



**PUBLIC HEARING
TOWN OF CAMP VERDE -- PLANNING & ZONING COMMISSION
473 S. MAIN STREET CAMP VERDE, AZ 86322
COUNCIL CHAMBERS STE. 106
THURSDAY JUNE 8, 2017
6:30 PM**

Note: *Work Sessions are being held over the next few months to review potential changes to the Town Code. Public participation and input is encouraged during this process. Work Sessions will end no later than 9:00 p.m., and it is possible that some items will be carried over to a subsequent meeting. If you have questions regarding these work sessions, elements of the proposed changes to the Town Code, public participation, etc., please contact the Community Development Department at (928) 554-0053.*

1. Call To Order

Vice Chairman Helm called the meeting to order at 6:30 pm.

2. Roll Call

Vice Chairman Helm, Commissioners Blue, Hisrich and Norton.

Absent: Chairman Davis, and Commissioner Freeman. One vacancy exists.

Also Present: Community Development Director Carmen Howard, Building Official Robert Foreman, Community Development Planner Melinda Lee and Recording Secretary Marie Moore.

3. Pledge Of Allegiance

Commissioner Norton led the pledge.

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 Commission member so requests.

a. Approval of Minutes:

January 19, 2017 – Special Session

May 4, 2017 – Work Session

b. Set Next Meeting, Date and Time (Tentative):

Follow up Work Session and (2) Public Hearings; July 6, 2017

On a motion by Commissioner Blue, seconded by Commissioner Norton, the Commission unanimously approved the Consent Agenda.

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).

No items were brought forth to the Commission for discussion.

6. Public Hearing, Discussion and possible Recommendation to Council for a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance amending the TOC, Part 1 Section 102 – Applicability and Exemptions, Section 103 – Definitions, Part 2 Section 203 – Use Districts, amending regulatory criteria for Subsection A, B, C, D, E, F, G, H, L, N, adding a new Section O, CF Community Facilities, Section 204 – Use District Regulatory Criteria, Section 306 – Mobile/Manufactured Home Parks, Section 307 – Golf Course Development Environmental Standards, adding a new Section 311 – Shipping Containers, adding a new Section 312 – Accessory Dwelling Unit, Section 402 – Development Compatibility, Protection and Appearance, Section 403 – Off-Street Parking and Loading, Section 503 – Subdivisions – General Provisions, Section 508 – Subdivision Design, Section 601 – Zoning Decisions.

Actions:

▪ **Declare Public Hearing Open**

Vice Chairman Helm declared the public hearing open.

▪ **Call for Staff Presentation: CDD Carmen Howard**

Community Development Director Carmen Howard presented to the commission changes made to the Town Code. The following items were discussed during the presentation:

- Commissioners Blue and Hisrich requested an amendment for the definition section of Accessory Dwelling Units (ADUs), stating the requirement for a separate meter should be removed since changes are being proposed to allow the units to be rented.
- Commissioner Hisrich questioned why “density” restrictions were being removed. Howard explained that it was an unnecessary provision included, due to other provisions already existing within the code that limit the housing units.
- Commissioner Hisrich requested an amendment to the bullet list on page 47 which was out of order.
- Ms. Howard verified that the proposed changes for manufactured homes older than 20 years would still be allowed to be relocated within town, but not brought in from outside of town, based on certain criteria.
- Ms. Howard reviewed the addition of Section 312 for criteria relating to ADU Rentals, which would use the definition of ADUs for size restrictions.
- Ms. Howard pointed out that recommendations to adjust the parking requirements on page 112 were done to accommodate ADUs and efficiency units better, and to provide consistency with requirements for other residential uses (to 2 spaces). Commissioner Blue requested a further amendment that efficiency units should only require 1 space, instead of 1.5 spaces. Ms. Howard suggested the issue of parking be discussed further, including provisions for guest parking, which we do not currently have.

▪ **Call for Comments from Other Persons**

Neil Haney addressed the Commission with concerns regarding the provision that will prohibit allowing manufactured homes older than 20 years within the Town limits. As a property manager of manufactured housing developments, Haney indicated that choosing an arbitrary age limit is not useful when there are homes that have been built and maintained since 1980 in better condition than homes that are 5 years old. Haney indicated that homes built after 1976 are built to HUD code and no State or municipality can prohibit the installation of a HUD approved home. Haney requested the Commission consider requirements placed on the condition of a home rather than the age of the home and indicated that such an ordinance proposed would not stand up under the scrutiny of HUD.

Commissioner Norton questioned Mr. Haney as to what repercussions the Town would be subjected to from HUD and other agencies as mentioned. Haney indicated that there are several associations including IMHA as well as the Arizona Housing Department that have been involved in similar situations with other Counties and Municipalities.

Commissioner Blue questioned Mr. Haney if he was aware of any Case Law regarding ordinances such as what is being proposed that have proceeded to Court and been turned over. Mr. Haney indicated he would have to conduct further research for that information.

Building Official Robert Foreman explained to the Commission that any manufactured house built after June 16, 1976 is required to receive a permit. Due to the lack of available enforcement and man power, there is no feasible way for the town to monitor the condition of home, as well as the issue of such a restriction being “subjective” to the opinions of such person conducting the inspection. Foreman also indicated that there are several Counties in the State of Arizona that have adopted age restrictions and is unaware of any restrictions from HUD regarding such ordinances.

Commissioner Hisrich acknowledged that there are well maintained older units, but due to lack of staffing power to conduct inspections, there is no way to “police” the condition of a unit. Mr. Foreman explained that because those type of standards are subjective, disputes will happen. Commissioner Hisrich voiced his support for the implementation of an age limit provision.

Commissioner Blue indicated that the town cannot delve into “management” exclusions and therefore, leaves it limited to an age exclusion, in which he expressed his support for the 20-year limit.

Commissioner Norton questioned if the 20-year limit suggested by staff is consistent with other town’s restrictions, Mr. Foreman indicated 15-20 years is a common restriction throughout the state.

Neil Haney asked if there was a possibility for Mr. Foreman and other members of the industry to sit and discuss options for the ordinances before making this decision. He suggested the option that if a house didn’t meet the set requirements given at permit time, the permitted home would not receive a certificate of occupancy due to condition of home and they would be required to remove home. Mr. Foreman indicated that once a permit is issued, it is problematic to rescind the permit and expressed that denying a certificate of occupancy on such grounds could lead the Town into potential legal situation.

Commissioner Norton questioned if Mr. Foreman felt there was value in conducting a meeting as Mr. Haney suggested. Mr. Foreman suggested that the matter be passed as the suggested staff has written, and prior to the Council meeting, have an in-depth meeting regarding the matter.

Tammy Woodward expressed to the Commission her lack of support toward the allowance of shipping boxes in residential areas and suggested they be restricted to industrial areas only.

Commissioner Norton indicated that he received several phone calls regarding the shipping container provisions and all were negative feedback toward the potential provision of allowing the containers in residential areas.

Commissioner Blue questioned if the shipping container provision could be pulled from the decision so more information that can be obtained for review. Community Development Director, Carmen Howard explained that as of this time shipping containers are not allowed within the Town Code and the standards placed on the containers were meant to help them blend in and are only allowed on larger lots consisting of at least 1 acre.

Commissioner Blue indicated the point of having a shed is aesthetically pleasing, and questioned why a resident would chose to get a shipping container unless they are a cheaper option. Howard indicated the cost can be upward of \$3000.00, but are purchased due to their structure. Howard recommended the provision be considered in correlation to the size of lots.

Marie Moore expressed her recommendation to allow on larger lots explaining the containers are used because of their solid structure which is weather and rodent proof, and as a home owner of a new home on a few acres of irrigated property, would rather see a shipping container next door than tires or junk that lays out in the open.

Commissioner Norton recommends that no decision be made until a full commission is present to weigh in on the matter as well as more public input is received.

Carmen Howard stated that the matter would be brought back to the Commission during the next work session for further discussion.

Vice Chairman Helm questioned the no inside incineration clause and suggested it be moved to the mortuary provision. It was clarified that the mortuary has a permit for such activities and therefore the misplaced clause should be removed entirely from the code. Helm also indicated that the term "shipping container" should not be capitalized in the code.

- **Call for Staff Rebuttal/Clarification, if appropriate**
None
- **Declare Public Hearing Closed**
Vice Chairman Helm declared the public hearing closed.
- **Call for Commission Discussion**
None
- **Call for Staff Comments**
None

7. **Recommendation to Council for the Possible Approval (or Denial) of proposed Text Amendments Town of Camp Verde Planning & Zoning Ordinance amending the TOC, Part 1 Section 102 – Applicability and Exemptions, Section 103 – Definitions, Part 2 Section 203 – Use Districts, amending regulatory criteria for Subsection A, B, C, D, E, F, G, H, L, N, adding a new Section O, CF Community Facilities, Section 204 – Use District Regulatory Criteria, Section 306 – Mobile/Manufactured Home Parks, Section 307 – Golf Course Development Environmental Standards, adding a new Section 311 – Shipping Containers, adding a new Section 312 – Accessory Dwelling Unit, Section 402 – Development Compatibility, Protection and Appearance, Section 403 – Off-Street Parking and Loading, Section 503 – Subdivisions – General Provisions, Section 508 – Subdivision Design, Section 601 – Zoning Decisions.**

On a motion by Vice Chairman Helm, seconded by Commissioner Norton, as amended based on above discussions, Commission unanimously recommended approval of the proposed Text Amendments Town of Camp Verde Planning & Zoning Ordinance amending the TOC, Part 1 Section 102 – Applicability and Exemptions, Section 103 – Definitions, Part 2 Section 203 – Use Districts, amending regulatory criteria for Subsection A, B, C, D, E, F, G, H, L, N, adding a new Section O, CF Community Facilities, Section 204 – Use District Regulatory Criteria, Section 306 – Mobile/Manufactured Home Parks, Section 307 – Golf Course Development Environmental Standards, removal of new Section 311 – Shipping Containers, adding a new Section 312 – Accessory Dwelling Unit, Section 402 – Development Compatibility, Protection and Appearance, Section 403 – Off-Street Parking and Loading, Section 503 – Subdivisions – General Provisions, Section 508 – Subdivision Design, Section 601 – Zoning Decisions.

- 8. **Current Events**
None
- 9. **Staff Comments**
Community Development Director Carmen Howard informed the Commission that there has been an interested party in joining the Commission and anticipates having a full Commission soon.
- 10. **Adjournment**
On a motion by Commissioner Blue, seconded by Commissioner Norton, the meeting adjourned at 8:28 pm.

Vice Chairman Helm
Planning & Zoning Commission

Carmen Howard
Community Development Director

CERTIFICATION

I hereby certify that the foregoing Minutes are true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Commission Meeting off the Planning & Zoning Commission of the Town of Camp Verde, Arizona held on the 8th day of June 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated that _____ day of _____, 2017

Marie Moore
Recording Secretary

