenda Title (be exact):** Public Hearing, Discussion and Recommendation to Council on Zoning Map Change 20120238. An application submitted by Gregory Blue owner of the Sunland RV Park on parcel 404-26-032, requesting a Zoning Map Change from R1-10 (Residential: single family) to RS (Residential and Services) for approximately 1.37 acres located at 671 S. 4<sup>th</sup> St.

**List Attached Documents:** Application, Letter of Intent, Neighborhood meeting affidavit, Site Plan, Land Use Map and Map of the Zoning of Adjacent properties.

**Estimated Presentation Time:** 15 min.

**Estimated Discussion Time:** 30 min.

**Reviews Completed by:**

Department Head: \_\_\_\_\_               Town Attorney Comments:

Finance Department

**Fiscal Impact:**

**Budget Code:** \_\_\_\_\_ **Amount Remaining:** \_\_\_\_\_

**Comments:**

**Instructions to the Clerk:** None

**Exhibit B – Agenda Item Submission Form – Section II (Staff Report)**

**Town of Camp Verde**

**Agenda Item Submission Form – Section II (Staff Report)**

**Department:** Community Development

**Staff Resource/Contact Person:** Michael Jenkins – Community Development Director

**Contact Information:** 554-0051

**Background:**

**History:** From the early 1960's to 1985 this property was known as "The Glory Hole Mobile Home Park". In 1986 the property was purchased and the name changed to "Sunland RV Park". The new owner's intent at the time was to incorporate Recreational Vehicles as well as Mobile Homes into the park. The new owners were advised by Yavapai County Planning & Zoning that the "Mobile Home" portion had "Grandfathered" rights, but that the proposed RV portion would need to have a Use Permit.

An application was submitted for a Use Permit to Yavapai County for the expansion of the existing Mobile Home Park to include RV's. Due to complications with the sewage disposal system, the application was withdrawn by the owners. NOTE: The property currently served by the Camp Verde Sanitary District.

Mr. Gregory Blue purchased the Sunland RV Park for long term and affordable housing. Mr. Blue would like to bring the property into compliance and make improvements. Due to the new language in the Planning & Zoning Ordinance, the R1-10 zoning does not allow for a Recreational Vehicle Parks. In order to achieve compliance, a Zoning Map Change is necessary. By rezoning to the RS District, allowable uses in this district provide for Recreational Vehicle Parks with a Use Permit. Following the approval of the Zoning Map Change, an application for a Use Permit will be submitted to set stipulations for the use of the property. Once the Zoning Map Change and Use Permit are in place, the parcel will be in compliance with the Planning & Zoning Ordinance

**The following has been completed by the applicant and staff:**

Agencies were notified. The responses are as follows:

**Town of Camp Verde Building Official** – No Comments

**Town of Camp Verde Community Development Director** – This Zoning Map Change is the first of two processes required to bring the RV Park into Compliance and allow for a small Expansion of spaces and amenities.

**Camp Verde Water** – Currently serves this property with a six (6) main and would be able to provide Fire Protection if needed.

**Yavapai County Flood** – No Comment

**Camp Verde Sanitary District** – When additional spaces are added Mr. Blue must apply permits.

**Camp Verde Fire District** – Reviewed and approved.

- 24 letters were mailed to properties within 300' of the subject parcel on November 01, 2012. This letter advised the neighbors of the Planning & Zoning Commission and the Town Council meeting times and dates.

The applicant mailed out letters to the neighboring property owners within 300' of the subject property and invited them to a meeting to express concerns and comments. The meeting was held October 18, 2012 in the Community Development Office suite 109 from 5:30 pm to 6:15 pm., a staff member was present. There were four (4) neighbors who attended the meeting. Their comments are not directly related to the Zoning Map Change.

(1) They commented about citizens not always stopping at the stop sign on the road east of the RV Park that comes north from the American Heritage School and that people fly through that intersection.

(1) Answer: This property is not owned by Mr. Blue, however he has inquired about a solution. Mr. Blue has contacted the Town Engineer to see if a Yield sign instead of a Stop sign could be placed at the intersection in question.

(2) There were comments as to why Mr. Blue allowed a sex offender to live in the RV Park when it is so close to the American Heritage School.

(2) Answer: Mr. Blue has researched the regulations for how far a sex offender has to be from a school. Per Arizona Revised Statute § 13-3727, for level three offenders, the distance from a Private School is 1000 feet. Mr. Blue's resident is not a level 3. The Camp Verde Marshal's office noticed the American Heritage School and the neighborhood.

**Statement of the Problem or Opportunity:** If the property is not rezoned, compliance with the Planning & Zoning Ordinance cannot be achieved.

**Alternatives/Options/Solutions:** None

**Comparative Analysis:** None

**Fiscal Impact to the Town:** None

**Other Impacts:** None

**Conclusion:** This property has been out of compliance for some time and a recommendation to Council to approve a Zoning Map Change to RS will bring this property into compliance with the current Planning & Zoning Ordinance.

**Recommended Motion:** Recommend that Council approve a Zoning Map Change for parcel 404-26-032 to go from R1-10 (Residential: Single Family) to RS (Residential & Services) to bring the property into compliance with the current Planning & Zoning Ordinances. Parcel is approximately 1.37 acres located at 671 S. 4<sup>th</sup> St.

# Zoning Map Change Check List

Pre-Application Conference with staff and the Acting Community Development Director

## **\*Staff Report**

Will include summary of agency & citizen's comments, Town requirements, and applicant's narrative as it addresses requirements for application and recommended stipulations if approved (if any).

## **\*Ordinance (for Council Hears Planning & Zoning)**

### Agency Comments

- Notification List
- Responses

Letter of request to be annexed into the Camp Verde Fire District or letter from the Camp Verde Fire District stating that applicant is already in the Camp Verde Fire District.

## **\* Application including:**

1. **\*Directions to Property**
2. **\*Letter of Intent (Narrative)**
3. **\*Consent or Approval letter from property owner (if applicable)**
4. **\*Public Participation, Neighborhood meeting, completed. Date: 10-18-12**
  - **\*Affidavit of summary of meeting**
  - **\*Statement of how the applicant addressed neighborhood concerns.**
  - Copy of letter sent to neighbor's within 300'
  - Posting of Property by applicant (photo)
  - Affidavit attesting to notification of neighbors
  - Sign in sheet

## **\*Site Plan**

## **\*Land Use Map**

## **\*Vicinity Map**

## **\*Adjacent land use**

## **Ordinance (for Council)**

Reviewed and approved by Town Attorney.

## Legal Description

Advertising & Posting has been completed & meet State Law Requirements

**NOTE: \*Indicates included in packet**



PROJECT #  
20120238

# Land Use Application Form

1. Application is made for:

- |   |                                    |                        |
|---|------------------------------------|------------------------|
| Zoning Map Change                           | Use Permit                         | General Plan Amendment |
| Conceptual Plan Review                      | Preliminary Plat                   | Final Plat             |
| PUD Zoning                                  | Variance                           | Sign                   |
| Street Abandonment                          | Minor Land Division                | Wireless Tower         |
| Appeal                                      | Verification of Non-Conforming Use | Utility Exemption      |
| Site Plan Compatibility Review (Commercial) |                                    |                        |

Other: \_\_\_\_\_

2. Project Name: IMPROVEMENTS + EXPANSION OF SUNLAND RV PARK

Please print or type legibly

3. Contact information: (a list of additional contacts may be attached)

Owner Name GREGORY BLUG Applicant Name: SAMG

Address 95 E CLIFF HOUSE DR, #A Address \_\_\_\_\_

City CAMP VERDE State AZ Zip 86328 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone 928.300.4747 Phone: \_\_\_\_\_

E-mail GREGORYBLUG@HOTMAIL.COM E-Mail: \_\_\_\_\_

4. Property Description:

Address or Location: 6715. FIRST. CAMP VERDE, AZ 86328

Existing Zoning R1-10 Existing Use RV/TRAILOR PARK

Proposed Zoning RS Proposed Use RV/TRAILOR PARK

5. Purpose: (describe intent of this application in 1-2 sentences)

IMPROVEMENTS AND EXPANSION OF  
SUNLAND RV PARK

6. Certification:

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action

Owner [Signature] Date 8.20.2012 AND

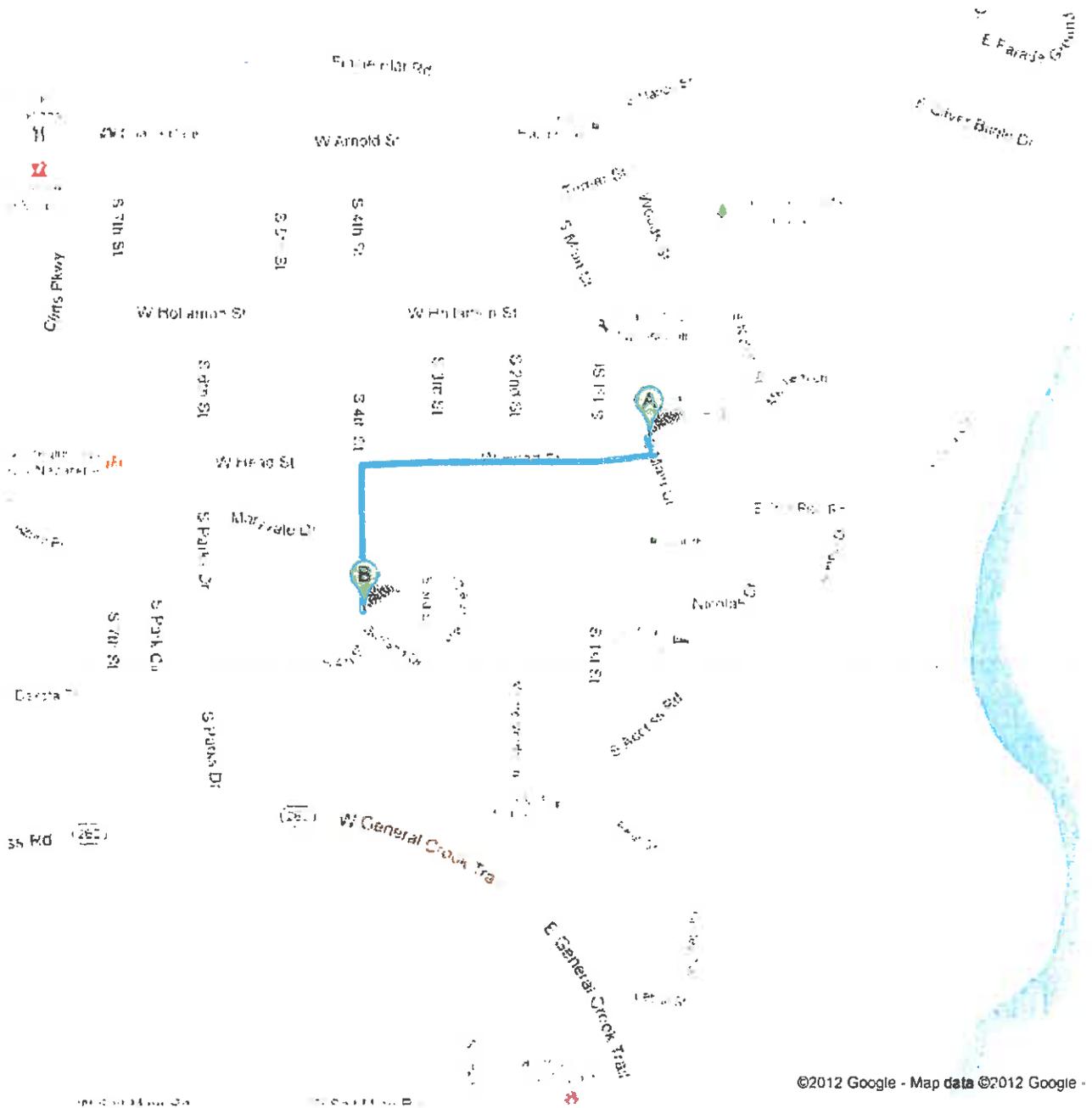
I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all materials and fees required by the Town of Camp Verde must be submitted prior to having this application processed

Applicant [Signature] Date 8.20.2012





Directions to 671 S 4th St, Camp Verde, AZ  
86322  
0.4 mi – about 2 mins



August 23, 2012

Town of Camp Verde  
Community Development  
473 S. Main St., Ste. 108  
Camp Verde, AZ 86322

RE: Zoning Map Change

Dear Mr. Jenkins,

Sunland RV Park is requesting a Zoning Map Change from R1-10 to RS so that I can bring this property into compliance. The park has been in continuous use since before 1964. It also provides affordable living; the park is a "long term" park.

In the future, should the Zoning Map Change be approved, I will be applying for a Use permit to make improvements.

The park has a good mix of residents; some are retired most work and contribute to the community.

Sincerely,

  
Gregory Blue  
Sunland RV Park

# Affidavit

I GREG BLUG owner of parcel 404.26.032 have notified my neighbors within 300' of my residence, by sending letters on 10.2.12 to notify them of the neighborhood meeting that I conducted on the 13 day of OCTOBER 2012.

I posted my property with meeting date and time on the 7 day of OCTOBER 2012.

I GREG BLUG owner of parcel 404.26.032 have provided a summary of Neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde within 15 days attesting to the issues and concerns discussed at the Neighborhood Meeting held on the 13 day of OCTOBER 2012

Summary  
Statement:

Mr. Shuster left a phone message with the Community Development office for me to call him. I returned his call that day. He was very pleasant to talk with. He asked about the current zoning. I informed him that it is currently zoned as R10. He asked if the park is in the sewer District and connected. I told him that the park is in the Sewer District and is connected. He also wanted to know how many spaces there are. I told him there are 11 spaces with 1 doublewide that is used as a rental. He asked if I had facilities for showers and toilets. I told him that this is a long term park, 30 days or longer. I don't have overnight rentals. He asked why I needed a Use Permit, I told him it's a Town requirement. In conclusion he told me that after talking to me, he supports this request. SEE ATTACHED

If Summary statement is too long, attach a copy.

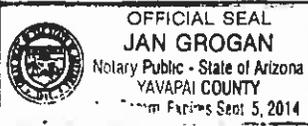
State of Arizona}

County of Yavapai}

[Signature]  
Signature of Document Signer No. 1

\_\_\_\_\_  
Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 14 day of November 2012.



[Signature]  
Signature of Notary

OCTOBER 18, 2012 NEIGHBORHOOD MEETING HELD IN THE COMMUNITY DEVELOPMENT OFFICE 5:30 pm to 6:15 pm

Mr. and Mrs. Howell and Mr. and Mrs. Coke came as a group and spoke as a group. They first asked why they received a letter. Jenna Owens, Assistant Planner for the Town, explained the procedure to them.

Then they spoke about people not stopping for the Stop sign on Sunland Dr. I told them that I would talk to the Town Marshal about their comment. Then they asked me why I allowed a former sex offender to move into the park. I tried to explain that I spoke with him and his brother and felt that he had served his time. Their response to me was on a negative personal level. They continued to ask what their rights were. I told them that I would speak to the Town Marshal and let them know her response. I talked to Town Marshall, Nancy Gardner, and she referred me to the Arizona Department of Safety Web Site in regards to rules regarding where the offender can reside, and rules regarding how far from a school, as per ARS 13-3727. A level three cannot reside within one thousand feet from a school or childcare facility. The resident is not a level three offender. I also discussed with the Marshall about the Stop sign located on Sunland Drive. She referred me to Ron Long with the Public Works Department. I contacted Mr. Long and suggested that a Yield sign could replace the Stop sign. His comment was that it was really none of my concern.

Then they talked about the poor job the former owner did in running the park. I told them that I am not an absentee owner. I take great pride in what I do in the community.

In conclusion, they asked me what improvements that I am planning on for the park and I shared with them that I am proposing to enclose the dumpster, build a laundry room, remove the storage building, and add landscaping to the park. They liked the proposal of these improvements.

## Arizona State Legislature

Bill Number Search  

Fiftieth Legislature - Second Regular Session

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**13-3727. Unlawful residency; persons convicted of criminal offenses; exceptions; preemption; classification**

A. It is unlawful for a person who has been convicted of a dangerous crime against children as defined in section 13-705 or who has been convicted of an offense committed in another jurisdiction that if committed in this state would be a dangerous crime against children as defined in section 13-705, who is required to register pursuant to section 13-3821 and who is classified as a level three offender pursuant to sections 13-3825 and 13-3826 to reside within one thousand feet of the real property comprising any of the following:

1. A private school, as defined in section 15-101, or a public school that provides instruction in kindergarten programs and any combination of kindergarten programs and grades one through eight.
2. A private school, as defined in section 15-101, or a public school that provides instruction in any combination of grades nine through twelve.
3. A child care facility as defined in section 36-881.

B. This section does not apply to any of the following:

1. A person who establishes the person's residence before September 19, 2007 or before a new school or child care facility is located.
2. A person who is a minor.
3. A person who is currently serving a term of probation.
4. A person who has had the person's civil rights restored pursuant to chapter 9 of this title.

5. A person who has not been convicted of a subsequent offense in the previous ten years, excluding any time the person was incarcerated in any federal, state, county or local jail or prison facility.

C. Notwithstanding any other law and as a matter of statewide concern, a county, city or town shall not enact an ordinance that provides for distance restrictions greater than those found in this section.

D. For the purposes of subsection A of this section, measurements shall be made in a straight line in all directions, without regard to intervening structures or objects, from the nearest point on the property line of a parcel containing the person's residence to the nearest point on the property line of a parcel containing a child care facility or a school.

E. A person who violates this section is guilty of a class 1 misdemeanor.

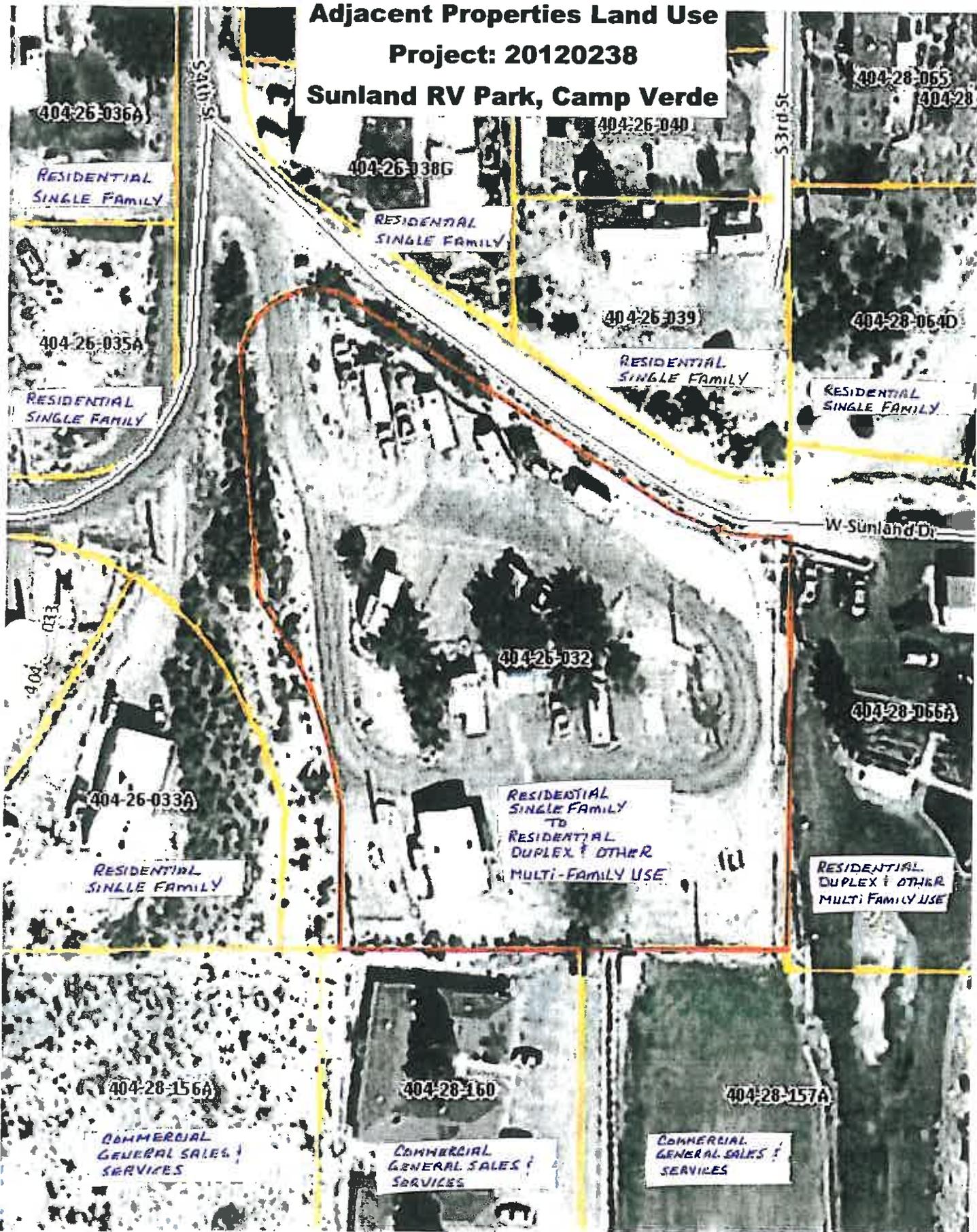


# Land Use Map

## Adjacent Properties Land Use

Project: 20120238

## Sunland RV Park, Camp Verde



Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the e

# Zoning Map Change

## Zoning of Adjacent Properties

Project: 20120238

## Sunland RV Park, Camp Verde



Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the e



**Agenda Item Submission Form – Section I**

**Meeting Date: January 3, 2013 Planning & Zoning Commission**

Consent Agenda       Recommendation       Executive Session Requested

Presentation Only       Action/Presentation

**Requesting Department: Community Development**

**Staff Resource/Contact Person: Michael Jenkins**

**Agenda Title (be exact): Public Hearing, Discussion and possible recommendation to Council on a Use Permit application submitted by Mr. Adam Brixius of Clear Blue Services, agent for GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. This Use Permit application, if approved by the Town Council, will replace the current Use Permit to allow for the addition of a Wireless Tower at the Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.**

**List Attached Documents: (Rancho Verde RV Park)**

**Applicant's application submittal (Use Permit for Rio Verde RV Park)**

- Use Permit Application
- Directions to Property
- Yavapai County Assessor's Office Parcel Information
- Letter of Authorization, authorizing Adam Brixius from Clear Blue Services to act as the property owner's Agent.
- Letter of Intent.
- SITE PLAN

**Staff's Power Point attachments**

- Attachment no. 1: Land Use Map
- Attachment no. 2: Zoning Map
- Attachment no. 3: Resolution 97-07

**Recommended Action (Motion):** A motion to recommend denial or approval, to the Town Council, of a Use Permit submitted by Mr. Adam Brixius of Clear Blue Services, agent for GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. This Use Permit, if approved by the Town Council, will replace the current Use Permit to allow for the addition of a Wireless Tower at the Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.

- **Note:** The Planning and Zoning Commission has the option of setting a time limit on this Use Permit. Staff is recommending that this Use Permit be granted in perpetuity due to the previous years of operation of the Park with no reported violations.



# Land Use Application Form

1. Application is made for:

- |   |                                    |                        |
|---|------------------------------------|------------------------|
| Zoning Map Change                           | Use Permit                         | General Plan Amendment |
| Conceptual Plan Review                      | Preliminary Plat                   | Final Plat             |
| PUD Zoning                                  | Variance                           | Sign                   |
| Street Abandonment                          | Minor Land Division                | Wireless Tower         |
| Appeal                                      | Verification of Non-Conforming Use | Utility Exemption      |
| Site Plan Compatibility Review (Commercial) |                                    |                        |

Other: \_\_\_\_\_

2. Project Name: Rancho Verde RV Park

Please print or type legibly

3. Contact information: (a list of additional contacts may be attached)

Owner Name: George L. Green

Applicant Name: Clear Blue Services, Adam Brixius

Address: P.O. Box 1078  
Alroyo Grande, CA 93421

Address: 11011 S. 48<sup>th</sup> St. Phoenix, AZ 85044

Phone: \_\_\_\_\_

Phone: 602-426-9500

E-mail: \_\_\_\_\_

E-Mail: adambrixius@clearblueservices.com

4. Property Description:

Address or Location: 1488 W. Horseshoe Bend Camp Verde, AZ 86322

Existing Zoning: RCU-2A + Use Permit Existing Use: RV Park

Proposed Zoning: RCU-2A + Use Permit Proposed Use: RV Park + Wireless Communications

5. Purpose: (describe intent of this application in 1-2 sentences)

Forty (40) RV Sites, One (1) mobile home and a two bedroom house with attached office. Plus, the ability to allow wireless communications.

6. Certification:

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action

Owner: AGB Date: 10/30/12 AND

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all materials and fees required by the Town of Camp Verde must be submitted prior to having this application processed

Applicant: AGB Date: 10/30/12



## Directions to Property

Assessor's Parcel Number 403-19-013V

Applicants Name Adam Brixius, Clear Blue Services, Project Manager

Property Address 1488 W. Horseshoe Bend Drive Camp Verde, AZ 86322

### Directions To Property:

From: W. State Route 260, Exit east onto Park Verde  
Road, Head North on Central Ln, East on Horseshoe  
Bend Drive.

Property Entrance on right side of road.

# Affidavit

I Adam Bixius owner/agent of parcel 403-19-013V have notified neighbors within 1000' of parcel 403-19-013V, by sending letters on 11/30/12 to notify them of the neighborhood meeting that I conducted on the 19<sup>th</sup> day of DECEMBER 2012.

I posted parcel 403-19-013V with meeting date and time on the 4<sup>th</sup> day of DECEMBER 2012.

I Adam Bixius owner/agent of parcel 403-19-013V have provided a summary of Neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde within 15 days attesting to the issues and concerns discussed at the Neighborhood Meeting held on the 19<sup>th</sup> day of DECEMBER 2012.

Summary

Statement: No questions were ask about the R.V. Park. it was explained that this Use Permit was needed because the Use of the property was intensifying.

If Summary statement is too long, attach a copy.

State of Arizona}

County of Yavapai}

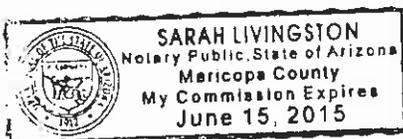
ABix

Signature of Document Signer No. 1

ADD

Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 20<sup>th</sup> day of DECEMBER 2012.



Sarah Livingston  
Signature of Notary



## Letter of Intent – YA73

**REQUEST:** Use Permit

**PROPOSAL:** RV Park with a Wireless Communications Facility – forty (40) RV sites, one (1) mobile home and a two bedroom house with attached office.

**LOCATION:** 1488 W. Horseshoe Bend Camp Verde, AZ 86322

**SIZE:** 5.18ac

**APPLICANT:** Clear Blue Services, 11011 South 48<sup>th</sup> Street, Phoenix, AZ 85044 Suite 210

**CONTACT PERSON :** Adam Brixius, Phone: 602-426-9500, Email: adambrixius@clearblueservices.com

### REQUEST

Clear Blue Services on behalf of George L. Green and Sigrid Green, Trustees of the G.L. and S.F. Green Revocable Trust is requesting a new perpetual Use Permit to replace the existing perpetual Use Permit for the Rancho Verde RV Park. The proposal is to replace the existing Use Permit with one that will permit the use of both an RV Park as well as a Wireless Communications Facility (WCF) on the same parcel. A separate Use Permit for the specific WCF is requested under a separate application. The RV Park / WCF permit application is intended to provide recreation and wireless communication opportunities to this region in Camp Verde. Rancho Verde RV Park has been a successful operation with no violations since the original Use Permit was approved September 24, 1997, resolution No. PZ 97-07.

### DESCRIPTION OF PROPOSAL

The proposed Use Permit is for 40 RV sites, one mobile home, one two-bedroom house with attached office, and a Wireless Communications Facility. With the exception of the WCF; all of the proposed uses were included with the approval of the current Use Permit. Because the current Use Permit under which the RV park presently operates has a perpetual life span, we request that the new Use Permit be granted with no expiration as well. It is understood that the separate WCF Use Permit request submitted concurrently with this application will not have a perpetual status.

### RELATIONSHIP TO SURROUNDING PROPERTIES

The subject parcel has an RR zoning designation with an approved Use Permit. The property's current use is a RV Park. The surrounding properties to the north, south, and east have zoning designations of RR and PUD to the west.

### LOCATION AND ACCESSIBILITY/CIRCULATION SYSTEM

Ingress and egress will be from West Horseshoe Bend Drive road on the southwestern portion of the parcel. There are two driveways off Horseshoe Bend providing direct access to the mobile home and home/office and a third drive off Horseshoe Bend provides direct access to all RV Park Sites. There is a gated access on the northern end of the property providing access to sites on the lower portion of the property along the east.

## **HOURS OF OPERATION**

Rancho Verde RV Park will operate 24 hours a day, seven days a week 365 days a year.

## **PARK UTILITIES**

### **Water:**

Water service is provided by the Camp Verde Water System (private water company) with service to each RV site, tent camping site, workshop, laundry/showers, mobile home and office. The main water service is via a 2" piping system with back flow preventer.

### **Waste Water Processing:**

The park is not connected to a city sewer system. The park waste water is processed in seven septic tanks. The upper level of the RV Park is serviced by four 1,850 gallon septic tanks. The lower RV park spaces are serviced by one 2,000 gallon septic tank. The office and two-bedroom house is serviced by one 1,500 gallon septic tank. The mobile home is serviced by one 1,200 gallon septic tank. The park does not provide RV dump station services to the general public. Waste water processing is only for tenants of the park.

### **Electric Provider:**

Electric service to the park is provided by APS through a 600 Amp service center for the RV sites and laundry/toilet and shower facility. The two bedroom home office has a 150 amp service center and separate meter. The mobile home has a 100 amp service center with a separate meter. The three irrigation pumps have a 200 amp three phase service center and separate meter.

There are a total of 40 RV sites and two tent camping sites in the park. 36 of the RV sites have 100 amp power pedestals providing 50 amp, 30 amp and 20 amp outlets. A RV will only connect to only one of the outlets. All of the outlets are 120 volt AC. Four of the RV sites have 30 amp service only.

### **Telephone:**

Telephone service in the park is provided by CenturyLink. Copper wire is buried and there is service to the office, mobile home and 12 of the RV sites. There is a telephone outlet box adjacent to the proposed facility equipment shelter. The hard wired telephone is only used by a few of the long term tenants. The telephone wiring from the pole to the sites is park owned and not maintained by the telephone utility.

The park has cable service to the office, mobile home, and to the laundry/storage building. The cable service is for internet Wi-Fi service to the RV sites via an antenna located on the laundry building. There are no individual RV sites with direct cable (wired) provisions.

## **NOISE, LIGHT, NUISANCES**

The park has two dusk to dawn pole mounted street lights maintained by the APS electric utility. There is outdoor lighting at the laundry/ shower building. One light is located on the north end of the center RV site row and the other light is at the SE corner of the laundry / shower building. There are no excessive noises or nuisances.

## **NEIGHBORHOOD IMPACT**

Rancho Verde RV Park is a valued asset to the Town of Camp Verde. With no violations since it has been in operation it provides numerous people an opportunity to live, vacation, or relax.

## **WIRELESS COMMUNICATIONS**

In today's society Wireless Communications are as much of a needed service as traditional utilities such as electric power and land-line telephone. AT&T has recognized a significant gap in coverage in the area around the Rancho Verde RV Park. The approval of this Use Permit will allow AT&T to close this coverage gap with a single co-locatable WCF. The Rancho Verde RV Park location is the least obtrusive location and covers the most area. This WCF site will benefit consumers by lower pricing on competing technologies, benefit businesses with more access to technology, and most importantly provides coverage to everyone with a wireless device in the case of an emergency.

**Letter of Authorization**

Date:

TO WHOM IT MAY CONCERN:

This letter will serve as authorization for Adam Brixius, to act as an agent on behalf of George L. Green and Sigrid Green, Trustees of the G.L. and S.F. Green Revocable Trust, under Agreement dated September 21, 1987, including, but not limited to, power of attorney for the purpose of obtaining a Use Permit, for a RV Park with a Wireless Communications Facility and a Use Permit for a Wireless Tower in cooperation with Camp Verde, Development Services Department.

Located on Assessor Parcel Number: 403-19-013V

Landowner Signature: George L. Green Date: 08/31/2012

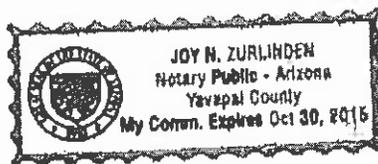
State of Arizona

ss

County of Yavapai

On this 31 day of August, 2012 before me, the undersigned Notary Public, personally appeared George L. Green who executed the foregoing instrument for the purpose therein contained.

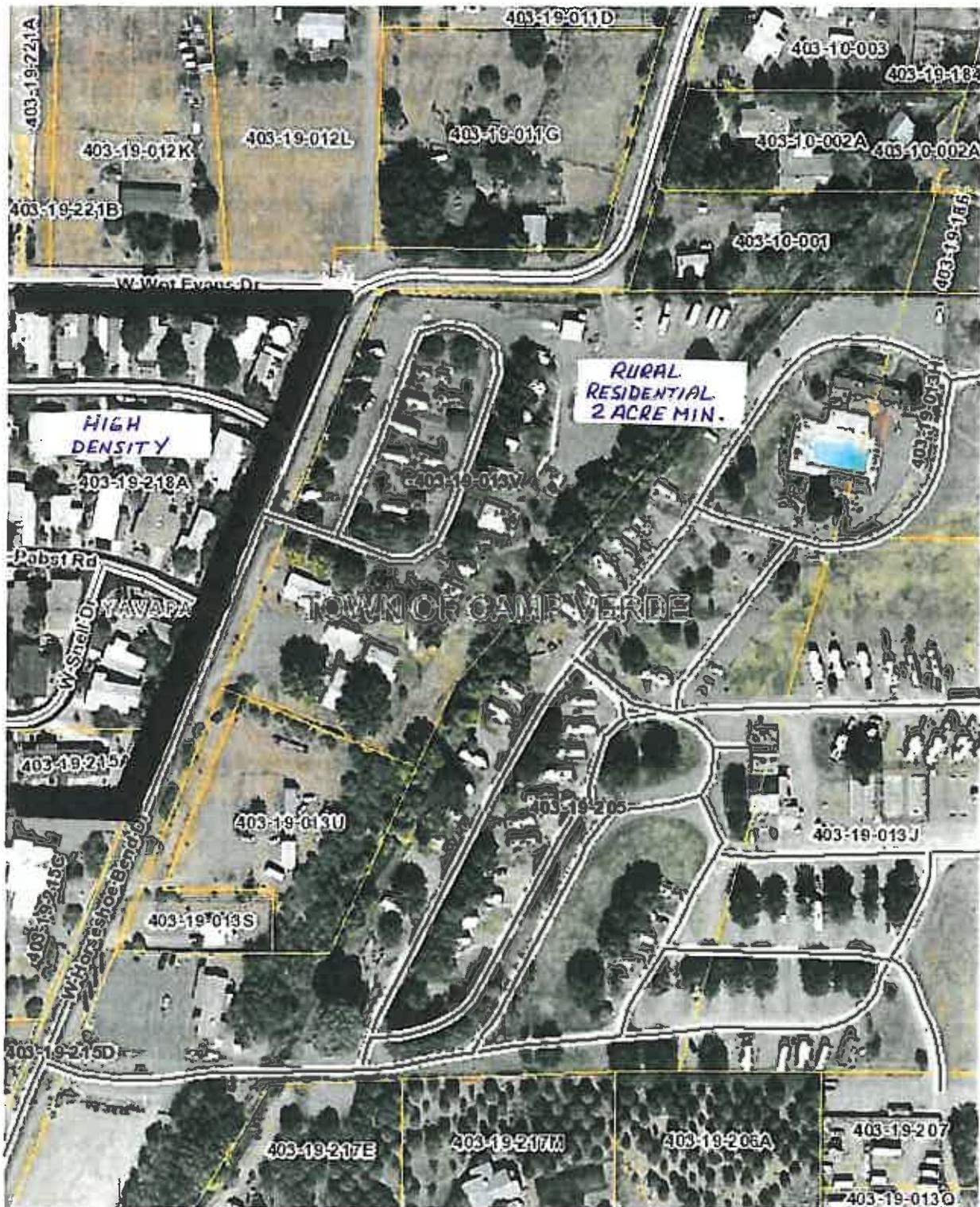
In witness whereof, I hereby set my hand and official seal



Joy N. Zurlinden  
Notary Public

Oct 30, 2015  
Date Commission Expires

# Land Use Map



*Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.*

Map printed on 12.15.2012

RESOLUTION NO. PZ 97-07

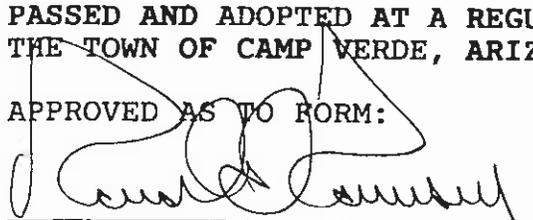
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING USE PERMIT 97-05 FOR DEVELOPMENT OF A RECREATIONAL VEHICLE PARK ON TAX PARCEL 403-19-013 LOCATED 1488 WEST HORSESHOE BEND WITH THE ZONING OF RCU-2A.

The Town Council of the Town of Camp Verde hereby resolves as follows:

- I. The Town Council hereby finds as follows:
  - A. A request for a Use Permit(97-05) was filed by Arthur and Charlene Ferguson, property owners, for the purpose of constructing a recreational vehicle park on their property, a 5.18 acre parcel, Tax Parcel 403=19-013.
  - B. The request was reviewed by the Planning Commission on September 4, 1997, and the Town Council on September 24, 1997 in public hearings that were advertised and posted according to state law.
  - C. The proposed Use Permit will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
  - D. The Use Permit(97-05) is approved, based upon the following findings:
    - 1. The Use Permit will not injure the public health, safety, welfare or convenience.
- II. The Town Council of the Town of Camp Verde hereby approves Use Permit 97-05 for the purpose of constructing a recreational vehicle park on Tax Parcel 403-19-013.

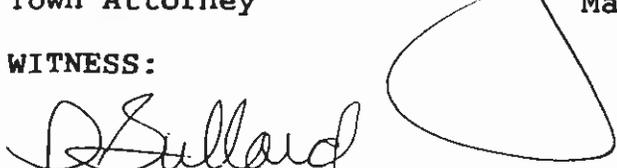
PASSED AND ADOPTED AT A REGULAR SESSION OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON SEPTEMBER 24, 1997.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ronald Ramsey  
Town Attorney

  
\_\_\_\_\_  
Carter Rogers  
Mayor

WITNESS:

  
\_\_\_\_\_  
Dane Bullard  
Town Clerk

NB



**Agenda Item Submission Form – Section I**

**Meeting Date: January 3, 2013    Planning & Zoning Commission**

- Consent Agenda       Recommendation       Executive Session Requested
- Presentation Only       Action/Presentation

**Requesting Department: Community Development**

**Staff Resource/Contact Person: Michael Jenkins**

**Agenda Title (be exact): Public Hearing, Discussion and possible recommendation to Council on an application submitted by Mr. Adam Brixius and/or Mr. Andy Livingston, of Clear Blue Services, agents for AT & T Mobility, for a Use Permit to place a 90 foot Wireless Tower on property owned by GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.**

**List Attached Documents: (AT&T Tower YA73)**

**Applicant's application submittal and Part Eight (Wireless Communication Facility Regulations)**

- Use Permit Application
- Directions to Property
- Yavapai County Assessor's Office Parcel Information
- Surveyor's Horizontal – Vertical location certification
- Letter of Authorization, authorizing Adam Brixius from Clear Blue Services to act as the property owner's Agent.
- Part Eight (Wireless Communication Facility Regulations), Town of Camp Verde Planning & Zoning Ordinance.

**Applicant's Proposed Tower YA73 information packet**

- Letter of Intent – YA73
- Alternative Site Analysis
- Search Ring Analysis
- Appendix (AT&T Proposed and Existing WCF's, RF frequency propagation maps, Photo simulations, Fall Zone letter, Federal Communication Commission license, Federal Communication Commission (E9-1-1), Surrounding Tower Locations, Search Ring and AT&T certification of compliance).

district but, also to allow for wireless tower locations in an area that is the most effective for coverage and keeping the number of required wireless towers to a minimum.

**Neighborhood Meeting:** As required, a neighborhood meeting was held by the applicant on December 19, 2012 in rooms 206-207 of the Town Campus Buildings.

**AT&T Wireless Tower Use Permit**

Agencies were notified, the responses are as follows:

**Town of Camp Verde Building Official** – In regard to a Tower, if approved, design and calculation would have to be completed by a structural engineer registered in the State of Arizona with their wet seal stamp provided on all plans and calculations. Work and construction would have to be done by a properly licensed contractor and any need special inspections would be the responsibility of the owner. The design of the tower would have to be such that any catastrophic failure would be contained within the property boundaries.

**Yavapai County Flood** – No Objections

**Town of Camp Verde Town Engineer** – No Comments

**Camp Verde Fire District** – Plans are Approved. The final installation and construction must be in accordance with the code.

***Recommended Action (Motion): Motion to recommend approval /denial to Council on an application submitted by Mr. Adam Brixius and/or Mr. Andy Livingston, of Clear Blue Services, agents for AT &T Mobility, for a Use Permit to place a 90 foot Wireless Tower on property owned by GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.***



# Land Use Application Form

1. Application is made for:

Use Permit

Wireless Tower

2. Project Name: YA73 Rancho Verde

Please print or type legibly

3. Contact information: (a list of additional contacts may be attached)

Owner Name: George L. Green

Applicant Name: Clear Blue Services

Address PO. Box 1078 Arroyo Grande  
CA. 93421

Address: 11011 S. 48<sup>th</sup> St Suite 210

Phone: \_\_\_\_\_

Phone: Phoenix, AZ 85044  
602-426-9500

E-mail: \_\_\_\_\_

E-Mail: adambrinius@clearblueservices.com

4. Property Description:

Address or Location: 1488 W. Horseshoe Bend Camp Verde, AZ 86322

Existing Zoning: RCU-2A + Use Permit

Existing Use: RV Park

Proposed Zoning: RCU-2A+(2) <sup>USE</sup> Permits

Proposed Use: RV Park + Wireless Communications

5. Purpose: (describe intent of this application in 1-2 sentences)

To locate a Wireless Communications Facility w/ 90'  
monopine tree and State Approved Shelter, surrounded by block wall.

6. Certification:

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action

Owner Adam Brinius

Date 9/17/2012 AND

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s) I understand that all materials and fees required by the Town of Camp Verde must be submitted prior to having this application processed.

Applicant Adam Brinius

Date 9/17/2012

# Affidavit

I Adam Brixius owner/agent of parcel 403-19-013V have notified neighbors within 1000' of parcel 403-19-013V, by sending letters on 11/30/12 to notify them of the neighborhood meeting that I conducted on the 19<sup>th</sup> day of DECEMBER 2012.

I posted parcel 403-19-013V with meeting date and time on the 4<sup>th</sup> day of DECEMBER 2012.

I Adam Brixius owner/agent of parcel 403-19-013V have provided a summary of Neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde within 15 days attesting to the issues and concerns discussed at the Neighborhood Meeting held on the 19<sup>th</sup> day of DECEMBER 2012.

Summary

Statement: Two citizens attended and one was a representative of property and the other was a reporter. In an informal setting details of the project were discussed and both citizens seemed to look forward to this project.

If Summary statement is too long, attach a copy.

State of Arizona}

County of Yavapai}

ABx

Signature of Document Signer No. 1

ABx

Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 20<sup>th</sup> day of DECEMBER 2012.



Sarah Livingston  
Signature of Notary





**Parcel ID** 403-19-013V  
**Check Digit** 6  
**Owner** GREEN GL & SF REVOCABLE TRUST  
**Owner's Mailing Address** PO BOX 1078, ARROYO GRANDE, CA 934211078  
**Secondary Owner** GREEN GEORGE L & SIGRID TTEES  
**Recorded Date** 2006-05-01  
**Last Transfer Doc Docket** 4411  
**Last Transfer Doc Page** 823  
**Physical Address** 1488 W Horseshoe Bend  
**Incorporated Area** Town of Camp Verde

**Assessor Acres** 5.18  
**School District** Camp Verde Unflied SD #28  
**Subdivision** N/A  
**Fire District** Camp Verde FD

**Subdivision Type** N/A  
**County Zoning Violation** No Zoning Violation

**Improvements (8)**

**Type:** Single Family Residential  
**Floor area:** 1031  
**Effective/constructed:** 1960

**Type:** Recreational Vehicle Parks  
**Floor area:** 41  
**Effective/constructed:** 1999

**Type:** Residential Yard Improvements  
**Floor area:** 1  
**Effective/constructed:** 2000

**Type:** Office Building  
**Floor area:** 196  
**Effective/constructed:** 2004

**Type:** Commercial Yard Improvements  
**Floor area:** 1  
**Effective/constructed:** 1999

**Type:** Mobile Home Yard Improvements  
**Floor area:** 1  
**Effective/constructed:** 1995

**Type:** Shed - Equipment  
**Floor area:** 576  
**Effective/constructed:** 2000

**Type:** Laundromat  
**Floor area:** 576  
**Effective/constructed:** 1999

**Assessment**



December 3, 2012

Mike Jenkins, AICP  
Community Development Director  
Town of Camp Verde  
Community Development  
473 S. Main St., Suite 108  
Camp Verde, AZ 86322

Re: AT&T: YA73 Rancho Verde

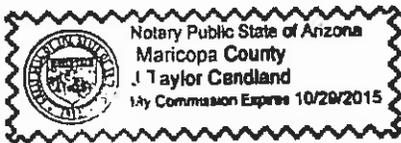
Dear Mr. Jenkins:

As you know, New Cingular Wireless PCS, LLC ("AT&T") has applied to the Town of Camp Verde to obtain the necessary land use entitlements to construct a wireless telecommunications facility (the "Communication Facility") in the area of 1488 W. Horseshoe Bend Dr, Camp Verde, AZ 86322 (the "Premises"). This letter shall confirm that AT&T shall comply with all federal, state and local laws, orders, rules and regulations, including, without limitation, Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) rules and regulations, applicable to Tenant's construction and use of the Communication Facility.

New Cingular Wireless PCS, LLC,  
a Delaware limited liability company

By: Bechtel Corporation  
Its: Turnkey Manager

By: Beth Davison  
Print Name: Beth Davison  
Its: Site Acquisition Coordinator



STATE OF ARIZONA )  
 ) ss:  
COUNTY OF MARICOPA )

On the 3<sup>rd</sup> day of December, 2012, before me personally appeared Beth Davison and acknowledged under oath that she is the Site Acquisition Coordinator of Bechtel Corporation representing AT&T Mobility Corporation, the Manager of New Cingular Wireless PCS, LLC, the Tenant named in the attached instrument, and as such was authorized to execute this instrument on behalf of the Tenant.

J. Taylor Cendland  
Notary Public

My Commission Expires: 10/29/2015

**Letter of Authorization**

Date:

TO WHOM IT MAY CONCERN:

This letter will serve as authorization for Adam Brixius, to act as an agent on behalf of George L. Green and Sigrid Green, Trustees of the G.L. and S.F. Green Revocable Trust under Agreement dated September 21, 1987, including, but not limited to, power of attorney for the purpose of obtaining a Use Permit, for a RV Park with a Wireless Communications Facility and a Use Permit for a Wireless Tower in cooperation with Camp Verde, Development Services Department.

Located on Assessor Parcel Number: 403-19-013V

Landowner Signature: George L. Green Date: 08/31/2012

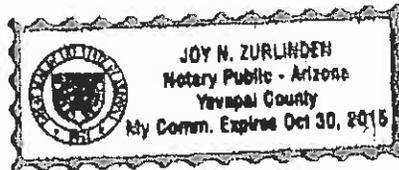
State of Arizona

ss

County of Yavapai

On this 31 day of August 2012 before me, the undersigned Notary Public, personally appeared George L. Green who executed the foregoing instrument for the purpose therein contained.

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



Joy N. Zurlinden  
Notary Public

Oct 30, 2015  
Date Commission Expires



## Planning & Zoning Ordinances And Subdivision Regulations

### PART EIGHT. WIRELESS COMMUNICATION FACILITY REGULATIONS

#### SECTION 800 - ADMINISTRATION

**1. Purpose & Intent:**

The purpose of this ordinance is to provide for the development of wireless communication services throughout the Town of Camp Verde while protecting the public health, safety, welfare, and property of the citizens and to ensure the community's remarkable scenic, wildlife, historic and cultural qualities.

**2. Conformance with Applicable Ordinances:**

This Ordinance shall be an addendum to the Camp Verde Zoning Ordinance. All wireless communications facilities shall conform to this Ordinance except those used solely for transmission and receipt by a single user and not otherwise restricted within that zoning district, including but not limited to amateur radio and devices necessary for the use of a subscription to a commercial wireless provider service.

In accordance to the Telecommunications Act of 1996, no legal statute or regulation, or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.

#### SECTION 801 - DEFINITIONS

As used in this section, the following terms shall have the following meanings:

- 1. Alternative tower structure:** vertical components not generally designed for use as antenna support structures including but not limited to structures such as church steeples, ballpark light poles and water towers.

- a. Priority will be given, after a complete and correct application, fee and all required documentation and information is filed, to applicants who collocate on Town facilities.
- b. Wireless communications facilities located on property owned, leased, or controlled by The Town of Camp Verde pursuant to agreement of or approved by The Town of Camp Verde shall be a permitted use in all zoning districts, except residential districts, with a zoning clearance.
- c. An applicant who certifies in writing that the tower constructed will be suitable for collocating multiple providers of varying wireless technologies and, as a condition of zoning, executes a written agreement (collocation agreement) with The Town of Camp Verde on a form approved by the Town Attorney, consenting to application of the terms of this provision, shall, unless waived by the applicant, receive preferential treatment for a final approval or rejection of its application after a complete and correct application, fee and all required documentation and information is filed.
- d. Proposed antenna facilities, including concealed antennas, shall be designed to accommodate not only equipment for the applicant's use, but also for the collocation for at least one additional wireless communications provider for every 30' of height proposed. The Town Council may reduce the required shared capacity, if a facility necessary to provide for such collocation, adversely alters the area's visual character.
- e. Collocation Agreement: The collocation agreement shall provide for at least the following:
  - 1) The applicant shall accept for collocation any FCC licensed wireless communication provider (additional user) using any compatible technology on commercially reasonable terms considering all of the factors a reasonable tower leasing company would deem relevant in entering into such an agreement;
  - 2) Any additional user seeking collocation shall submit specifications for its equipment and use (request to the applicant and applicant shall, within 30 days thereafter, respond to such party in writing, furnishing all technical requirements which must be resolved before collocation.
  - 3) The applicant and the additional user shall, thereafter in good faith, attempt to resolve any technical or business terms. If, after 30 days from the response, the additional user may submit in writing a request for arbitration to applicant and the American Arbitration Association which shall designate a person knowledgeable in collocation of wireless communication carriers, to act as arbitrator and decide all issues between the parties. Such arbitration shall be held within 30 days of the request for arbitration. Upon the written agreement of both parties, a different procedure for binding dispute resolution may be used. The result of the arbitration or other resolution method agreed to by the parties shall be binding.
  - 4) If the arbitrator certifies in writing to the Town of Camp Verde that the applicant has failed to comply with the decision of the arbitrator within 15 days of its issuance by the arbitrator, the use permit or administrative approval for the wireless communication facility in question shall be terminated and the wireless communications facility shall be removed within 30 days of the date of the arbitrator's certification, failing which, The Town of Camp Verde shall have all of the remedies available to it for elimination of a use in violation of the zoning code;

- 5) The additional party, upon submitting the request shall become a third party beneficiary to the collocation agreement.
- 6) The Town of Camp Verde shall not be a party to any contract between the applicant and the additional party and shall not be a required party and shall not be made a party to any dispute or arbitration and applicant shall indemnify, defend and hold The Town of Camp Verde harmless from any cost, including reasonable attorney fees associated with such matters.
- 7) A lease or other agreement containing the business terms proposed by the applicant for collocation shall be attached as an exhibit to the collocation agreement.

### **3. Height Limitations**

Collocations on towers or structures are allowed on a 15' height increase above the standard height restrictions for the second, third, and fourth collocations.

### **4. Lot Size**

For purposes of determining whether the installation of a tower or antenna complies with district development regulations, even though the antennas or towers may be located on a separately leased portion of the lot, the density district requirements of the entire overall lot shall control requirements, including but not limited to setbacks, lot coverage percentages, and other such requirements.

5. Equipment shall not generate noise levels that exceed 45 DBA Sound Pressure Level (SPL) on directly adjacent properties. This maximum sound level does not apply to generators used in emergency situations when the regular power supply is temporarily interrupted and noise made during the regular maintenance and upkeep of the facility and site.

### **6. Principal or Accessory Use**

Antennas and towers may be considered either principal or accessory uses to the principal use of the property.

### **7. Setbacks**

- a. Setbacks and separation distances shall be calculated and applied irrespective of municipal and county jurisdictional boundaries.
  - b. Tower facilities must be set back from any lot line a distance equal to at least 100 percent of the height of the tower unless a greater setback is required for the particular zoning district: i.e., the reclining length of any tower must be located on the lot so that in the case of collapse, the tower would be contained within the bounds thereof.
  - c. Tower facilities must be located no closer than 5,000 feet to residential areas.
  - d. Guys and accessory structures must satisfy the minimum zoning district setback requirements.
  - e. Facilities that are located on existing or replaced streetlights, traffic signal poles or electrical utility poles are exempt from any setback requirements.
8. All wireless communication facilities shall be maintained in compliance with applicable state or local building codes under which they were constructed and any regulations of the FAA, the FCC, and any other federal government agency with the authority to regulate them or their components. If such Federal standards and regulations are changed, then the owners of the wireless communication

facilities governed by this chapter, which are applicable to these new federal standards shall bring such towers and antennas into compliance with such revised standards and regulations within three months of the effective date of such standards and unless a different compliance schedule is mandated by controlling law. Wireless communications facilities that are not in compliance, shall be removed at the owner's expense if not brought into compliance within 30 days after written demand by the Town of Camp Verde.

9. Wireless communications facilities shall be regulated and permitted pursuant to this section and shall not be regulated or permitted as essential services, public utilities, or private utilities.
10. **Zoning Districts**
  - a. All other locations must be exhausted before a wireless communication facility applies for location in a residential zone.
  - b. Except as provided in this section, all buildings and use processes and requirements, including height restrictions, applicable in the zoning district shall apply to wireless communication facilities.
11. Above ground equipment shall be enclosed by concrete masonry unit walls with landscaped screening, if located within 1,000 feet of existing residences.
12. Camp Verde Fire Department and Camp Verde Marshal's Office shall have access to the exterior and interior via keys or other method in case of emergency.

## **SECTION 803 - MODIFICATIONS**

No existing wireless telecommunications facility may be changed or modified except as follows:

1. The change or modification is required by a change in user or technology.
2. The change is required for the collocation of additional carriers on the existing structure.
3. The change does not increase the height of the tallest component above the height approved in the use permit, administrative approval, or in the case of a pre-existing facility, its then current height.
4. At the conclusion of the change or modification, the facility complies with all requirements of the Town of Camp Verde Community Development Department.
5. An explanation is submitted to the Planning and Building Director stating why the modification is necessary, and an updated Provider's Communication Plan, including any proposed changes in the service areas, antennae, towers, and policy direction is provided.

## **SECTION 804 - PROHIBITIONS**

1. **Lighting**

Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the application shall contain a list of optional light devices and a statement of the reason for selection of the light device specified over each of the options.

**2. Signs**

No signs shall be allowed at a facility with the exception of a single one (1) square foot sign providing emergency contact numbers for the facility.

3. Wireless communication facilities shall not be installed in environmentally sensitive areas, including but not limited to any riparian or watercourse areas.

## **SECTION 805 - PROVIDERS COMMUNICATION PLAN**

1. Each wireless communication provider shall provide a plan of its facilities within the Town's area of interest to the Town of Camp Verde prior to any application for the installation of a wireless communication facility. The plan shall cover the entire Town extending five (5) miles beyond the Town border. The plan shall include the following.
  - a. All of the provider's existing wireless communication facilities, by size, type and their coverage areas.
  - b. All presently anticipated future service areas, anticipated deployment date, and types of wireless communication facilities and heights desired for each of the service areas.
  - c. The various types of wireless communication facilities used by the provider to furnish service and when they are used. This includes drawings providing the sizes and shapes of the antennae and equipment as well as written materials describing their application.
  - d. The provider's policy direction for the mitigation and/or reduction of existing and proposed towers to avoid the proliferation of such facilities.
  - e. The provider's policy direction on the mitigation and/or reduction of the negative visual impact created by existing towers, including any proposals to conceal or disguise such facilities designed to be architecturally and/or environmentally compatible with their surroundings.
  - f. The provider's policy direction on collocation of antennae on their own facilities, on facilities from other provider's, or on other structures that provide the verticality required to this Section.
  - g. Designation of an agent of the provider who is authorized to receive communications and notices pursuant to this Section.

## **SECTION 806 - APPLICATION SUBMITTAL AND REVIEW**

**1. General**

The following provisions shall govern the issuance of permits for towers or antennas:

- a. If the wireless communication facility is not a permitted use, then an administrative approval or a use permit shall be required for the construction.

- b. Applications for administrative approvals and use permits for a wireless communication facility shall be subject to the procedures and requirements for use permits generally, except as modified in this section.
- c. Fees for applications under this section are listed in Section K under Fee Schedule.
- d. All use permit or administrative review approvals for new wireless communication facilities shall be granted for a maximum period of ten (10) years with Council review after five (5) years. The applicant/structure owner shall be responsible for initiating an administrative renewal and possible extension of the approved wireless facility and shall demonstrate that changes in technology, that are economically feasible, have not eliminated the need for the facility as approved. Applications for collocation on existing structures shall be set for a period of time so that the expiration date for the collocation expires simultaneously with the structure. If an extension is denied by the Planning and Zoning Department, the applicant may appeal the decision to the Planning and Zoning Commission and the Town Council by applying for a use permit.
- e. In granting approval of an application, The Town of Camp Verde may impose conditions to the extent that such conditions carry out the purposes of this section.
- f. Any information of an engineering nature that the applicant submits shall be certified by an Arizona licensed professional engineer.
- g. The Community Development Director is authorized to employ on behalf of the Town Council, an independent technical expert to review any technical materials submitted including, but not limited to, those required under this section and in those cases where a technical demonstration of unavoidable need or unavailability of alternatives is required. The applicant shall pay all the costs of said review.
- h. Prior to applying for a new facility, including collocation, the applicant shall meet with community groups and interested individuals who reside or own property within one thousand (1000) feet of the proposed site to explain the proposed project. The purpose of these meetings are to inform and educate the community on wireless communications and the restrictions placed on The Town of Camp Verde by the Federal Telecommunications Act of 1996, as well as to solicit suggestions from these groups about the applicant's proposal and impact mitigation measures. Applicant shall make a concerted effort to incorporate the community suggestions for impact mitigation generated by the meetings and describe the efforts in the application. Applicant shall be prepared to discuss information including but not limited to, technical aspects, visual aspects, including alternative sites and designs. Applicant shall provide detailed meeting minutes, copy of all materials delivered or received, and documentation of who attended the meetings from the community organization.

**2. Performance Criteria:**

The order of preferences for wireless communication facilities is, from most preferred to least preferred:

- a. Concealed sites.
- b. Collocation on an existing Town property.
- c. Collocation on an existing facility, tower, or electrical utility pole.
- d. New sites located on public lands at least 5000' from private land.

- e. New concealed or attached antenna sites located on/at public or quasi-public facilities.
- f. New towers/facilities under 99'.
- g. New towers/facilities 100' to 199'.
- h. New towers/facilities 200' and over.

New facilities shall use the most preferred facility type where technically feasible, even if it results in an increase in the number of facilities, or a higher cost. A lesser preferred facility type may be permitted only if the applicant presents substantial evidence to show that it will have less of a visual impact than the use of more preferred facilities.

### 3. Characteristics

The following characteristics are deemed consistent with the purposes of this section and will be afforded favorable weight in considering the application:

- a. Sites located on an existing Town property.
- b. Existing structures will be preferred over new structures.
- c. New structures that are camouflaged to blend into the location.
- d. Wireless communication facilities that cannot be readily observed from adjacent streets.
- e. Structure heights that do not exceed the height limitations for that zoning district. When heights may exceed an adjacent district's height restrictions, the owner of that adjacent jurisdiction will be notified of the application by the Town.
- f. Collocation of all licensed carriers for The Town of Camp Verde on a single wireless communication facility in remote locations will have significant favorable weight in evaluating the application.
- g. The service provider's development plans which achieves the least obtrusive wireless communication facilities of all providers reasonably necessary for commercial coverage.
- h. Location in the least restrictive zoning district starting with Industrial.
- i. Suitability of the location for collocation of governmental public service wireless communication facilities.

## SECTION 807 - ADMINISTRATIVE REVIEW APPLICATIONS

Applications for collocation of antennae on, and equipment at, an existing, permitted wireless communications facility, shall be subject to review by the Community Development Department staff and approval by the Planning Director. Applications to place antennae on top of, or attached to, an existing or replaced utility/power pole which does not extend the height of the existing pole by more than ten (10) feet shall also be evaluated by the Administrative Review process. A decision shall be rendered to approve or deny within 14 days of submittal of a complete application. If an Administrative Review application is denied by the Community Development Department, the applicant may then apply for a Use Permit.

### 1. Application Requirements:

- a. Completed hearing application submittal form, letter of authorization, and permission to enter property letter as contained in the application procedures information packet.
- b. An updated Provider's Communication Plan, including any proposed changes within the Town's area of interest, antennae, towers, and policy direction.
- c. Study on impact of emissions.
- d. Data on herbicides used on site.
- e. Photographs of the site prior to construction of the facility.
- f. Biological impact study.
- g. The zoning classification of the site.
- h. Plans showing elevation drawings of the exterior of each element of the proposed wireless communication facility including method of fencing, color, and regulations.
- i. Certification that the wireless communication facility, as represented in the application, will comply with all FAA, FCC and other applicable regulations.
- j. Copies of all wireless telecommunication licenses for all providers who will use the facility at the time of filing the application;
- k. Copy of signed, lease agreement with landowner.
- l. Semi-annual notification to the Town giving use status of the facility.
- m. Reclamation Plan as specified in this ordinance.

## **SECTION 808 - ADMINISTRATIVE REVIEW WITH COMMENT PERIOD APPLICATIONS**

Applications for new wireless communication facilities that do not exceed ten (10) located at least 5,000 feet from the nearest privately owned land, would be subject to administrative review with a 21-day public comment period.

Surrounding property owners and community organizations shall receive notice of the application. If an Administrative Review with Comment Period application is denied, the applicant may then apply for a Use Permit.

### **1. Application Requirements:**

- a. All material associated with the submittal of an Administrative Review application as stated above.
- b. A mailing list of all property owners within 1,000 feet of the facility site, and pre-addressed envelopes affixed with first class postage to each property owner.
- c. A map showing the adjacent roadways and proposed means of legal access.
- d. RF propagation maps showing the coverage areas of the proposed site and how it interacts with the coverage areas of connecting sites.
- e. The setback distance between the proposed wireless communication facility, the nearest residential unit and/or the nearest residential zoned owned properties.
- f. Certification of whether the applicant is applying for collocation treatment, and how many carriers could be accommodated on the facility with adequate signal coverage.

- g. Certification that no Town Property or municipally owned site, or existing wireless facility reasonably meets the needs of the applicant, listing all such sites within five (5) miles of the proposed site and the reason each is not physically adequate for reasonable commercial coverage, or not economically feasible for location.
- h. A visual analysis, which may include photo simulations, field mock-ups, or other techniques, which identify the potential visual impacts of the proposed facility. Photo simulations shall be provided from the three closest residences within one half-mile of the proposed site and from the closest collector or arterial discretion, request additional photos from specific vantage points.
- i. Attendees list, minutes, and information obtained from required community meeting.

## **SECTION 809 - USE PERMIT APPLICATIONS – PUBLIC HEARING REQUIRED**

Any new wireless communication facility that exceeds ten (10) feet above the maximum height allowed in the density district, or does not meet all of the criteria to be allowed in the Administrative review processes, shall require a Use Permit.

### **1. Application Requirements:**

- a. All material associated with the submittal of an Administrative Review with Comment Period.
- b. A complete Use Permit application packet.
- c. A mailing list of all property owners within the distance required from the facility site, and pre-addressed envelopes affixed with first class postage to each property owner.

Notification required by tower height:

- 99 feet and under = 1,000 feet radius
  - 100 to 199 feet = 2,500 feet radius
  - 200 feet and above = 5,000 feet radius
- d. RF frequency propagation maps showing the coverage areas of the proposed site and how it interacts with the coverage areas of connecting sites. If the applicant is seeking collocation of multiple carriers, the RF propagation coverage maps should also include on a separate map, the coverage areas obtained from the lowest collocation point on the tower.
  - e. Certification that policing, fire departments, public safety, water and local governments having jurisdiction within five (5) miles of the site have been notified of the application.
  - f. The applicant shall submit a visual analysis of the potential impact to the proposed site, which will include photo simulations, field mockups, or other techniques that identify the potential visual impacts of the proposed facility. Photo simulations shall be provided from the five closest residences within two miles of the proposed site and from the closest collector or arterial street. The Community Development Director may at his/her discretion, request additional photos from specific vantage points.
  - g. A written narrative/explanation of why it is necessary that the proposed wireless communications facility be located in the proposed location, and why it will exceed the

maximum height allowance for the zoning district in which it is proposed. If the explanation is based on coverage maps, structural calculations, lease amounts, or any other information pertinent to the need for the structure or additional height, this information shall be included as appendices to the narrative.

## 2. Standards:

In addition to any standards for consideration of use permit applications, the following shall be considered in determining whether to issue a use permit or administrative approval

- Height proposed
- Proximity to other uses
- Historic sites
- Landmarks
- Vehicle traffic routes
- Medical facilities
- Air routes
- Topographical features
- Utilities
- Access
- Suitability of alternative sites
- Visual impact

## SECTION 810 - RECLAMATION PLAN

All applications must include a detailed reclamation plan. Implementation of the Reclamation Plan must begin within seven calendar days after the removal of the facility.

The reclamation plan must include:

- Conceptual drawing of what the site will look like after the reclamation plan is completed.
- Vegetation plan.
- Implementation plan.
- Completion schedule.
- Cost estimate.

Financial assurances equal to the cost estimate shall be posted by the applicant prior to the issuance of building permits. The applicant will add an amount equal to 8% of the cost estimate yearly to the financial assurance until the reclamation plan is completed.

## **SECTION 811 - REMOVAL**

Prior to building permits/zoning clearances being issued, and within 30 days of Town Council approval, financial assurances shall be posted by the applicant to assure the removal of the tower and return of the site to its previous state in the event the use is discontinued or abandoned.

Towers and antennae shall be removed, at the owners' expense, if not used for a permanent use for 180 consecutive days unless this period is extended pursuant to this section. If the tower or antennae is not removed, after 180 consecutive days of disuse, the Town of Camp Verde may give notice that it will contract for removal within 30 days following written notice to the owner. Thereafter, the Town of Camp Verde may cause removal at the cost of the owner.

An owner wishing to extend the time for removal or reactivation shall submit an application stating the reason for such extension. The Planning Director may extend the time for removal or reactivation up to 60 additional days upon a showing of good cause.

Upon removal of the wireless telecommunications facility, the applicant will have seven calendar days to begin the reclamation plan approved with the original application.

## **SECTION 812 - FEE SCHEDULE**

Application fees for Wireless Communication Sites shall be as per the currently adopted fee schedule.

Applications to review/renew an existing approved facility –50% of original fee.



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## Federal Guidelines for Local and State Government Authority over the Siting of Personal Wireless Service Facilities

[Section 332\(c\)\(7\) of the Communications Act](#) preserves state and local authority over zoning and land use decisions for personal wireless service facilities, but sets forth specific limitations on that authority. Specifically, a state or local government may not unreasonably discriminate among providers of functionally equivalent services, may not regulate in a manner that prohibits or has the effect of prohibiting the provision of personal wireless services, must act on applications within a reasonable period of time, and must make any denial of an application in writing supported by substantial evidence in a written record. The statute also preempts local decisions premised directly or indirectly on the environmental effects of radio frequency (RF) emissions, assuming that the provider is in compliance with the Commission's RF rules.

Allegations that a state or local government has acted inconsistently with [Section 332\(c\)\(7\)](#) are to be resolved exclusively by the courts (with the exception of cases involving regulation based on the health effects of RF emissions, which can be resolved by the courts or the Commission). Thus, other than RF emissions cases, the Commission's role in [Section 332\(c\)\(7\)](#) issues is primarily one of information and facilitation.

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*Last reviewed/updated on 12/17/2010.*

**Related Sites**

[Antenna Structure Registration/FAA Issues](#)

[Nationwide Programmatic Agreement](#)

[Arbor Day Foundation](#)  
 Tree Line USA Program recognizes utilities demonstrating practices that protect America's urban forests.

[Intergovernmental Advisory Committee](#)

[MB's NPRM](#)  
 Concerning Preemption of Local Regulations on the Siting of Broadcast Facilities

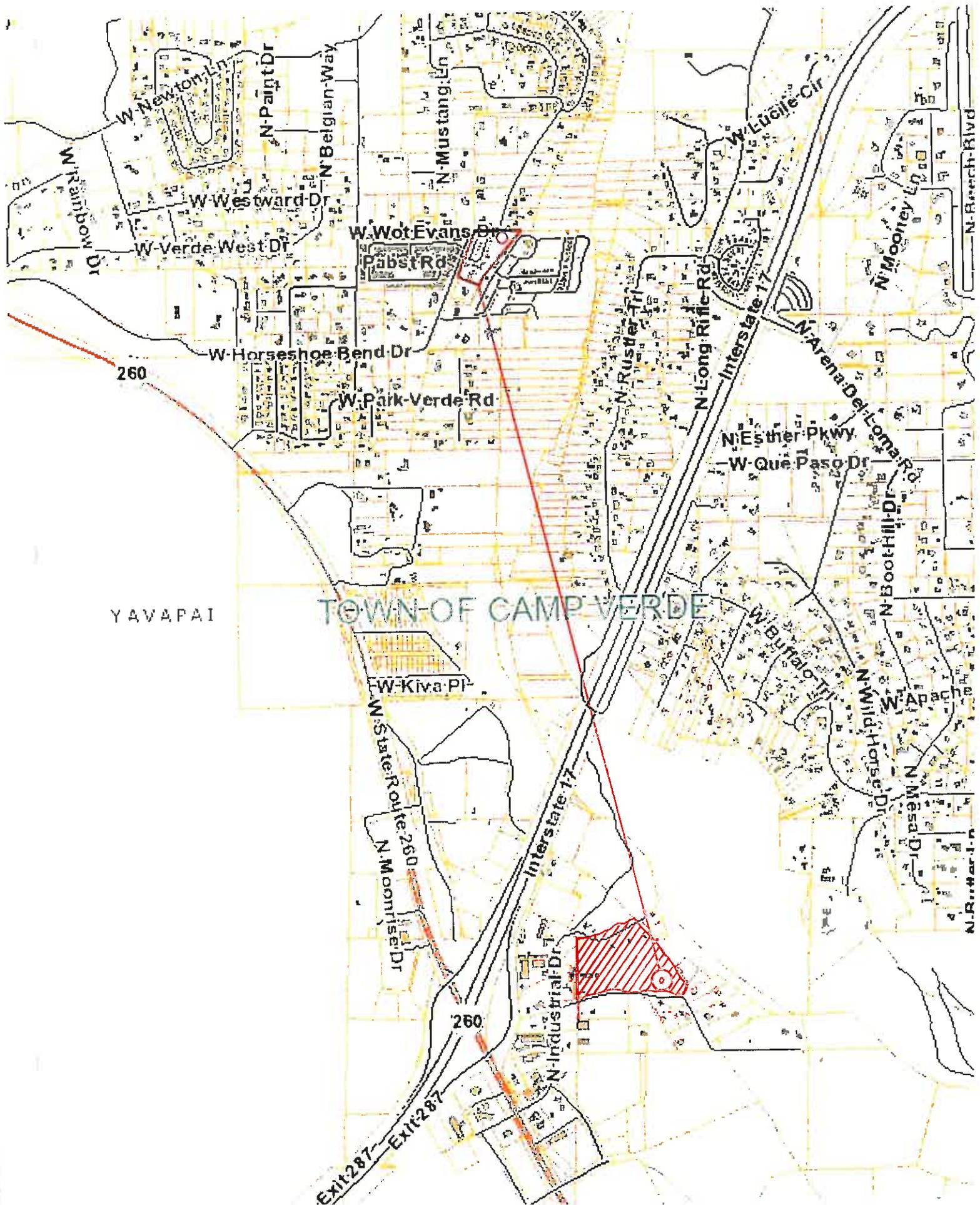
[Public Buildings Service Antenna Program](#)

[Search AM Database](#)  
 Determine Interference Potential from a New Cellular Tower Structure

[wow-com](#)  
 The World of Wireless



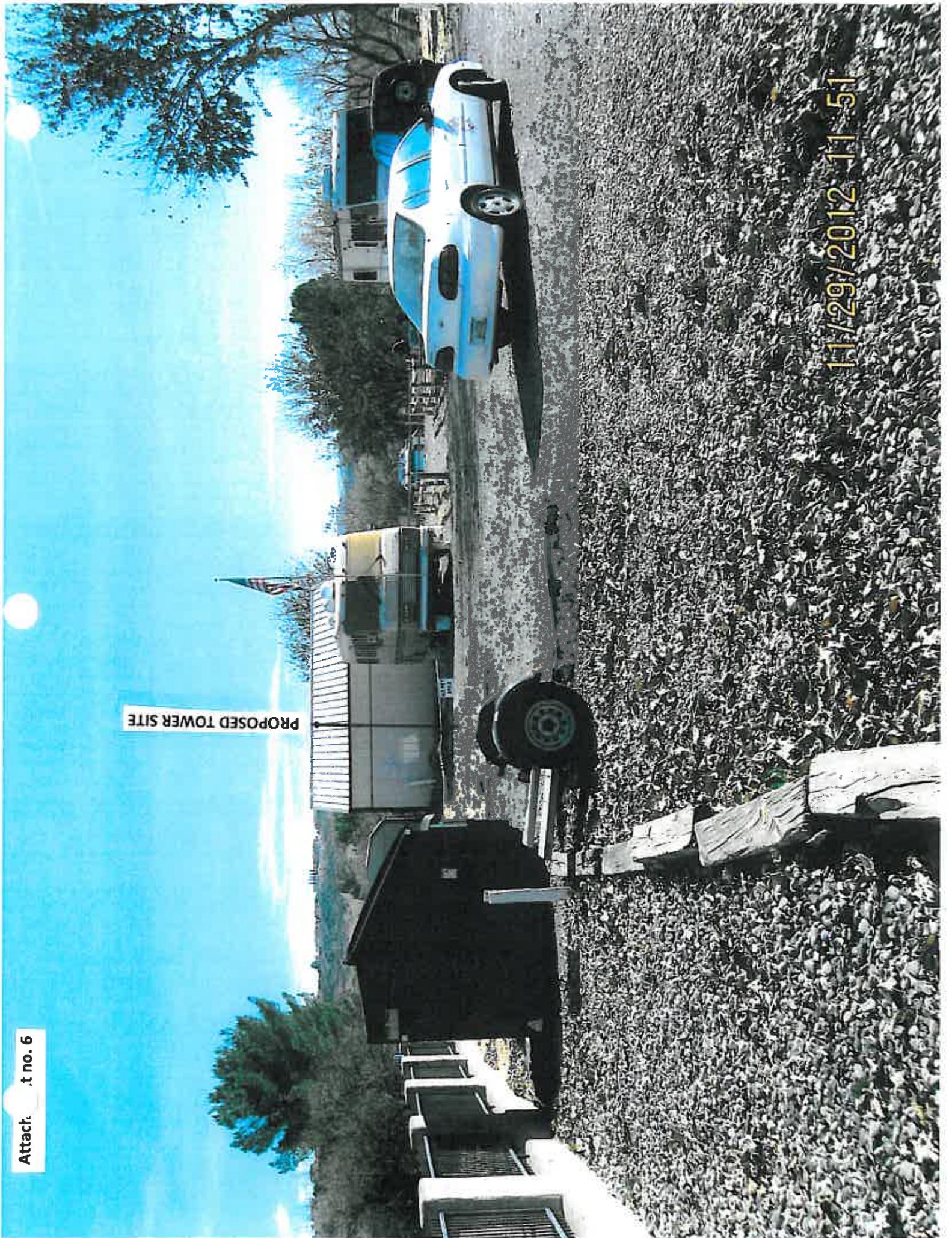
# Wireless Tower & Street Yard Proximity





PROPOSED TOWER SITE

11/29/2012 11:51



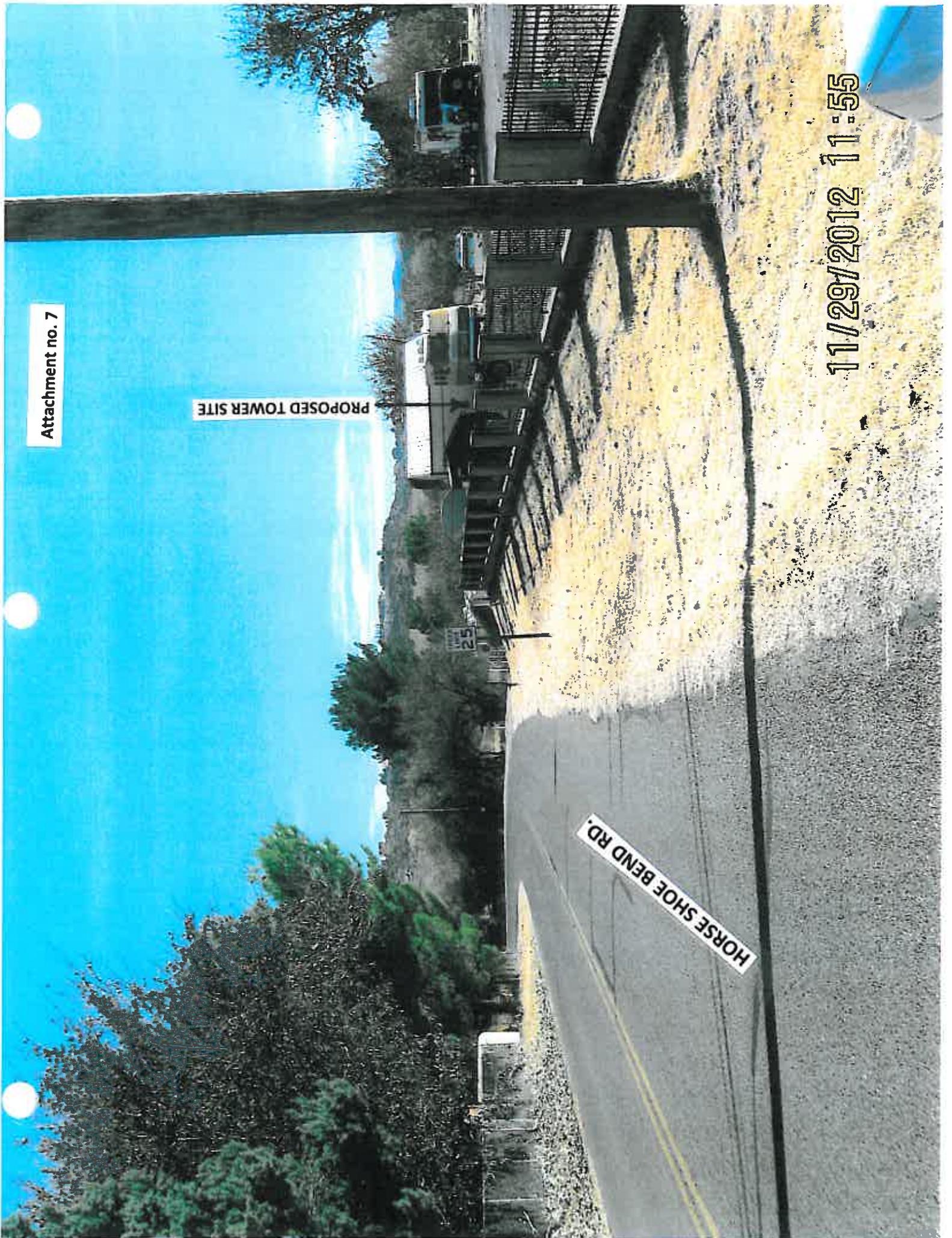
Attachment no. 7

PROPOSED TOWER SITE

HORSE SHOE BEND RD.

25

11/29/2012 11:55



# Wireless Tower

Attachment no. 8

